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Diplomacy and Opium

Dutch diplomacy on the road to international opium control (1912-1942)

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Introduction to the problem of Dutch opium trade

In view of the large quantities of drugs that find their way from the manufacturing countries into the illicit traffic, which presumably form only a small part of the total quantity smuggled, it is evident that leakages occur which the present systems or control – in some countries – are inadequate to prevent.¹

The British government sent this statement to the United States government in 1927, in response to a letter of said government about opium trade. By that time, it had been fifteen years since several nations had signed an international opium treaty to diminish the trade and use of opium and to counter the smuggling of opium. It had been seven years since the League of Nations; the international legislative body of countries, had assumed the task of international opium control as their own. Just two years before this message, the members of the League of Nations had signed their latest treaty on the subject of opium. However, not only did opium trade continue to exist, through systems like state monopolies, illegal trade, as noted in this statement, but also opium smuggling continued to thrive across the world. Moreover, the League of Nations had not yet found a permanent solution.

The Netherlands, in this period, held a state opium monopoly in the Dutch East Indies called the *Opiumregie*. They were also member of the League of Nations and held many of the archives that dealt with the 1912 opium treaty and opium matters. However, they would continue to use their *Opiumregie* up until the Japanese invasion of the Dutch East Indies in 1941-1942. This was forty years after nations designed the original treaty to stop opium.

Opium trade existed in colonial Indonesia since the 17th century.² First, the *Vereenigde Oost-Indische Compagnie* (Dutch East-India Company) traded in opium and created a distribution monopoly in the 17th and 18th century. After that, the *Nederlandsche Handel-Maatschappij* (Dutch Trade Company) acted as the largest opium farmer in the 19th century in the Dutch-Indies. Then, towards the twentieth century, The Netherlands introduced the *Opiumregie*, which gave the Dutch a monopoly on opium in the whole Indonesian Archipelago.³ For the Dutch this meant a very important type of revenue from their Indonesian

¹ National Archive, The Hague (NL-HaNA), Ministry of Foreign Affairs, access number 2.05.03, inventory number 1467, 25-2-1927, Copy of a message from Great Britain to the United States on narcotic drugs, 3.

² Hans Derks, *History of the Opium Problem: The Assault on the East 1600-1950* (Leiden: Brill, 2012), 161.

³ *Idem*, 309-313 and 319-321.

colony.⁴ Furthermore, this monopoly earned them the description by Historian Hans Derks of being ‘the largest opium dealers in world history’.⁵ This type of trade lasted up until the Japanese invasion and the following occupation. On the political side of opium history, diplomats from the League of Nations and Dutch ministries waged an international discussion to control, diminish and finally end opium trade.

Research question

This historical process looks like an unclear portrait, which is very difficult to unravel. I will investigate the Netherlands as a diplomatic player, to filter out the discussions between Dutch Ministries and the League of nations and establish who benefited from this discussion. The central question in this essay will therefore be: How were the Dutch between the two world wars, by diplomatic means, able to justify staying active in the trade of opium towards the Second World War, despite being a central diplomatic player in the abolishment of opium trade?

Historiography and theory

There has been historical debate surrounding the continuing opium trade by the Dutch in the twentieth century, including the policing aspects that developed in this period, not in the least to justify this very profitable trade.⁶ We have information on how The Netherlands tried to defend the efforts of the *Opiumregie*, by boasting healthcare and regulation. In addition, there are historians that have written about economic and social factors, that link to the farming and trading of opium, like James Robert Rush with *Opium to Java: revenue farming and Chinese enterprise in colonial Indonesia 1860-1910*. However, regarding The Netherlands as a late and very large player in opium and, there has not been substantial research on the diplomatic side of this continued trade. Even though The Netherlands were the keepers of international records surrounding the Opium Treaty of 1912. This research is highly relevant, because they continued their state monopoly until almost thirty years after the 1912 Treaty.⁷

Apart from the historiography on opium trade, this subject also touches on the historiography that covers diplomacy. Authors, both from the political and historian discipline, have written extensively about Dutch diplomacy in the twentieth century. One of the most

⁴ Foster, Anne L., ‘Prohibition as Superiority: Policing Opium in South-East Asia, 1898–1925’, *The International History Review* 22.2 (2000) 253-273.

⁵ Derks, *History of the Opium Problem*, 372.

⁶ *Ibid.*

⁷ Anne L. Foster, ‘Prohibition as Superiority’, 253-273 and L.J.P. Jacobs, *Opiumregie in Nederlands-Indië. Ethisch of Economisch verantwoord?* (Bachelor thesis) (Utrecht 2015).

prominent books from the historical discipline on Dutch-Indonesian diplomacy is *De Nederlandse koloniale lobby: ondernemers en de Indische Politiek 1910-1940* by Arjen Taselaar.⁸ However, he does not shed light on opium trade. Moreover, He does not discuss the subject of opium as a part of trade or even export figures and does not cover the anti-opium lobby.⁹ I want to show in this paper, that opium control is an essential link in Dutch diplomacy in the early twentieth century. A historian who gives attention to both opium control and diplomacy in the early twentieth century is Matthias Stephan Hell, with his dissertation: *Siam and the League of Nations: Modernization, sovereignty and multilateral diplomacy 1920-1940*.¹⁰ Hell presents opium control as a discussion within the League of Nations and a factor in diplomatic modernisation. Hell argues that the Siamese government put themselves in an ambiguous situation League of Nations, which made for a complicated diplomatic relation with the League.¹¹ I will show how this was also the case for The Netherlands, and how The Netherlands differed from Siam. Moreover, I will show how The Netherlands dealt with the League in light of diplomatic change.

The most extensive overview on the subject of opium trade is *History of the Opium Problem: The Assault on the East* by Hans Derks.¹² In his book, Derks discusses British Colonial, Chinese, other South-East Asian opium trade and Dutch colonial opium trade.¹³ He provides a clear overview of the Dutch position in the trade. He also discusses how opium trade developed throughout Dutch colonial regime towards the end of the first half of the twentieth century.¹⁴ Derks argues that the *Opiumregie* did not function as it should and the colonial government never committed themselves to punishing those who involved themselves in smuggle and illicit trade.¹⁵ Derks argues that The Netherlands had a hypocritical relationship with the *Regie* because of the financial benefits of this system.¹⁶

Steffen Rimner, like Hell, approaches the opium question from a perspective of international relations and discusses both opium trade in the British colonies and China, in his new and influential book called *Opium's long shadow: From Asian revolt to global drug control*.¹⁷ He emphasizes on the role of international control of drug trade and the diplomatic

⁸ A, Taselaar, *De Nederlandse Koloniale Lobby: Ondernemers en de Indisch Politiek: 1914-1940* (Leiden 1998)

⁹ Idem, 3-14.

¹⁰ Hell, Stefan Matthias (dissertation), *Siam and the League of Nations: Modernization, sovereignty and multilateral diplomacy 1920-1940* (2007), 85-128.

¹¹ Idem, 8, 88 and 98.

¹² Hans Derks, *History of the opium problem*.

¹³ Idem, 319-356.

¹⁴ Ibid.

¹⁵ Idem, 348.

¹⁶ Idem, 348-349.

¹⁷ Steffen Rimner, *Opium's long shadow: From Asian revolt to global drug control* (London 2018), 7-10.

need to find a resolution to the problems with opium. Rimner states that opium diplomacy in the 1920s was not of 'grand' nature, but that countries did what was necessary to control opium. In addition, countries were insistent in achieving this control. However, Rimner proposes that The Netherlands were an exception to this case and were not so insistent.¹⁸ This will become more apparent in this paper.

Primary sources

For the Dutch case, there is a large, although not efficiently structured number of diplomatic sources available. The National Archives in The Hague keep many archives, among others all the records from Dutch public institutions. The archives that apply to this subject mostly consist of letters, but also reports and concepts for treaties and other opium-related legal documents. Because the National Archives keep records for public institutions, they contain the archival documents of the Dutch Colonial Ministry, but also the Ministry of Foreign Affairs. These records in turn, for a substantial part, consist of a lot of diplomatic correspondence.¹⁹ A substantial number of files from the period 1931-1940 are lost, but the files concerning affairs with the League of Nations seem to be complete.²⁰ There are also many files present on ratification and other subjects related to opium Control by the League. For the Dutch acted as an administrator for the 1912 Treaty. In view of the complicated role of the Netherlands, these kinds of files and the fact that the League chose to keep them in the Netherland, is of much use. I collected files that discuss this ratification in the 1920s, to show this strange role of the Netherlands.²¹ Furthermore, I collected files that show the other side of the Dutch role towards the League of Nations. Those files show questions and remarks from the League and their committees about Dutch opium policy, and deliberation among Dutch ministries as how to respond. To make an analysis of Dutch diplomacy, I selected communication in the early half of the 1920s and mostly 1922, because this was a time in which Opium control by the League of Nations started gaining momentum.

For the second half of the 1920s I have selected many files from mostly 1927, because at that moment the League reflected on the agreements made a few years earlier. With the 1930s I have done the same with files from 1931-1933, a period in which another convention was held

¹⁸ Idem, 281-282.

