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

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Korea was a mission field dominated by American missionaries. Among the Western powers, the United States took the initiative in forcing Korea to sign a treaty in 1882, so American missionaries were the first to come and established themselves to be an influential foreign element.1 However, Korea, unlike China and Japan, did not legally allow religious freedom or foreign residence in the interior. The effects of the seclusion policy still lingered. American missionaries and their Korean adherents, therefore, faced various forms of obstacles in performing their religious activities. Nevertheless, the American missionary enterprise in Korea became one of the most celebrated chapters in the modern history of Christian missions. This success in a legally anti-Christian kingdom is quite puzzling. Many elements were involved in it. Focusing on treaties and extraterritorial rights that American missionaries enjoyed, this essay will attempt to examine certain extra-religious underpinnings of this story.

Treaties and the Freedom of Missionary Work

It was King Gojong who began making diplomatic relations with countries other than China. The exact reasons why he decided to overturn his father, former regent Daewongun's vehement anti-Christian and anti-Western policy are not altogether clear.2 More than anything else, however, it seems that 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 not be able to prevent their contempt for and covetousness against it. King Gojong and his reform-minded ministers' positions were 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 down these people. The heart of anti-Western sentiment was 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 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.3

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 then an English Shanghai paper printed its English translation. The authenticity of this document had not been confirmed when John Russell Young, the U.S. Minister at Beijing, reported it to the State Department. But he thought that it undoubtedly revealed the sentiment of King Gojong and his progressive ministers toward the West. Such was, at least, Washington's official understanding, as indicated by the inclusion of the document in the 1883 Foreign Relations report of the State Department. Considering the high selectivity 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 sentiment toward Christianity.

Gojong’s pragmatic approach toward America’s religion was revealed in the Korean-American treaty of 1882, the first treaty that the Hermit Kingdom signed with a Western country. The treaty was a signal that the Korean government was willing to adopt the West's material advancements. As for the soul of the West, however, Korea was still hostile. 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 the 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." Besides, American citizens were not permitted to transport foreign commodities to the interior. Therefore, as far as the letters of the treaty were concerned, missionary work per se was technically impossible. 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 Coreans to treat all missionaries kindly." However, Foote was no missionary sympathizer. Observing the political climate in Seoul, he thought it imprudent to raise the issue immediately. He could not but promise to do all he could do to secure religious freedom when proper time came. Luckily, Foote apparently did not need to look for an opportunity to raise the religious toleration issue. As the first Western diplomat ever in Korea, he was frequently consulted by the Korean government on matters of international relations. 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.”

One can never know how much influence Foote exercised upon the Korean court in negotiating with British envoy Harry S. Parkes and German representative Eduard Zappe. At any rate, the Korean-British treaty of 1883 granted more rights 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.

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. Now a British subject, under passport, could not only travel anywhere in Korea, but could also build chapels in the open ports. Compared with the Korean-American treaty, the Korean government's softening attitude toward foreigners
was apparent. However, the above provision clearly indicated that the Korean government would not welcome both Westerners' inland residence and 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 the British subjects. At the same time, however, they were also well aware that proselytizing was not allowed, although it was not explicitly prohibited either. That was a key reason why mission boards in America were still hesitant to open a new mission in Korea. Besides, they were ignorant of Korea and conditions in Korea. What they knew for sure was that there had been wholesale massacres of the Catholics. The political conditions of Korea were uncertain, and a retaliatory attack of France for the murder of French missionaries was rumored.11

Upon receiving American mission boards' queries, Gojong and his court "tacitly encouraged" the establishment of mission schools and hospitals.12 This permission meant that the 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 turned out to be very useful, the Korean court gave ample indications 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 missionary advised, "labor not as missionaries so much as in the capacity of a teacher and a physician."13 Henry G. Appenzeller and Horace G. Underwood, the first clerical missionaries, therefore, behaved like they were teachers, and the first thing they did was to open schools. Other pioneer missionaries were medical people. However, for American missionaries educational and medical works were only subsidiary to evangelism. They soon began proselytizing in streets as well as in schools and clinics.

Due to treaty regulations, American missionaries could not travel into the interior for evangelism. But a breakthrough came with the Korean-French treaty of 1886. It began with a sensation. 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.14 French Catholic missionaries were still working clandestinely to restore the Catholic communities destroyed by the Daewongun’s persecutions. This public announcement about the religious liberty by France was
considered by the Korean conservatives to be "intimidative." The result was that a series of disquieting rumors arose among the Korean officials and populace.  

Despite the alarming public sensation, American Charge d'Affaires George C. Foulk, a sympathizer of Christian missions, 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 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. From the talk with this and other Korean officials, several of whom had come directly from 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."  

The Korean officials, according to Foulk, were well aware that China and Japan had by treaty already withdrawn governmental interference with religious matters. They 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. Besides, other treaty powers were 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. Besides, American missionaries showed surprisingly negative attitude toward the French demand. Such anti-Catholic sentiment was expressed by Allen when Gojong sent an interpreter and inquired about Catholicism. Regarding it as his "duty" to reveal the nature of Catholic religion, he tried to convey a negative impression of it to the Korean king.  

The Korean government took the position somewhere between 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 Koreans strongly opposed the erection of churches outside the treaty ports. However, they appeased the French by giving 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." Besides, it added the word "to teach" 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 the restrictions on travel and work of missionaries in the interior that might be claimed as operative from the wording of the British treaty.\textsuperscript{19}

The French regarded the treaty as a practical proclamation of religious tolerance. The French claimed that their missionaries had the right to preach and teach their faith throughout the country. They were well aware why the Korean government vehemently rejected their proposal to allow their building chapels in the interior.\textsuperscript{20} But they argued that the religious activity was not expressly prohibited by the treaty. If the missionary work was objectionable, they insisted, it should have been explicitly so expressed like such things as trading of ginseng and the introduction of opium. 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 that was 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.\textsuperscript{21}

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 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. Until then, the general principle of the American representatives was not to claim rights on behalf of missionaries as their French counterparts did but, as a minister said, "to rely solely upon the toleration and good will of the local authorities."\textsuperscript{22} Nevertheless, the Korean-French treaty gave confidence to those American missionaries who were impatiently looking forward to enter the interior. A common understanding among American missionaries by this time was that the letters of law forbade Christianity, but there was tacit approval.\textsuperscript{23}

\textbf{Passports, Extraterritorial Rights, and Anglo-American Universalism}

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. One conspicuous evidence of the new treaty’s impact was that American missionaries began to apply for inland travel.\textsuperscript{24}
As long as the 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 hinterlands, they were to obtain a passport at the American legation and receive a Korean visa. As it turned out, the local Korean authorities did not understand the visa concept. The Korean Foreign Ministry soon began to issue a Korean passport to foreign travelers on application through proper consular representatives. The Korean passport not only authorized the bearer to travel into the interior, but also entitled her to the good offices of local authorities throughout the country. That is, when shown a Korean passport, the local authority was to provide the foreign traveler's needs, especially food, lodging, transportation, and money. Of course, 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 good offices. Koreans were famous for their kindness to foreigners, and foreign travelers would find friendly help practically at every corner. Nevertheless, missionaries found them at times very useful.

Foreign visitors would eventually find that the Korean passport was quite abused not only by 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 accurately back in Seoul. Therefore, the passport exposed its bearer to the suspicion that he would take everything without paying for it. The misuse of passports by foreigners, added to this, would further discourage Koreans from having business with a foreigner armed with a passport. Realizing that the passport was such a dreadful object, British traveler Isabella Bishop, for instance, thought better to discard it during her journey. Similarly, Arthur Brown, a Secretary of the American Presbyterian Board, advised in his report of a visit to Korea against using the passport "unless absolutely necessary." He found that some foreigners, abusing passport privileges, had made peremptory and sometimes impractical 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 passports. 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 the 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 this 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.28