¹⁹ National Archive, The Hague (NL-HaNA), *Ministry of Colonies*, access number 2.10.54 and NL-HaNA, *Ministry of Foreign Affairs*, 2.05.03.

²⁰ W.F. Renaud, 'De toestand van het archiefmateriaal van het Ministerie van Buitenlandse Zaken over de periode 1931-1940 en de mogelijkheden voor reconstructie', *BMGN: Low Countries Historical Review*, 90, 3 (1975), 479-484.

²¹ NL-HaNA, Ministry of Foreign Affairs, 2.05.03, inv. nrs. 703, 1463-1464, 1467 and 1469-1470.

and files from 1937-1938, close to the last pre-war opium convention. By doing this, I cover each period within these twenty years best as possible, considering the limitations in archival material. Such limitations are absence of specific sorts of files for certain years, but also a lack of continuity because collections of files were only created when discussion occurred. Either because communication did not occur at other times, or it was not deemed necessary to keep records of that communication.

The Colonial Ministry records are a valuable addition to these records on correspondence, which can help link this diplomatic discussion to how the Dutch East Indies government felt about those matters.²² The sources most relevant to this question are from the early 1930s, when implementation is the biggest issue for opium control, as I will show in this essay. The files in this archive contain remarks on international opium regulation to show different views on opium regulation.²³

Unfortunately, there are also some limitations to the structure and content of this specific archival material. Internal reports and communication within the Ministry of Foreign affairs are not present, as well as more personal remarks on opium legislation and control from either the Ministry, or the colonial government. This absence makes it more difficult to discover motive with both those institutions of the Dutch Government. Furthermore, both with the Ministry of Foreign Affairs records as with those of the Ministry of Colonies, writers often refrain from directly responding to each other, or their response is not present in the dossier.

Diplomacy and colonial history

What makes opium diplomacy so difficult to study, is the sheer size and complexity of the context. If we want to get a grasp of what this meant for Dutch diplomats, we have to understand our own historiographic view on this period in terms of diplomacy. What does diplomacy mean to us and what did it mean to the actors in this thesis? We need to see the Dutch within the framework of both changing international relations, and internationalism.

Diplomacy, according to the Oxford Dictionary is the ‘profession, activity, or skill of managing international relations, typically by a country's representatives abroad’.²⁴ This is a very broad definition, and we must assume that the nature of diplomacy changes, which changes

²² NL-HaNA, Ministry of Colonies, 2.10.54, inv. nrs. 310, 1253, 3898, 5868, 7361, 8645.

²³ NL-HaNA, Ministry of Colonies, 2.10.54, inv. nr. 310.

²⁴ Oxford definition of diplomacy, <https://en.oxforddictionaries.com/definition/diplomacy> (last visited on 8-6-2019).

international politics and the role of states. We need more theory to see how we need to look at twentieth century relations between the League of Nations and the Netherlands.

Albertine Bloemendal, in her book about post-war diplomacy, calls for a new diplomatic history.²⁵ This draws to the complexity, when studying historical diplomacy. She indicates the need to distinguish formal from informal diplomats, which also relates to their goals. Informal diplomats or ‘private actors’ enjoy greater freedom and also have more personal motives when engaging in diplomacy. In our example; while the *Opiumregie* was a government organisation, we can also distinguish different goals, even though records of diplomatic communication on this subject are only available on a formal level. Bloemendal also confirms that only after the Second World War, private persons and organisations started to spread more into diplomatic debate.²⁶

Furthermore, Bloemendal distinguishes between convictions and priority. What a diplomatic actor believed, could differ from what was at certain moments a better diplomatic choice. Because of this, a diplomatic actor will not always say or do what he stands for and this does not mean a person has changed his beliefs when acting in a different way. For example, Dutch diplomat M.W.G. van Wettum first acted as a member of the Opium Committee of the League of Nations, but his official role later changed to advisor for the Dutch state.²⁷ This does not mean his opinions changed.

We must not confuse new diplomatic history with new diplomacy, which is the diplomatic movement that emerged in the twentieth century. In new diplomacy, according to historian C. Navari countries focussed more on common goals between them and other countries instead of just domestic goals.²⁸ Furthermore, new diplomacy underlines liberalism and reform.²⁹ International opium control is an excellent example of this new diplomacy, because in theory, countries shared a common motivation to control opium trade. New diplomacy would ideally lead to nations, by working together, could adjust their own policy to this greater interest. In new diplomacy corporation between nations was promoted, and nations rejected war and promoted political restraint. This diplomacy became strong, only in the second half of the twentieth century, but international opium control was already a step in this direction.

²⁵ Albertine Bloemendal, *Reframing the diplomat: Ernst van den Beugel and the Cold War Atlantic Community* (Leiden: Brill, 2018), 319.

²⁶ Idem, 5-6.

²⁷ League of Nations, ‘Agreement concerning the Suppression of Opium-Smoking. Signed at Bangkok, November 27th, 1931’, *Treaty Series: Treaties and international engagements registered with the Secretariat of the League of Nations*, 177 (1937), 377.

²⁸ C. Navari, *Internationalism and the state in the twentieth century* (London: Routledge, 2000), 252.

²⁹ Idem, 253.

This kind of diplomacy ties closely together with internationalism, which means, according to Navari, the ideal of creating a practical international community.³⁰ With internationalism, nations aspired to imperial reform and saw their empires as international entities.³¹ We can again recognize this in opium diplomacy in the interbellum, where, in theory, imperial nations like The Netherlands, France and England imposed international opium control reform on the parts of their empires that coped with opium use.

Many people in The Netherlands, according to Remco van Diepen, believed that cooperation based on peaceful negotiation and economic collaboration was necessary to keep world peace. From that point of view, many Dutch people supported the idea of a League of Nations.³² However, many Dutch policy makers opposed excessive means of authority for the League and thought the League of Nations should be an addition to old forms of diplomacy.³³

To examine Dutch diplomacy, especially when it involves trade in their colonies, we must see the Netherlands as an anomaly to ‘classic’ empires like the British or French empires. According to Remco Raben, we must recognise that the Netherlands did not see themselves as an empire and maintained a ‘business-oriented and technocratic’ attitude towards the Dutch East Indies.³⁴ His analysis is part of an effort to place the ‘Dutch case’ in the light of a new imperial history that tries to re-examine the foundations of colonial history.³⁵ I will keep focus on this Dutch attitude to their colonies, throughout my discussion of communication with the Dutch East Indies government in this paper.

Diplomatic players and institutions

Three ministries were specifically involved in diplomatic discussion with the League, as well as the Dutch colonial government. The Ministry of Foreign affairs, who communicated with the League of Nations directly and discussed opium matters with other ministries. The Ministry of Colonies also communicated with the colonial government and conveyed their point of view to the Ministry of Foreign affairs. The Ministry of Labour was in charge of the economic side of the opium matters, and was responsible for production figures and occupied themselves with the implementation of certain opium legislation. The ministers of those Ministries held direct

³⁰ Idem, 252.

³¹ Idem, 3.

³² R. van Diepen, *Voor Volkenbond en vrede: Nederland en het streven naar een nieuwe wereldorde 1919-1946* (Amsterdam: Bakker, 1999), 287.

³³ Idem, 288-289.

³⁴ R. Raben, ‘A New Dutch Imperial History?: Perambulations in a prospective field’, *BMGN - Low Countries Historical Review*, 128, 1 (2013), 9.

³⁵ Idem, 5.

lines with each other. The colonial government were responsible for implementing international regulation on opium in the Dutch East Indies and communicated all opium issues, with opium trade, or (proposed) legislation on opium trade.

Within the Ministries during the period of our scope, seven ministers communicated substantially with each other and the League of Nations. First, the ministers of Foreign affairs at the time, which was H.A. van Karnebeek from 1918 up to 1927, F. Beelaerts van Blokland from 1927 to 1933 and A.C.D. de Graeff from 1933 to 1937. S. de Graaff was minister of Colonies from 1919 to 1925 and again from 1929 to 1933. In between his two terms, H. Colijn was both prime minister and minister of Colonies and again from 1933-1939. Both cabinets, Jhr. C.J.M. Ruijs de Beerenbrouck preceded Colijn as prime minister from 1918-1925 and 1929 to 1933. From 1918 to 1925, P.J.M Aalberse also played a role as the minister of Labour.

The League of Nations was the body of countries that joined in 1920 or later, to form a joint power for discussion, corporation and international legislation. Representatives of the League of Nations communicated either with the Dutch Ministry of Foreign Affairs directly, or via the Advisory Opium Committee and later the Permanent Central Opium Board. The League communicated with The Netherlands in one way, because of to the Dutch position of administrator to the opium questions. However, they also communicate proposals, questions and accusations to The Netherlands on the subject of opium control.

The Advisory Opium Committee, which was part of the new League of Nations effort to combat opium smuggle and diminish opium trade, was both investigator and a communicator between governments and the League. Historian F.P. Walters calls the creation of the Opium Committee something of a new diplomatic kind. For, as he states, it was ‘a novel blend of the official and the unofficial world’ meaning that members could speak within both formal members and ‘assessors’ who lacked voting power but could communicate ‘more frankly’.³⁶ The unofficial members were, at least in 1926, American representatives.³⁷ The nations that had official members in the Committee were firstly those who had direct contact with opium. These countries were Japan, Siam, India and China. In addition, the League added nations with colonies dealing with opium to the Committee, like Great Britain, France, Portugal and The Netherlands.³⁸ Later also Germany, an important manufacturer, delivered a member, as did Yugoslavia, where a large amount of opium was being grown.³⁹ For The Netherlands, Van

³⁶ F.P. Walters, *A history of the League of Nations* (London: Oxford University Press, 1952), 184.

³⁷ League of Nations, ‘Report to the council on the work of the eighth session of the committee, Geneva July 29th’, *1920 League of Nations Advisory Committee on traffic in opium and other dangerous drugs* (1926).

³⁸ *Ibid.*

³⁹ *Idem*, 184-185.

Wettum was an official member to the committee, and he is visible a lot in diplomatic communication between the League of Nations and The Netherlands. The Opium Advisory Committee submitted reports to the council of the League of Nations, based on information that members like Van Wettum collected by communicating with governments involved in opium trade.⁴⁰

The League founded the Permanent Central Opium Board (PCOB) in 1925, to control progress and measure use of Opium in areas of concern.⁴¹ The board consisted of eight people, who collected annual data on import, export, production, and storage of raw opium.⁴² Based on this the Board could make recommendations to the Council of the League of Nations and. By 1931, they were linked to the then founded Drug Advisory Body, with whom they had to draw yearly statements from the quarterly and annually data that they had collected.⁴³ The PCOB continued this work until right before the war, both on Opium and cocaine.⁴⁴

The *Opiumregie* was the Dutch government institution that concerned itself with opium trades and translated means ‘Opium regime’. The Director of Finance in the Dutch East Indies led the regime. This regime was the monopoly scheme for trade of opium dating back to 1894.⁴⁵ Before this system, Opium trade was a free market. Profits from Opium was high, but opium smuggle was also a growing problem.⁴⁶ Derks states that the Dutch managed to establish their own monopoly by waging war on Bali, killing many Balinese, and taking power from the local nobility in the end of the nineteenth century. With power over Bali, the Dutch created the *Opiumregie*. According to the government to eradicate opium smuggling in the Dutch East Indies, according to Derks to increase opium profit.⁴⁷ Willem Pieter Groeneveld, diplomat and high-ranking official in the Dutch-Indies, had studied a similar system in the French colonies in East Asia and applied his findings in the new *Opiumregie*.⁴⁸ The system needed a large police force for protecting the sea against smuggling, but the police also needed ‘a network of district police, custom officials and the Ministry of Finance’.⁴⁹ The *Opiumregie* did not handle the

⁴⁰ United Nations, *World drug report 2008*,

https://www.unodc.org/documents/wdr/WDR_2008/WDR_2008_eng_web.pdf (last visited on 17-03-2019), 192.

⁴¹ From this point on in the text, I will also refer to the term ‘Permanent Central Opium Board’ as ‘Opium Board’ or ‘PCOB’.

⁴² Permanent Central Opium Board, ‘Permanent Central Opium Board’, *International Organization*, 1, 1, (1947) 149-150.

⁴³ Ibid.

⁴⁴ Derks, *History of the opium problem*, 347.

⁴⁵ Hell, *Siam and the League of Nations*, 88.

⁴⁶ Derks, *History of the opium problem*, 321.

⁴⁷ Idem, 331-332.

⁴⁸ Idem, 334-335.

⁴⁹ Ibid.

growing of poppy for opium, but bought chests of raw opium, from other firms. First Dutch firms, but consequently the switched to British Indian firms for better quality and eventually, but also from Singapore, Persia and Turkey.⁵⁰

Method and structure

To treat such an extensive and complicated subject, one needs to discuss many different subjects to solve the puzzle of opium control and The Netherlands. All those pieces attribute to completing the puzzle. First, the 1912 Opium Treaty started a discussion that lasted until 1942, but has an own history, which is why this will be part of the story. Furthermore, this Treaty remained central throughout the next decades and therefore remained very relevant. All further treaties were in some way based on this Treaty.⁵¹

Secondly, League of Nations took upon itself the large effort to improve opium control. This is why their involvement, legitimacy and international legislate position receives a central place in this essay. They were also the main diplomatic party that The Netherlands dealt with, when discussing opium. For examining opium diplomacy, I will use diplomatic talk between Dutch ministries and the League of Nations, but also between other countries that were involved in Opium control.

Thirdly, to put this position of The Netherlands as a country with an opium monopoly and a membership of the League of Nations in a perspective, I will also discuss Siam. Siam makes for a suitable case study, because of the existing literature for Siam on the combination of opium and diplomacy, in contrast to a lack of literature on this subject for The Netherlands.

Fourthly, I will discuss the value of League Opium institutions and their role in Dutch Opium control in this period. These institutions, like the advisory opium committee and the Permanent Central Opium Board, belong to a new kind of diplomacy an internationalism. Discussing these institutions is necessary to see the full extent of Dutch opium diplomacy.

Lastly, The Netherlands were the Metropole of a large imperial empire, which was the cause for a need to enforce opium control. I will discuss this state extensively, both the workings of colonial government, the nature of their relation to the Metropole and communication between Dutch ministries and the colonial government. This is essential to establish the diversity of policy and ideals that complicated diplomacy.

⁵⁰ Jan Schmidt, *From Anatolia to Indonesia: Opium trade and the Dutch community of Izmir* (Istanbul 1998) 181-187.

⁵¹ League of Nations, 'Agreement, Bangkok 1931', 373-380.

I will structure this essay along three chapters. In the first chapter, I will discuss the 1912 International Opium Treaty, the background of the Treaty, and the influence of the Treaty. In the second chapter, I will focus on the period after the First World War, until 1924-1925, when the League held new Opium Conventions. In the last Chapter, I will discuss the effect of these conventions and diplomatic discussion from that point on, with the introduction of the Permanent Central Opium Board, even more opium conventions and new developments for the League of Nations.

H1 International Drug control and The Opium Treaty (1912-1918)

To understand the diplomatic discussion of the 1920s and 1930s, we need some clarification on what the 1912 Opium Treaty entailed, what the vision of the signing partners of the Treaty was and the implications of that treaty. First, I will address the process towards the construction of the Treaty, and the much longer period that it took to ratify, all within a changing diplomatic arena and changings in the balance of power.⁵² Secondly, we need to understand the position of this Treaty in relation to the agreements made ten years later, in the 1925 Geneva Agreement on opium control. In this chapter, I will therefore examine which nations introduced this Treaty and revisit the effect of the First World War on opium discussion, which broke out not long after the Treaty. In doing this, I will provide an answer to the question on how an international discussion started and to what extent early opium diplomacy in the twentieth century was responsible for progress towards opium trade abolishment with the effects of the First World War.

Towards a Treaty

The first country to ban the opium trade was China in the eighteenth century, which contributed to the nineteenth century's opium wars. Opium remained a hot issue towards the turn of the century, because the use of opium remained a problem.⁵³ A solution for the opium trade was also a major objective for the Philippines, after their independence and the disappearance of the Spanish licenced opium monopoly.⁵⁴ For progress in this political issue, these countries relied on organisations and institutions to ease diplomatic debate, and do research into trade figures and possibilities in law enforcement.⁵⁵ An example of an institution that did this kind of research was the Philippine Opium Commission. A lobby organisation that also played a central role was the Anti-Opium League in China. The Anti-Opium League emphasized the immorality of imperialist income relying on half of Asia's population (these estimates may be exaggerated) by using a 'poison' and formed an active player in debate.⁵⁶

⁵² Rimner, *Opium's long shadow*, 273.

⁵³ United Nations, *World drug report 2008*,

https://www.unodc.org/documents/wdr/WDR_2008/WDR2008_100years_drug_control_foundation.pdf (last visited on 1-5-2019).

⁵⁴ Rimner, *Opium's long shadow*, 273

⁵⁵ Idem, 186-195.

⁵⁶ Idem, 123.

Before the Opium Treaty of 1912, Britain and China waged most of the diplomacy towards creating opium control, while the Dutch were not proactive contributors to the debate.⁵⁷ The Anti-opium League brought most of the ammunition to the fight. This movement had great influence and published a report each year in the *North China Herald*.⁵⁸ More organisations concerned itself with opium during this period. The British had the Royal Opium Commission, which researched the subject, and focused on the opium problem in their own colonial territories and not on opium-related-problems in China. The Chinese Anti-Opium League helped the British complete the picture of the size of the problem in the first years of the twentieth century, together with the Philippine Opium Commission.⁵⁹ The Society for the Suppression of the Opium Trade (SSOT) was another British organisation, who were active in their fight against the opium trade since the 1870s and were very early on working together with China.⁶⁰ The SSOT was therefore also central in connecting the British and the Chinese cause against opium. This made the diplomacy environment possible that was necessary to create a more international movement, with the weight and measures to wage the diplomatic war against opium trade that eventually led to the 1912 International Opium Treaty. As Rimner states: ‘What enabled this diplomatic breakthrough was not merely a change of political attitudes but the synchronicity of massive overlapping campaigns that reach into the very heart of decision making circles in London, notable parliament and the Foreign Office.’⁶¹ This synchronicity, caused by opium institutions, anti-opium lobby organisations and the Chinese, the British and the newly independent Philippines, caused an international discussion, and not late after that an international treaty.⁶²

It took until 1907, under the invitation by the United States, to organise the International Opium Commission in Shanghai where also representatives of China, Germany, Great Britain, France, Japan and The Netherlands were present, all central players in the Opium question.⁶³ Less than three years later the The Hague Opium Convention began and countries signed the International Opium Treaty. However according to Derks, The Netherlands were already in a defensive position in this period and had to promise to take all necessary measures to minimize trade.⁶⁴

⁵⁷ Derks, *History of opium*, 338.