The extraterritorial right was applied not only to the person of the American citizen, but also to his 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.29 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. Knowing possible legal problems, the department cautioned against any injudicious exercise of the privilege.30 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 such legal technicality, 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.31

American missionaries were willing to utilize their extraterritorial rights as much as they could. No missionary questioned the fairness of the privileges. This reveals that 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 called Victorian imperialist rhetoric. According to her convincing analysis of Victorian travel narratives of non-European lands, what was emphasized was deficiencies, and not complete lacking, of cultivation waiting to be filled by the christianizing-civilizing mission. It was a way 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 certainly betrayed this peculiar perspective of “imperial eyes.” In the last analysis, 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. In between fell the "yellow" Mongolians and Malays, the "red" American Indians, and the mixed Latinos. In the middle of the race hierarchy, the Mongolian race was supposed to possess some elements of the high qualities of the white race. One characteristic aspect of this hierarchy of race was the belief that specific, inherent physical differences, and the color of skin in particular, determined a race’s level of mental and moral development. Even among the “whites,” Anglo-Saxons were the best 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 the tokens of the superior race. Especially after the Civil War, racial difference became such a fundamental ingredient of American society. As the whole nation became overly color-conscious, the notion of race hierarchy was infused into the world-view of white, middle-class Americans, from which Korea missionaries came. Accordingly, American missionaries believed that their own race and culture were superior and should serve as a universal standard of measurement. Their mission to Korea was to teach their religion and culture, and extraterritorial rights were simply another token of their superiority.

**Extraterritorial Rights and Interior Residence**

Extraterritorial rights were created with 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.\textsuperscript{34}

The incompatibility of extraterritorial rights with inland residence was dramatically demonstrated by two incidents involving French Catholic priests. The first was the usurpation of magisterial powers by French missionaries Joseph Wilhelm and his associate. In 1900-1903, these Catholic priests, who had been aggressively expending Catholic communities in Hwanghae Province, protected Korean followers who ran into conflict with local people and authorities.\textsuperscript{35} While conflicts were growing in Hwanghae a most tragic incident occurred on the Island of Jeju. The Jeju People’s Uprising was a complex anti-foreign phenomenon. Nevertheless, a direct cause was the arrangement that the Catholic Christians, under two French missionaries, would be exempted and collect heavy taxes. The Catholics used their commission to threaten people into the church. Besides, the Catholics chopped down totem trees and demolished local shrines. As a result, the non-Christian populace and the Catholics collided. The French priests escaped, but all the known Catholic adherents in the island were killed. The situation was calmed only after the French and the Korean government dispatched war vessels.\textsuperscript{36}

The Juju 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 provocative challenge to their tradition and cultural identity.\textsuperscript{37}

These incidents show that the presence of foreigners in the interior threw an unfair burden not only on the local authorities to entertain strangers who were exempt from their jurisdiction but also on the
populace who became caught between the two. The massacre in Jeju Island acutely showed that when trouble did come, Korean adherents were the ones who ultimately suffered. When local authorities attempted to give a message to 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 fining.\textsuperscript{38} Alexander Michie, a veteran British missionary in China, correctly pointed out that missionaries had “means of escape” but their followers had “no such option—tied to the soil.”\textsuperscript{39} Inordinate demonstrations of missionary extraterritorial status that benefited Korean followers would generate local resentment and eventually did harm to them.

For American representatives, it was unwise to allow their nationals to reside in a place where they could neither be protected nor be controlled. For this reason, the American and British legations in China and Korea refused to grant the license of inland residence to merchants, despite their repeated requests. However, it was, according to Michie, "tacitly, by an oblique process, granted to missionaries—a much more dangerous element."\textsuperscript{40} Missionaries' interior residence was one of the reasons of antagonism between American merchants and missionaries in the Far East.\textsuperscript{41} 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, they should either follow up the missionaries by consular officers or impose such regulations for their conduct as would work automatically between the missionaries and the local authorities. But the American legation in Korea had neither personnel nor urgency to do that. As a result, as an American consular officer candidly wrote:

\textbf{... some missionaries would assume for [themselves] a semidiplomatic 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.}\textsuperscript{42}

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

Whenever problems relating to missionaries' residence in the interior arose, the American government and their representatives in Seoul tried 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. Being 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." But they would 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.