⁵⁸ *Idem*, 201-202

⁵⁹ *Idem*, 130-131 and 201-202

⁶⁰ *Idem*, 64

⁶¹ *Idem*, 201.

⁶² The Philippines gained independence from the Spanish as late as 1898.

⁶³ Rimner, *Opium's long shadow*, 212-213

⁶⁴ Derks, *History of the opium problem*, 338.

The 1912 The Hague Conference

The Treaty, signed by twelve countries in The Hague in 1912, consisted of 25 articles.⁶⁵ If we start with the first articles, it becomes clear that the participants had certain goals for this Treaty, but they had yet to design the means to enforce these goals. For example, in the first article the signing countries state: ‘The contracting Powers shall enact effective laws or regulations for the control of the production and distribution of raw opium’.⁶⁶ In the third article they focus on the export and import of raw opium, but only go as far as saying; ‘The contracting powers shall take measures’ to control import and export of raw opium to countries which had either restrictions on opium trade or have banned opium trade completely.⁶⁷ They do give definitions in the Treaty of what is understood by prepared opium, but also refer to the actions that nations must take against this prepared opium only as ‘measures’. Surprisingly, when the Treaty mentions morphine, cocaine and their raw materials, they do specify to some degree the details of actions that governments would have to take, such as placement, registration and licensing of those goods.⁶⁸ However a bit further in the text, when the Treaty discusses the Treaty power China on the subject of opium, it only mentions that China must ‘take the necessary measures to prevent the smuggling into Chinese territory’.⁶⁹ It would seem nations were most worried about the smuggling of Opium, but other sources confirm that China and the US wanted opium completely banned in the long term.⁷⁰

The world drug report from 2008 by the United Nations, nonetheless, describes that ‘the signatories to the International Opium Convention bound themselves to work towards a progressive suppression of the abuse of opium, morphine and cocaine and the establishment of a mutual understanding for this endeavour’.⁷¹ While acknowledging that the 1912 Treaty was far from perfect, the 2008 drug report claims that it formed a foundation for further international legislation.⁷² The United Nations are thus cautiously positive concerning the effect this Treaty had for future drug control. However, this may be optimistic as to what had happened during negotiations over a thirty-year period. After this swift diplomatic movement in the first ten years of the twentieth century, the international community, especially The Netherlands, were

⁶⁵ League of Nations, ‘The International Opium Convention, signed at The Hague, January 23, 1912, and subsequent relative papers’, *Treaty Series: Publication of treaties and international engagements registered with the Secretariat of the League of Nations*, 8, 1-4 (1922), 193-208.

⁶⁶ *Idem*, 192-193.

⁶⁷ *Ibid*.

⁶⁸ *Idem*, 196-197.

⁶⁹ *Idem*, 198-199.

⁷⁰ Derks, *History of the opium problem*, 564.

⁷¹ United Nations, *World drug report*, 189.

⁷² *Idem*, 191-192.

still decades away from final resolution to the problem of opium trade. However, the Treaty did have some positive effect.

The tools of international opium control

Despite the fact that the participating members to the 1912 Opium Treaty did not agree on articles that carried much practical strength, there was another kind of weight to the articles. What the parties mentioned in the articles of the treaty mostly formed a guide for future legislation. For example, the first article, in which the contracting powers present a goal for each other, namely, to seek the type of regulation that would help control opium trade and production.⁷³ In addition, they decided by means of this Treaty, that opium traders be licenced. Nations could use this measure to control the trade, by creating an overview of all official traders. Aforementioned traders were then required to ‘enter in their books the quantities manufactured, import sales, and all other distribution, and export of morphine, cocaine, and their respective salts’.⁷⁴ In the Treaty, the countries also agreed to make the illegal possession of opium an offense. However, they stipulated that countries would have to enforce this, only if they had the necessary possibilities for penalization already in possession within their legislative system.⁷⁵

The treaty also contained legislation for diplomatic use. Countries that signed the treaty could request from each other lists of traders licenced to deal in opium.⁷⁶ Moreover, if countries wanted to communicate about this or other Opium Treaty matters, they could do so through the Dutch Ministry of Foreign Affairs. It was certainly useful to collect communication in one place so as information would not be scattered of different archives across in the world. This means, institutions could easily find information. Moreover, The Netherlands would have responsibility over those archives, instead of a less pressing shared responsibility from the contracting parties. However, the contracting parties do not state why this must be the Dutch Ministry of Foreign Affairs. We can only assume this was the case because they signed the 1912 Treaty at The Hague, and this was at that moment the most convenient. The League of Nations most likely made the decision in 1920 to keep storing information with the Dutch Ministry of Foreign affairs, based on continuity.

⁷³ League of Nations, ‘International Opium Convention, The Hague 1912’, 192-193.

⁷⁴ *Idem*, 197.

⁷⁵ *Idem*, 201.

⁷⁶ *Idem*, 199.

The signing parties had covered some grounds towards a beginning of international drug control with this Treaty, and the treaty contained some tools. However, this was not yet enough base to build opium policy on, since the nations specified no practical measures that were ready to enforce, at the signing of the Treaty. It is clear they would still need a lot of discussion to turn this ‘treaty of intent’ into something practical.

First World War

The nations that signed the 1912 Treaty continued to give attention the opium attention, also in the beginning of the First World War, but not with great success. According to Rimner, most of these nations copied the Chinese approach. Those countries focussed more where the raw opium came from. Then they tracked the opium from there. However, even China only formed a taskforce with the means to research origins, movements and transactions of opium by 1918.⁷⁷ Furthermore, The British opium delegate William Collins noted that trade in opium rose in the period from 1911 to 1913 and that he had no method to stop this trade, because the nations that signed the 1912 Treaty, had not yet ratified the Treaty.⁷⁸ Failing in ratifying the Treaty, resulted in the Third Opium Conference of 1915.

However, The Third Opium Conference did not come to a productive conclusion, because the First World War became too much of an interference for both the countries that were at war and neutral countries, despite efforts from China.⁷⁹ The anti-opium organisations, mainly those in China remained active and China continued to communicate with Great Britain about their concerns with opium control.⁸⁰ However, with allied and central powers in crippling any diplomacy with the hostility against each other, it was no longer possible to communicate within Europe.⁸¹ Great Britain and France were fighting Germany and ‘more reluctant than ever to adjust domestic legislation to the call of an international convention’.⁸² Meanwhile The Netherlands were neutral. While they did not join the central powers, their relation also changed towards Britain, because they did not declare war to Germany. The Netherlands were neither on the side of the central powers, nor on the allied side.

The First World War had another negative effect, since opium was, due to the ability to easy most kinds of pains and other troubling symptoms, the chosen painkiller for the military

⁷⁷ Rimner, *Opium's long shadow*, 267-268.

⁷⁸ Idem, 237 and 239-240.

⁷⁹ Idem, 237 and 257-258.

⁸⁰ Idem, 256.

⁸¹ Idem, 237 and 257-258.

⁸² Idem, 255.

forces in this period, as it had been in previous wars.⁸³ This led to a completely different attitude of Western participating powers to opium as they faced an opposite problem, namely a shortage of opium. This in turn, gave a great rise to pharmaceutical industry, and a competition between imperial powers to gain the upper hand in diplomacy with states in East Asia to be able to acquire more opiates.⁸⁴ However, it is not clear what role the Dutch played in this trade.

Furthermore, because the Dutch were neutral, they were part of the War, because they continued trading in opium. The previous promises The Netherlands had to make about reducing their import, now amounted to nothing because the Dutch had expressed, they depended on measures in the British colonies for those promises. For the *Opiumregie* imported most of their opium in this period from the Bengals.⁸⁵ Negotiations were suspended, but the Dutch did interfere in the War, through this trade, that caused reaction from Great Britain.

Figures in Opium trade from the *Opiumregie* are rising in this period.⁸⁶ During the War, the import of opium by the *Regie* fluctuated between 130.000 and 200.000 kilograms per year, versus 50.000 in 1905 and 100.000 in 1910. However, this continuous Dutch trade also led to problems, as they transported opium, because it interfered in the War, causing reactions from Great Britain.