Fortunately, there were among American missionaries no extreme cases of the abuse of extraterritorial rights like Wilhelm or 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." 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 the non-interference principle, especially with regard to political matters.

**Extraterritorial Rights and Missionary Work**

Even after the Korean-French treaty, the Korean passport was issued only for the purposes of "pleasure," that is, for travel and study. The chief purpose of missionary trips was, of course, other than for "pleasure." In issuing passports, the Korean government must have known this, and hence it seemed that they were even ready to admit Christian evangelism. King Gojong tried his best to stop foreign encroachment into the interior. But a careful examination of several incidents and their aftermath reveals the Korean government’s helplessness in front of the influx of foreign elements.

Shortly after the Korean-French treaty, French Catholics had obtained, without the knowledge of the king, a future cathedral site in Seoul. Located upon a high hill, it overlooked the palace and adjoined the temple holding royal ancestral tablets. The Korean government wanted to buy the site, since the possibility of a cathedral at the location was obnoxious to the Korean king. Despite the combined pressure of the king and the French legation, however, the priests did not wince and laid the foundation of the cathedral. Indignant, the king forbade the teaching of Christianity. The Foreign Office write American Minister Hugh Dinsmore that it was well aware of American missionaries’ evangelistic works in schools and among the Korean populace. He demanded that such “objectionable” activities, as not authorized by the treaty, should cease.

The ban stopped "everything in the line of direct evangelistic work.” After the incident, Dinsmore
discouraged the building of a foreign chapel in Seoul. Of greater importance, he decided to issue a passport for the missionaries only on 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 oath more seriously. Most of the American missionaries could do little but to 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." So they continued evangelistic works. These people were 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!"

The ban did not entail any attempt to hinder the missionary work. The Korean government desperately needed Western machinery and technology for modernization. Korean leaders knew that modernization was a risky business and the introduction of Christianity was to some extent inevitable. In issuing the anti-Christian order the Korean monarch was careful enough to deliver the message that it was not his intention to hinder non-religious missionary activities. In reality, the ban of 1888 was a bluff. It paradoxically revealed the Korean government's helplessness and vulnerability in a situation that 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." 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) of granting officially the freedom of religion. The Korean court was not worried much about Christian religion; but rather it feared that the freedom of religion would accelerate foreign infiltration into the interior. Then came 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.

Until around 1890 American missionaries could obtain a passport and travel in the interior only by taking an oath 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 been openly engaged in missionary work since the Korean-French treaty. They were residing in the interior and buying property there. Real problems came with the Japanese. Even before the Sino-Japanese War, thousands of Japanese entered Korea. These Japanese were in general lawless and did not care about the treaty provisions or the Korean laws.\textsuperscript{56} Although the Japanese became ubiquitous in 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 that standby, the most-favored-nation clause. Naturally, the treaty regulations that prohibited foreigners' residence and property-owning in the interior became a dead law. 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 colleagues in Japan. That is, they bought property in the name of a dependable Korean convert who, in turn, provided a certificate 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 treaty. Unlike property lawfully purchased in the open ports, houses and lands 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 boards preferred, but was held by individual missionaries for their "personal" purposes.\textsuperscript{57} Moreover, it was in a sense not an honest way to deal with the Korean sellers. Therefore, some missionaries would insist that they work out from the open ports until the problem of inland residence be legally solved.\textsuperscript{58} However, most missionaries considered that such a transaction was 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.\textsuperscript{59}

Missionary property in the interior caused many a problem. Korean local authorities were obliged to prevent foreigners from owning property in their district. So when a Korean local authority desired to express his opposition to a missionary's residence and trade in his district, he had no choice but to punish the Koreans involved in the transaction. Without exception, Korean Christians, who assisted the missionary to acquire the property, were among the beaten and imprisoned. Then the missionary would interpret this as a religious persecution and report 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 should 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 an end to his "persecution."60