However, for The Netherlands the First World War meant a big problem for their European trade. According to Van Diepen, The Netherlands were shocked with the outbreak of the War and wanted to return to a situation of peace as soon as possible.⁸⁷ Furthermore, The Netherlands wanted to stay out of conflict as much as possible. Van Diepen states that The Netherlands viewed this as a power play over interests.⁸⁸ However, when the Dutch would become involved in the conflict they wanted to be able to rely on Great Britain to help them. This had far-reaching negative effects for their trade relation with Germany, on who they relied for export. The Dutch import and export almost came to a complete stop from 1916 on.⁸⁹ Neutrality, locked between fighting superpowers had crippled the European trade for The Netherlands, and thus their European trade in opium.

⁸³ Rimner, *Opium's long shadow*, 228-230 and James Robert Rush, 'Opium in Java', 553.

⁸⁴ Rimner, *Opium's long shadow*, 228-230.

⁸⁵ Derks, *History of the opium problem*, 338.

⁸⁶ Idem, 341.

⁸⁷ Van Diepen, *Volkenbond*, 30-31.

⁸⁸ Idem, 32.

⁸⁹ Ibid.

In 1915, the British intercepted a shipment of opium in the harbour of Liverpool, which was bound for Holland.⁹⁰ This led to a discussion between British and Dutch representatives.⁹¹ The company that owned the shipment was Scialom, which was a Dutch Greece-based company who dealt with the transport of opium from Greece.⁹² The Dutch minister of Foreign Affairs and the Dutch envoy in London, J.E. de Sturler, sent a chain of letters to each other. In these letters, they try to resolve the situation. In one of those letters, the envoy Sturler presses that since this matter had gone to court the British government had forbidden all diplomatic interference in the matter.

Looking at a letter from late 1915, it becomes clear that the British did not find the nature of the contents of the shipment to be the problem, at least not in the way we would expect. For the British case handlers had concluded that the opium that was transported, was of Turkish origin, and therefore from hostile origin.⁹³ The British based this on the ‘Trading with the enemy Proclamation no.2’. Since Greece belonged to the allied powers and the Ottoman Empire to the Central powers, they ruled this a case of trading with the enemy.⁹⁴ Britain did not think that the Dutch trading in opium was a problem. Just as long as The Netherlands did not trade with enemies of Britain. The countries involved in both the Treaty and the First World War, needed to end that war first, before they were willing to make opium control itself a priority again.

With the end of the war, through the Treaty of Versailles, nations like Great Britain and France renewed their interest to participate with each other in controlling opium trade. Many hindrances still lay in the way for the different governments to fight against opium, even with the emergence of the League of Nations as a new international institution, to facilitate cooperative international diplomacy. The largest problem was that anti-opium agreements only existed in the form of the 1912 Opium Treaty. This treaty, as shown in this chapter, was only a basis for future international legislation.⁹⁵

⁹⁰ National Archives (NL-HaNA), Ministry of Foreign Affairs, 2.05.03, inv. nr. 703, 8-6-1915, Letter from Dutch envoy in Greece J.E. Sturler to the Dutch minister of Foreign Affairs.

⁹¹ National Archives (NL-HaNA), Ministry of Foreign Affairs, 2.05.03, inv. nr. 703, Dossier on the interception of Opium by the British.

⁹² Nada Boskovska, *Yugoslavia and Macedonia before Tito: Between Repression and Integration* (London: Bloomsbury Publishing, 2017) and NL-HaNA, Ministry of Foreign Affairs, 2.05.03, inv. nr. 703, 15-05-1916, letter from envoi J.E. de Sturler tot the Dutch minister of Foreign Affairs surrounding the intercepted transport of opium by the company A. Scialom & co.

⁹³ NL-HaNA, Ministry of Foreign Affairs, 20.05.03, inv. nr. 703, 15-11-2015, letter from an envoy to the Dutch minister of Foreign Affairs regarding the English response to the matter.

⁹⁴ NL-HaNA, Ministry of Foreign Affairs, 20.05.03, inv. nr. 703, 23-09-1915 Letter from the British Foreign Office to the Dutch Ministry of Foreign Affairs, 2.

⁹⁵ Walters, *History of the League of Nations*, 183.

H2 Diplomacy and the League of Nations (1918-1925)

A renewed interest by other nations did not mean that Dutch and international opium control would immediately improve. From the moment that nations, who participated in the Versailles peace negotiation in 1918, ratified the Treaty from 1912, trade in opium went on and even saw a great boost in numbers. For example, figures of the period from 1918 to 1930 show that for example the import of opium to Germany saw a raise from 78.700 kilograms in 1920 to 150.700 kilograms in 1925.⁹⁶ However, Dutch income from the *Opiumregie* did decline in these years. From a gross income of more than 5 million guilders in 1920 to 3.5 million in 1925.⁹⁷ The Netherlands were neutral in the First World War and therefore did not face the same demand for opium as Germany did during at least the period to 1918. Furthermore, transport of opium led to diplomatic problems for The Netherlands. Therefore, a decline seems logical, although the numbers remain substantial. For the countries that signed the International Opium Treaty, ideally wanted to use the agreement to diminish and abolish opium trade. However, this would only be part of the explanation of a decline in trade. Insightful is the way the *Opiumregie* as a state monopoly evolved on Java (Java was the largest source of income for the *Opiumregie*) in this period, because the *Regie* was far from trying to diminish the *Regie* opium trade. However, the Dutch did see declining opium usage by the people on Java.⁹⁸

Within this subject, Derks mentions a ‘legal hypocrisy’ that surrounds the diplomatic and technical sides of interbellum opium policy in the Dutch Indies.⁹⁹ On one side, in the metropole, opposition against opium suggested that the colonial government should minimize opium use, with the help of the *Opiumregie*. On the other side, the regulation of opium trade. The colonial government had to operate a large police force and well-working bureaucracy. The colonial government had to finance these institutions themselves. Contradictory, because of this financial pressure, the government wanted to sell more opium, to more users and addicts. According to Derks, all members of the League of Nations that participated in the 1920s opium conferences knew this.¹⁰⁰

How did The Dutch metropole and the colonial government dealt with an unstable opium market and how did diplomatic relations with the League of Nations at the same time coincide with that? In addition, can we see the point Derks makes, reflected in this? To answer

⁹⁶ Derks, *History of the opium problem*, 109.

⁹⁷ Idem, 339.

⁹⁸ Rush, ‘Opium in Java’, 557.

⁹⁹ Derks, *History of the opium problem*, 348-349.

¹⁰⁰ Ibid.

these questions, we will first look at another member of the League of Nations. The country in question is Siam (current Thailand), because Siam had a similar opium monopoly as The Netherlands did, a state organised monopoly, and held extensive diplomatic relations with the League of Nations, as The Netherlands did.¹⁰¹

Opium diplomacy in Siam

Much like in The Netherlands Siam had a state-regulated opium monopoly with the task to fix to the opium problem, or at least control it.¹⁰² Siam was also a member of the League of Nations. How did Siam deal with opium trade and how did Siamese diplomats act regarding the League of Nations? If we answer this question, we can draw a comparison to The Netherlands that helps us understand the Dutch role until 1925 in opium diplomacy.

German historian Stephan Hell conducted a large study on Siamese diplomacy and their economy. The largest part of his study focussed on modernisation and internationalisation of the nation and within that context the extensive diplomatic interaction by Siam with the League of Nations. Moreover, he discusses the opium trade in the country, and in relation to this trade the diplomatic relationship with the League of Nations.¹⁰³ Furthermore, Hell argues that opium revenue in Siam doubled in the first decade after the introduction of the Siamese state monopoly on the trade. This qualified as an economic success and the state saw it as a large general success for the country. The king of Siam himself expressed that the monopoly was both a regulating measure for a supposedly unstoppable opium trade, while at the same time procured increasing income for the country.¹⁰⁴ According to him, the state monopoly was helping towards the best solution in an unwinnable war against drugs, while benefiting the country economically.

On top of that, opium was not a completely harmful substance in the eyes of the Siamese government. Mainly because Chinese workers primarily used opium, and the drug aided them in carrying the load of hard labour, the like of which they had to withstand every day. Furthermore, the state compared the social nature of using opium to the culture of drinking alcohol.¹⁰⁵ Hell adds to this that the work that Chinese workers had to endure was more destructive for life and limb than opium could ever be.

¹⁰¹ R. van Diepen, *Voor Volkenbond en vrede: Nederland en het streven naar een nieuwe wereldorde 1919-1946* (Amsterdam: Bakker, 1999).

¹⁰² Hell, *Siam and the League of Nations*, 87-88.

¹⁰³ The League of Nations is a consistent subject throughout the dissertation, and chapter 4 focuses on Opium trade specifically: Hell, *Siam and the League of Nations*.

¹⁰⁴ Hell, *Siam and the League of Nations*, 87-88.

¹⁰⁵ *Idem*, 89.