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 helper. The governor of North Gyeongsang Province did not like missionaries to reside in his interior province. So he arrested the Korean helper who had drawn up property documents between the American and Koreans without the consent of the missionary. At the missionary's request, American Minister Horace Allen represented the case to the Korean Foreign Minister. He protested that the unnotified arrest was a violation of the treaty and asked him to order the governor to release the Korean. The Korean helper was soon released. When medical missionary Woodbridge O. Johnson joined the station, they needed to build a new house for accommodation. Adams and Johnson, through a Korean helper, contracted with a tile-baker for tiles to cover the house. 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.61

Allen's main point was that there was a precedent that the Korean government allowed a French priest to reside in that region. In September, 1890, French missionary Achille Robert faced a similar local hostility. The French representative, V. Collin de Plancy, under instruction from Paris, demanded the punishment of the governor, a warning proclamation to all governors, and indemnity. 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 an intervention of French Bishop Mutel to modify Plancy's demands. 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 of local authorities, an instant result of the proclamation.62
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 rights to teach Christianity in the interior. Upon receiving a report on the case, the Secretary of State Alvey A. Adee instructed then American Minister Augustine Heard that, if necessary, similar rights should be secured for the American missionaries. But Heard did not make any such demand. He did not see any urgency to do that, because all American missionaries, until that time, were staying in open ports. Now Allen thought that he might well use those instructions at this time, and received the Department's approval on the matter. Shortly before the 1900 Daegu incident, there was a similar case involving American missionaries in Hwangju, Hwanghae Province. Allen at that time made the Foreign Minister issue instructions to all districts in Hwanghae Province that "all the people of whatever belief may have peace and suffer no more trouble." Allen interpreted the instructions as practically providing religious liberty for that province. When the Daegu incident occurred, however, 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 first asked for an appropriate punishment of the governor and for steps to show the people that the governor acted without the sanction of the central government. However, the governor, apparently in disgust, resigned from the post, and the acting governor reported to the foreign minister their side of the story. In brief, the governor dismissed the whole accusation of the Americans as "false and without proof." Allen became enraged 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 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.

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 "a most distasteful measure." He was right. The foreign minister ordered that the business be immediately settled. The new governor called Adams in to give a full account
of the affair, and then summoned the Korean official involved and questioned him concerning the alleged bribery charge, which he denied.68 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 fled for their lives.69

These incidents demonstrate that the Korean government was not able to keep missionaries from residing and doing evangelistic works in the interior. Missionaries' extraterritorial rights gave them freedom to do whatever they were willing to. Only the American legation could check them. American representatives were concerned about missionaries' inland residence and property-owning. But their concern was more with missionaries' safety that conflicts with local authorities and populace threatened, 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.70

In Conclusion

Every sovereign nation, being the sole judge of what makes for the good or ill of its people, has the final word concerning laws and regulations within its borders. The American missionaries were foreigners, and hence had to let Korean law and justice, such as they were, have their way. Efforts for change in Korean laws modifying 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." 71 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. In like manner, missionaries had no right to interfere with Korean authorities' ruling of their subjects. Even when their followers were molested purely on the ground that they were Christians, they should have offered moral, and not physical, support.

Ideally speaking, the missionaries' and their Korean adherents' attitudes should have been such that the consequences of their religious convictions would be cheerfully accepted. "Readiness" of
missionaries and the missionary constituency, asserted Jones, "to pay the price of loyalty wins respect and magnifies the supremacy of Christian obligation." However, such "readiness," in reality, was not to be found very often among the American missionaries in Korea. What was found more frequently were their assumptions 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 there was no way to stop it. 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 attacks. 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 have found it to be hardly necessary. By this time, Japan, America’s friendly force, was rapidly establishing itself as the new ruler over the Korean peninsula.


Inclosure 1, J. Russell Young to Frelinghuysen, Dec. 18, 1882, Foreign Relation (1882-1883), 170-72. This is a fine English translation of the decree.