However, when we look at cause and effect in this case, another conclusion would seem fit, namely that Opium was very harmful. Hell himself also mentions a Siamese doctor to strengthen his case that the work was the most destructive factor for Chinese workers. This doctor called opium a cheap alternative for food, since opium could take away hunger and cold.¹⁰⁶ This meant that opium was a drug that reduced symptoms. It did not mean that opium offered users any actual nutrition. Thus, it follows that the hard work for Chinese labourers in these cases, was so destructive. For workers had to be withstand this hard work based on an untenable lifestyle of suppression of hunger and therefore only symptom relief from hunger and cold, instead of them actually taking care of their body. Unfortunately, this again seems to flow with an attitude that the state and businesses held against workers, maybe best noted by Derks:

The most extreme consequence of this perception is that opium (or cocaine for that matter) is imported and distributed among the people in order to make them work harder and longer (for the boss) or deliver more money for the industry/financiers of drug dealers and that victims of this ‘treatment’ are seen as criminals to be locked up or, worst, eliminated as worthless bodies.¹⁰⁷

Despite his judgement, Derks does not focus on Siam in his description of opium trade in Asia. His focus lies primarily with Western colonial powers and Asian new-imperialist empires. He does focus on victims of opium trade, but not on the Chinese labourers in Siam. Siam mostly entertains the role as trading route in his book, in which he names Siam the ‘golden road’ through Asia. These approaches come from his view of ‘assaults’ on the east, in which the different communities are more victim than actor.¹⁰⁸ This is remarkable, knowing the large role Siam took upon itself with the League of Nations and their diplomatic corporation with the battle against opium trade, as I will discuss further in this chapter.

Siam actually was, just as The Netherlands, confronted with a growing international anti-drug movement from the moment that the country entered the League of Nations as one of the original member, although historical research does not cover this.¹⁰⁹ According to Hell, historians unfortunately have a disinterest in the League of Nations as a historical subject, which he thinks explains why researchers have not applied sources from the League in Geneva systematically. Even though the League membership is part of the collective memory of

¹⁰⁶ Idem, 89.

¹⁰⁷ Derks, *History of the opium problem*, 710.

¹⁰⁸ Idem, 35, 135, 383, 493, 593 and 712-735.

¹⁰⁹ Idem, 1-2.

Thailand.¹¹⁰ In addition, despite of the fact that Siam affected the League of Nations in a large way and they had an extensive influence concerning subjects like smuggling of people, public health and opium.¹¹¹

The Siamese government also pushed for an extensive process of economic development and political modernization in this same period.¹¹² The country was playing a strategic role of ‘light diplomacy’ to acquire a stable position and create new possibilities for itself within the League of Nations.¹¹³ Contrary to this, Siam, in the 1920s and throughout the 1930s, was subject to investigation by the League to ascertain the amount of Opium used in the country.¹¹⁴ This was in direct contradiction with the Siamese diplomatic policy of ‘laying low’. However, it was the result of the interaction between Siam and the League of nations in the period between 1920 and 1930, in which they joined multiple conferences.

Siam, along with other nations within the League of Nations, attended two conventions from 1924 to 1925, the first of which was, among other opium affairs, concerned with opium control in Siam.¹¹⁵ These conventions did not have a great effect on how Siam reviewed their own opium policy. According to Dutch Templar M.E. Boetzelaer, the League organized these conventions due to the different activities of the opium committee of the League of Nations. The committee had concluded that the means to combat opium were not enough, with only the help of the 1912 Treaty, and new international legislation was necessary.¹¹⁶ Prince Charoon, representative of Siam at the conventions, declared that Siam could not prosecute their Opium users, or ration Opium use, because of their heavy reliance on Opium trade for state revenue. The contracting parties had already added this argument to the original 1912 Treaty, stating that the abolishment of Opium should not endanger a state economy, in case of dependency on Opium trade.¹¹⁷ Moreover, as a part of diplomatic tactic, Charoon added that the state could not prosecute foreign nationals, because of the extensive rights of European nations in Siam. By saying this, Charoon challenged all former treaties, according to Hell.¹¹⁸ The League members concluded in this conference that measures against smuggling and the rationing of opium use, were not viable options, ending in an agreement of recommendations towards Siam called the

¹¹⁰ Idem, 9.

¹¹¹ Idem, 7 and 9.

¹¹² Idem, 9 and 15.

¹¹³ Idem, 81-83.

¹¹⁴ Idem, 89 and 106-110.

¹¹⁵ Idem, 102-104.

¹¹⁶ J.H. Antonisse and B.N. van der Velden (eds.), *Indië en het opium* (Batavia: Kolff, 1931), 161-162.

¹¹⁷ Hell, *Siam and the League of Nations*, 102-104 and League of Nations, ‘International Opium Convention, The Hague 1912’, 187-240.

¹¹⁸ Idem, 103.

‘Agreement concerning the suppression of the manufacture of, internal trade in, and use of, prepared opium’. Siam ratified this agreement more than two years later.¹¹⁹

Immediately following this one, the League had organised a larger convention, striding ultimately towards the abolishment of opium, aside from use for scientific and medical purposes.¹²⁰ This convention did not succeed in that goal, and the parties that were present eventually limited the measures for control. The agreements did include statistical reports of opium trade and use, which the then founded Permanent Central Opium Board would supervise. Dutch templar M.E. Boetzelaer, in relation to this convention, also pressed that the League would send out a mission to Asia, to investigate whether governments could replace poppy (the opium plant) by other crops for farmers to culture.¹²¹ He furthermore points out that Bangkok would held the next convention by invitation of Siam, for which they would wait until after result of the initial reports would be available in November 1925.¹²² This shows that Siam was still trying to claim a positive, contributing role in international drug control. That it took until 1931 for this next convention shows another reality. Namely, that Siam, and perhaps other nations within the League were not in such a hurry.¹²³

Comparison

Using the case study by Hell, I have illustrated the way in which drug control and modernizing political diplomatic discussions evolved in relation to Siam in the first half of the 20th century.¹²⁴ To what extent can we compare this to the Dutch case? Which of the problems and arguments were applicable to The Netherlands? To answer this, we first need to establish the discussion as it progressed through the 1920s and 1930s.

The Dutch government was, despite the neutrality of The Netherlands and the fact that according to historian Anna-Isabelle Richard the country ‘boasted a significant peace movement’, not too pleased after the First World War, when peace had returned. For the Dutch government connected the harsh punishment for the central powers in the Versailles Treaty with the character of the newly founded League.¹²⁵ They did not want The League to able to impose negative measures on The Netherlands, since they thought they had now seen how

¹¹⁹ As quoted by: Hell, *Siam and the League of Nations*, 103-104.

¹²⁰ Hell, *Siam and the League of Nations*, 104-105.

¹²¹ Antonisse, *Indië en het opium*, 167.

¹²² Idem, 166.

¹²³ League of Nations, ‘Agreement, Bangkok 1931’, 373-380.

¹²⁴ Hell, *Siam and the League of Nations*.

¹²⁵ Ruud van Dijk, Samuël Kruizinga, Vincent Kuitenbrouwer and Rimko van der Maar (ed.), *Shaping the international relations of the Netherlands, 1815-2000: a small country on the global scene* (Abingdon: Routledge, 2018), 99.

extensive the results of this could be. Therefore, while Siam saw an opportunity in joining the League, the Dutch, appear to have joined reluctantly.

However, The Netherlands did have important ideological reasons to join, despite of what they held against the League. Richards describes these motivators as ‘Dutch League internationalism’ and ‘Dutch Europeanism’.¹²⁶ The Netherlands were neutral and therefore leaned more to a neutral supranational power and accompanying international law, instead of every nation deciding for itself, and consequently developed these ideologies. On one side, the Dutch hesitated partly because of their neutrality, because an alliance was opposite to their ideal of neutrality. On the other side, the League with the accompanying means provided for that Dutch neutrality ideal, or at least in theory.¹²⁷

The Dutch government was also reluctant to join the League of Nations, because of the possible threat it meant for the free trade between the Dutch East Indies and Europe and Holland, with existing notions of tariffs. Moreover, at end of the 1920s, the League also presented the notion of a European Union. The Dutch government saw this as a possible deathblow for that free trade. According to Richards however, the Dutch quite successfully played a lobby that exempted them from certain economic agreements, as an exception. These efforts eventually led to the aforementioned ‘Dutch League internationalism’. Unfortunately, Richards does not make any comment on opium trade.¹²⁸

The Dutch were not successful on all fronts, as they became target for the League, along with other colonial nations, for their attitude towards working environments within the colonies, especially with their Penal Sanction (*poenale sanctie*). This Sanction meant that the employers were able to punish employees that did not fulfil their working obligations. It was a means to enforce forced labour.¹²⁹ The League continually discussed this matter into the 1930s, and even longer, as business organisations that profited from the Sanction, started to interfere in political discussion and opposed themselves against any propositions to end this system.¹³⁰

We can compare these negotiations on the penal sanction with the Dutch diplomatic stand on opium trade. Both the Penal Sanction and the *Opiumregie* were important economic factors for the Dutch East Indies.¹³¹ Dutch diplomacy with the League of Nations, according to

¹²⁶ Idem, 99-100.

¹²⁷ Ibid.

¹²⁸ Idem, 100.

¹²⁹ Taselaar, *De Nederlandse koloniale Lobby*, 261-262 and 288-289.

¹³⁰ Idem, 270.

¹³¹ Siddharth Chandra, ‘What the Numbers Really Tell Us about the Decline of the Opium Regie’, *Indonesia*, 70 (2000), 104.

Derks, turned towards slowing down the efforts of anti-drug lobby groups and anti-opium leagues, although he makes no specific reference to instances.¹³²

This adds together with the Siamese view on opium trade, which like the Dutch opium monopoly still provided income and supposedly created a win-win situation. The Dutch had initiated the *Opiumregie* to control the opium trade. Historian Rush argues that especially in this period, the *Opiumregie*, despite the initial aim to control opium trade, also made a lot of profit on this trade. However, in the 1920s they did not succeed in actually controlling opium trade and ridding out smuggle, since this period saw a lot of smuggle of illegal opium from China.¹³³ The most important route was through Singapore, from where opium was shipped through to Java, where opium powder was ironically labelled as anti-opium medication.¹³⁴ The *Opiumregie*, according to their own figures, had to face that two-thirds of the violations on the opium monopoly law, were according what Rush called ‘illicit trade in licit opium’.¹³⁵ In other words, illegal trade in opium that belonged to the *Opiumregie*. When we look at the aforementioned sources the *Regie* failed in what it officially intended to do, namely keep control over trade and rid out opium smuggle and illicit trade.¹³⁶ The *Opiumregie* only was a success in providing profit. Therefore, it was not be the progressive system, as which it was often portrayed at that time.¹³⁷

Opium Regie

Historian James R. Rush writes that under the *Opiumregie*, there first was an increase in opium usage with a peak in 1914, but that it declined afterwards.¹³⁸ This suggests that the *Regie* worked. Yet, according to him, this was not due to the *Regie* itself, but to local opposition against opium use, combined with the upcoming ethnical policy in The Netherlands. He describes a drastic decline in opium use by people on Java in the year 1928, which according to him, was more of a social change, than a change in efforts by the *Opiumregie*.¹³⁹ The *Regie* had no real effect on opium use.

Opiumregie failed in the function to control opium trade, because it ironically served smuggling, and this was not recognized. As discussed, the *Opiumregie* both tried to combat

¹³² Derks, *History of the opium problem*, 370.

¹³³ Rush, James Robert, *Opium to Java: revenue farming and Chinese enterprise in colonial Indonesia 1860-1910* (Ithaca: Cornell University Press, 1990), 297-298.

¹³⁴ Ibid.

¹³⁵ Ibid.

¹³⁶ Ibid., Derks, *History of the opium problem*, 339 and Rush, ‘Opium in Java’, 557.

¹³⁷ Rimner, *Opium’s long shadow*, 222.

¹³⁸ Rush, James Robert, ‘Opium in Java: A sinister friend’, *Journal of Asian Studies* 44, 3, (1985), 557-559.

¹³⁹ Ibid.

addiction, but was also part of the problem because of the way the colonial government implemented the regime. The major problems were that, firstly the *Opiumregie* relied on opium trade to function; secondly, the *Opiumregie* had too much emphasis on the trading aspect and less on the ‘helping aspect’.¹⁴⁰

The Netherlands however continued to rely on the system, which they had presented to other nations with pride. Already before 1910 The Dutch opium delegate A.A. the Jong emphasized the effectiveness of a system, which according to him had more benefits than just controlling the trade.¹⁴¹ Most likely, he referred to the profits of the trade. This explains why the Dutch were unwilling to suspend the system. As long as the administrators of the system could legitimise the *Regie*, the system could continue to provide financial reward.

The League of Nations

From the founding in 1920, The League of Nations had taken over the organisation of the 1912 International Opium Treaty.¹⁴² In part one of this chapter, we have already discussed the 1924-1925 Opium conventions that followed. In between this period, the League communicated more and more with Dutch diplomats concerning the subject of opium, but also cocaine, which the Dutch produced. Cocaine as a narcotic drug was also part of the opium discussion and international opium control, because nations in a wider sense focussed to control all narcotic substances.¹⁴³ The way this influenced the discussion leading to the 1924-1925 conventions will be the subject of next section, with the help of source material from the early 1920s.

The sources that appear in the Dutch National archive are useful to shed a light on this matter by merely existing. The sources show that the Dutch government, on one side positioned themselves as an archiver, and was central in any discussion surrounding this Opium Treaty, while on the other side profited largely from a continuing opium trade. This makes these letters form a crucial link in understanding the political diplomatic working that allowed this situation to continue all the way to the Second World War.¹⁴⁴

¹⁴⁰ Derks, *History of the opium problem*, 338.

¹⁴¹ Rimner, *Opium's long shadow*, 220.

¹⁴² Ruth Henig, *The League of Nations* (London: Haus Publishing, 2010), 25.

¹⁴³ League of Nations, ‘International Opium Convention The Hague 1912’, 196-197.

¹⁴⁴ NL-HaNA, Ministry of Foreign Affairs, 2.05.03, inv. nr. 1463, 22-6-1925, Letter from the Dutch representative at the League of Nations Van Hamel to J.P.A. François Chief of the department of League Affairs at the Ministry of Foreign Affairs.

Ratification

The Netherlands had received the role of archiver for the 1912 International Opium Treaty and therefore they had the responsibility of communicating with all those countries that had yet to ratify the 1912 Opium Treaty. It was the role of The Netherlands to make sure the contracting countries committed themselves to the Treaty by ratifying the Treaty. Only then, the League could lead those countries into introducing new opium legislation. Surprisingly, a substantial portion of the Foreign Affairs opium records consist of these kinds of letters, because these letters on ratification are spread over many years.¹⁴⁵ The process of ratifying took a long time.

Moreover, it took the League of Nations a lot of time to move The Netherlands to fulfil their task of dealing with ratifications. In 1925, the Ministry had not received all ratifications. Even still, in 1930, the Ministry had yet to make countries like Argentina, the Dominican Republic, Estonia, Denmark and Poland, ratify the Treaty of 1912.¹⁴⁶ The Dutch representative at the League of Nations van Hamel posed concerns about this slow process, and those concerns were not invalid as the Ministry had indeed taken very little initiative of their own and taking this task on as a responsibility.¹⁴⁷ The Netherlands were not a proactive partner in the diplomatic efforts of ratifying the 1912 Opium Treaty.

Communicating with the League

As stated before, the League of Nations already interacted with the Dutch government, because the Ministry of foreign affairs kept records for the 1912 International Opium Treaty. Furthermore, they kept administration for further opium treaties, which was probably out of convenience. This resulted in large strings of letters from Dutch Foreign Affairs to different participating members of the Treaties. However, the League of Nations and the Opium committee also investigated the Dutch on the opium control. The Netherlands did not always communicate efficiently with the League and the Opium Committee, which becomes apparent from a letter from the minister of Foreign Affairs. At the time, this was van Karnebeek, who

¹⁴⁵ NL-HaNA, Ministry of Foreign Affairs, 2.05.03, inv. nrs. *1463* and *1464*.

¹⁴⁶ NL-HaNA, Ministry of Foreign Affairs, 2.05.03, inv. nr. *1463*, 22-6-1925, Letter from the Dutch representative at the League of Nations van Hamel to J.P.A. François Chief of the department of League Affairs at the Ministry of Foreign Affairs, NL-HaNA, Ministry of Foreign Affairs, 2.05.03, inv. nr. *1463*, 8-7-1925, Letter from J.P.A. François Chief of the department of League Affairs at the Ministry of Foreign Affairs to the Dutch representative at the League of Nations van Hamel and NL-HaNA, Ministry of Foreign Affairs, 2.05.03, inv. nr. *1463*, Letters between to the different envoys of Argentina, Dominican Republic, Estonia, Denmark and Poland and the Ministry of Foreign Affairs.

¹⁴⁷ NL-HaNA, Ministry of Foreign Affairs, 2.05.03, inv. nr. *1463*, 22-6-1925, Letter from the Dutch representative at the League of Nations van Hamel to J.P.A. François Chief of the department of League Affairs at the Ministry of Foreign Affairs.

served this post for a period of ten years. He wrote to the minister of Labour in November 1922.¹⁴⁸ He discusses the elimination of illegal drug trade in the letter. A.M.S Snouck Hurgonje, a veteran in colonial diplomacy and Secretary-General for the Ministry of Foreign Affairs from 1921-1940, also signed the letter.¹⁴⁹ The minister wants some form of reassurance from the minister of Labour P.J.M. Aalberse, that The Netherlands were not involved in a large-scale production of cocaine, as an answer to earlier accusations from the League of Nations. For context, the coca-leaf cultivation had skyrocketed on Java during the First World War, as had the export of cocaine.¹⁵⁰ The minister wrote the letter in the context of a diplomatic discussion concerning the smuggle of both opium and cocaine, within the department *Activiteit Volkenbond Opiumbestrijding* or ‘Activity League of Nations towards the fight against opium’.¹⁵¹

The limitation of this letter and other letters surrounding this subject in this collection is that they are most of the time not accompanied by a direct reply. Sometimes replies are completely missing, other times the replies are found in the same bundle of letters, a few dozen letters further, or even in another bundle or altogether. This is also the case with the collection of discussions concerning the ratification of the 1912 Opium Treaty, of which the collections reach until 1930.¹⁵²

However, we can see that Van Karnebeek had a strong goal with this letter. He wanted to clear The Netherlands of accusations and maintain the image of The Netherlands as a partner in the fight against drugs smuggle.¹⁵³ He did not want the League to think the Netherlands has the wrong attitude.