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

Frelinghuysen to Foote, Oct. 23, 1883, DI.

Foote to J. Russell Young, Oct. 15, 1883, enclosed in Frelinghuysen, Dec. 22, 1883, Dispatches from United States Ministers to Corea, 1883-1905, National Archives, Washington, D.C. (hereafter D.


Foote to the Secretary of State (hereafter S, Sep. 1, 1884, DD.


Foote to Frelinghuysen, Nov. 27, 1883, DD.


G. S. McCune, 22; also see Foreign Missionar 44 (Dec. 1885): 284.

Diary, May 7, 188, Horace N. Allen Papers, Rare Books and Manuscripts Division, New York Public Library, New York, New York (hereafter Allen Papers; Heron to Ellinwood, May 14, 1886; Allen to Ellinwood, May 31, 1886, Missions Correspondence and Reports, Microfilm Series, Korea, Department of History, Presbyterian Church (U.S.A.), Philadelphia, Pennsylvania (hereafter NP; cf. Allen to Ellinwood, June 20, 1886, NPR.

Foulk to Bayard, June 2, 1886, DD.

Foulk to Bayard, May 12, 1886, DD.

Foulk to Bayard, June 2, 1886, DD.

Diary, May 9, 188, Allen Paper; also see Diary, May 10, 188, Henry Gerhard Appenzeller Paper, Missionary Research Library Collection, Union Theological Seminary Library Archives, New York, New York (hereafter, Appenzeller Papers).

Wo Sun Yi, Hangukcheonjuyoehoe (Seoul, 1986), 227 (emphasis added); Allen to SS, May 22, 1902, DD

Seoulgyogu Nyeonho (I), 1878-190 (Seoul: Myeongdong Cathedral, 1984[translation of Compte Rendu de la Societe des M.E.P] (hereafter Compte Rendu), 53, 73, 74, 103

Kis writing quoted in Won Sun Yi, 228-29

Heard to SS, April 2, 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.

See, for instance, Underwood to Ellinwood, Dec. 14, 1887; Heron to Ellinwood, Sep. 11, 1887,


Bishop, 87, 146, 159.

Brown, 528.

Henry Chung, 278.

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

Alvey A. Adee to Dinsmore, Sep. 16, 1889, DD.

George Gilmore, Korea From Its Capital, with a Chapter on Missions (Philadelphia, 1892), 288.

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


Entries Jan., Feb., March, April, and June 10, 1903, Mute; GO, vol. 20, 296, 304, 305 (Allen to S, April 7, 1903, DD; Hunt to Ellinwood, Feb. 16, 17, 1903; Moffett to Ellinwood, Feb. 26, March 17, 1903; Avison to Ellinwood, March 9, 1903; Baird to Ellinwood, March 21, 1903; Mary E. Barrett to Ellinwood, April 6, 1903; Allen to Ellinwood, April 8, 21, 1903; Charles E. Sharp to Ellinwood, May 12, 1903; Hunt to Ellinwood, May 12, 1903, NPR; Lillas Underwood, Fifteen Years Among the op-Knot (New York, 1904), 195-96, 255-68.

May 13, 28, June 1, 3, 1901; Aug. 10, 1902 Mute; Allen to SS, May 29, June 7, July 3, 1901 (The Korea Review report is enclosed here), Aug. 29, Sep. 3, 1902, DD. For more on these incidents, see Won Sun Y, 167-240.


A typical case is found in Allen to Hay, Nov. 19, 1902, DD and "Account of Lumber Transaction," "The Case of Yun Hyeng Pil," "The Case of Pai Ni II," "The Case of Choi Pong Ik," (enclosed); Allen to Hay, Dec. 9, 1902, April 8, 1903, DD; Hay to Allen, Jan. 13, 1903, DI.

Alexander Michie, The Political Obstacles to Missionary Success in China (Hong Kong, 1901), 3-4, enclosed in Allen to Hay, June 7, 1901, DD.

Ibid., 20-21.


Sands, 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."


Ryu, Odd Relationship 277-87.

Homer Hulbert, The History of Korea, vol. 2 (Seoul, 1905), 325; also see James Gale, The Vanguar: A Tale of Korea (New York, 1904), 239; Allen, "Missionaries

46*Ryu, Gojong* 17-33.
47*Compte Rend.*, 5, 65.
48Dinsmore to SS, April 28, 1888; Cho Pyong Sik to Dinsmore, April 24, 1888; Dinsmore to Cho Pyong Sik, April 25, 1888, DD.
49Appenzeller to Leonard, April 1, 24, 1889, Missionary Collection, General Commission on Archives and History of the United Methodist Church, Madison, New Jersey (hereafter M; Horton to Ellinwood, March 8, 1889; Wilds to Blaine, Oct. 28, 1889; Blaine to Wilds, Nov. 1, 1889; Allen to Ellinwood, Aug. 21, 1888, NPR; Dinsmore to SS, April 21, 1888, DD.
50L. Underwood, *Top Knot*, 14-15
51Appenzeller to Leonard, July 31, 1889, MR
52Dinsmore to SS, April 28, 1888, DD
53L. Underwood, *Top Knot*, 14-15; similarly, Heron to Ellinwood, Sep. 11, 1887, NPR
55*GO*, vol. 11: 363-64.
56"Japanese Residents in Korea, oreamenpositor* 2 (Aug. 1895): 310-11; Allen to SS, Mar. 1, 1896, DD; Brown, "Reading Journey," 507
57Appenzeller to Leonard, Sep. 4, 1888, MR
58See, for instance, W. L. Swallen to Ellinwood, May n.d., 1893, NPR
59Scranton to Leonard, March 31, 1897, MR
60The most famous case was one involving the opening of Pyeongyang missions, before the city became a treaty port. See Sill to SS, May 17, 1894, DD; Diary, May 11, 12, 17, 19, 21; June 11, July 2, 1894 Appenzeller Paper; Gifford to Ellinwood, Feb. 9, 1895 May 16, Aug. 23, 1894; Lee to Ellinwood, April 13, 1893; Allen to Ellinwood, June 9, July 26, 1894; Moffett to Ellinwood, March 25, May 21, 1891, NPR; L. Underwood, *Top Knot*, 112; Daniel Gifford, *Every-Day Life in Korea* (New York, 1898), 209-29
61Allen to Hay, Dec. 14, 1900, DD; *GO*, vol. 12: 56
62Allen to SS, May 8, 1891; Heard to Adee, April 2, 1891, DD; Adee to Heard, May 19, 1891, DI; "Memorandum re Difficulties of Americans at Taikoo," enclosed in Allen to SS, March 5, 1901, DD
63Heard to Adee, April 2, 1891, DD; Adee to Heard, May 19, 1891, DI
64Allen to Hay, March 5, 1901, DD; Hay to Allen, April 18, 1901, DI.
65Allen to Hay, Feb. 27, 1899, DD and Pak Chai Soon to Allen, Feb. 15, 1899 (enclosed); *GO*, vol. 11: 501, 505, 512
66*GO*, vol. 12: 56; Allen to Pak, Dec. 17, 1900, enclosed in Allen to SS, March 5, 1901, DD.
67*GO*, vol. 12: 66; Allen to Pak, Feb. 1, 1901, enclosed in Allen to SS March 5, 1901, DD
68James E. Adams to Allen, Aug. 4, 1901, enclosed in Allen to SS, Aug. 30, 1901, DD; Adams to Ellinwood, Feb. 23, 1901; Allen to Ellinwood, March 6, 1901, NPR. For more on the incident, see Allen to SS, March 5, June 7, 1901, DD.
69Allen to Pak, Feb. 1, 1901, enclosed in Allen to SS, March 5, 1901, DD.
71Ibid
72Ibid
73*GO*, vol. 11: 783; vol. 12: 82, 87; vol. 19: 481-82; vol. 20: 71, 458; Won Sun Yi, 233-34.