The Opium Committee for cocaine control

Walters notices that the task of the League of Nations Opium Committee, which had substantial financial funds but could not rely on other help, had a difficult task because of the taboo on opium.¹⁵⁴ He states that from a social and moral side, government of countries that dealt in opium were not ready to admit their large stake and even developed a negative attitude

¹⁴⁸ NL-HaNA, Ministry of Foreign Affairs, 2.05.03, inv. nr. 1464, 4-11-1922, Letter from the minister of Foreign Affairs to the minister of Labour involving trade in cocaine and opium and the league of Nations, 1.

¹⁴⁹ NL-HaNA, Ministry of Foreign Affairs, 2.05.03, inv. nr. 1464, 4-11-1922, Letter from the minister of Foreign Affairs to the minister of Labour involving trade in cocaine and opium and the league of Nations, appendix 1, 3.

¹⁵⁰ United Nations, *World drug report*, 192 and 199.

¹⁵¹ Ibid.

¹⁵² NL-HaNA, Ministry of Foreign Affairs, 2.05.03, inv. nr. 1463, 30-9-1930, Letter of the Dutch envoy in Argentina to the Ministry of Foreign Affairs.

¹⁵³ Idem, 4-5.

¹⁵⁴ Walters, *History of the League of Nations*, 184.

towards the committee because of what they were trying to accomplish.¹⁵⁵ The committee investigated governments and criticised governments, and thus exposed problems in drug control by those countries.

For example, the Committee offered critique on cocaine production in letters, addressed to the Ministry of Foreign Affairs.¹⁵⁶ They show both a clear existing critique on The Netherlands and a worrying attitude that also reflects on matters of opium. One example is a letter from late 1922 describing a ‘difference in opinion’ between the minister of Labour and an official representing of the Opium Committee.¹⁵⁷ The official was Van Wettum, who partook in the 1912 opium convention and was a veteran on opium matters.¹⁵⁸

Van Wettum discusses with the minister the suspicion that The Netherlands were one of the biggest traders in cocaine. Moreover, smuggled cocaine, found in different countries, had according to Van Wettum an origin in The Netherlands.¹⁵⁹ Van Wettum later accuses the minister of Foreign Affairs that his colleague from Labour was undercutting the humanitarian intentions of the League and if the minister of Labour Aalberse would not supply the figures of cocaine production, the League might be inclined to conclude that almost all cocaine was produced in The Netherlands.¹⁶⁰ While trading in cocaine could be a legal occupation, smuggling went straight against what all treaties on opium thus far had been primarily about. If The Netherlands could not prevent or even endorsed the smuggling of cocaine within Europe, how could it be trusted to take the smuggling of opium seriously enough?

This attitude could thus also be problematic for opium control, as the Dutch did not appreciate the problem the League had with cocaine production. The opium committee asks for access to the figures of cocaine production. Van Wettum is convinced that Aalberse can produce

¹⁵⁵ Ibid.

¹⁵⁶ NL-HaNa, 2.05.03, inv. nr. 1464, 17-11-1922, Letter from Dutch Opium Committee member Van Wettum of the opium committee of the League of Nations, addressed to the minister of Foreign Affairs and NL-HaNa, 2.05.03, inv. nr. 1464, 5-12-1922, Letter from Dutch member Van Wettum of the opium committee of the League of Nations, addressed to the minister of Foreign Affairs.

¹⁵⁷ NL-HaNa, 2.05.03, inv. nr. 1464, 17-11-1922, Letter from Dutch Opium Committee member Van Wettum of the opium committee of the League of Nations, addressed to the minister of Foreign Affairs and NL-HaNa, Ministry of Foreign Affairs, 2.05.03 inv. nr. 1464, 16-10-1922, Letter from the minister of Foreign Affairs to the minister of Labour.

¹⁵⁸ Idem, 1-2 and League of Nations, ‘International Opium Convention signed at The Hague, January 23, 1912, and subsequent relative papers, *Treaty Series: Publication of treaties and international Engagements, registered with the Secretariat of the League of Nations* 8, 1-4 (1922), 193-208.

¹⁵⁹ NL-HaNa, 2.05.03, inv. nr. 1464, 17-11-1922, Letter from Dutch Opium Committee member Van Wettum of the opium committee of the League of Nations, addressed to the minister of Foreign Affairs.

¹⁶⁰ NL-HaNa, 2.05.03, inv. nr. 1464, 5-12-1922, Letter from Dutch member Van Wettum of the opium committee of the League of Nations, addressed to the minister of Foreign Affairs.

these figures.¹⁶¹ Still, Aalberse denies that he would have this information.¹⁶² Van Wettum argues that according to the opium law, the minister of Labour is the person who provides the conditions upon which manufacturers are allowed to produce opium, among which the obligation to keep records of all production. According to Van Wettum, it is part of the Treaty that this information must be available for international opium control.¹⁶³ This is central to what with the limited means in this period could be done to control trade and rout out smuggle. The committee therefore also states that the Aalberse should be in possession of these figures and is obliged to provide them. Despite the obvious formal objective from the Opium Committee, to receive overtness from The Netherlands on a matter of drugs, Aalberse puts his heels in the sand. On one hand, this attitude from the Dutch minister of Labour could create more suspicion from the League and on the other hand, it does not comply with a new diplomacy across nations. The Netherlands are resisting cooperation in this specific case, instead of waging cooperative diplomacy to control drug trade.

Among Ministries

The complicated relation within The Netherlands with opium trade and the monopoly under the *Opiumregie* also added to the problems for international opium control, because different ministries offered different views on opium. How did the Dutch government communicate internally? To this extent, we will look at communication between Dutch ministries.

In 1921, Van Karnebeek discusses new proposed international opium legislation with the minister of Colonies, the minister of Labour and the Dutch envoy in Bern (Switzerland). While the tone may seem productive, Van Karnebeek takes his time. He responds to the envoy in Bern that the Dutch administration is busy taking care of articles 3, 5 and 13.¹⁶⁴ He also mentions that he has no objection towards articles 3, 5 and 13 because those articles only apply to nations that do not have their legislation in order. However, Van Karnebeek gives these answers two months after the envoy asked them and this without documentation from both the minister of Labour and the minister of Colonies.¹⁶⁵ Altogether, a lot of time has passed for Dutch government to communicate on matters that are, according to their own statements, not

¹⁶¹ Ibid.

¹⁶² NL-HaNA, Ministry of Foreign Affairs, 2.05.03 inv. nr. 1464, 20-11-1922, Letter from the minister of Labour about figures of cocaine production, addressed to the minister of Foreign Affairs

¹⁶³ Idem, 2-3.

¹⁶⁴ NL-HaNA, 2.05.03, inv. nr. 1464, 16-01-1922, Letter from the minister of Foreign Affairs tot the envoy in Bern.

¹⁶⁵ NL-HaNA, 2.05.03, inv. nr. 1464, 16-01-1922, Letter from the minister of Foreign Affairs tot the envoy in Bern.

relevant to the Dutch case. Moreover, in these letters, which all address questions from the League of Nations and the opium committee for recommendations towards a new agreement, the ministers and officials fail to do something else. They do not discuss how they could improve law making against opium to fit their own situation. Instead, they fall back on an interpretation of earlier Dutch law, and this law was in order according to Aalberse.¹⁶⁶

The minister of Colonies Simon de Graaff also discussed opium matters with the minister of Foreign Affairs, for example in December 1921 and argues that certain international opium laws are not applicable to The Netherlands.¹⁶⁷ De Graaff starts off by stating that no recommendation from the League of Nations is necessary for new regulation on opium trade. According to him, the existing articles 3 and 5 of the International Opium Treaty do not apply to the Dutch East Indies, because the Dutch East Indies government uses the *Opiumregie* to control opium trade. Article 3 mentions that countries must control the export of raw opium and prevent export to those countries that do not allow the import of opium. Only licenced persons should deal in import and export according to article 5.¹⁶⁸ De Graaff uses the *Opiumregie* to justify that The Netherlands do not need this kind of international regulation, but he does not explain why the *Opiumregie* does not need this kind of regulation. Following the argument of De Graaff the *Regie* should already be regulating import and export in the exact way the League wants. If this were so, these laws were in the worst case just a reassurance of that policy. However, the Dutch East Indies government wants to rely on the means of their system instead of the regulation that the League wants to enforce. Therefore, the arguments given in this matter do not coincide with international drug control, just with national drug control.

De Graaff had more laws he did not want The Netherlands to enforce. He refers specifically to article 13 because this article applies to the containment of export of opium, which he deems would not be relevant to the situation.¹⁶⁹ Article 13 mentions that the contracting countries will only export opium, when they transfer the opium to ‘persons furnished with the licences or permits provided for by the laws or regulations of the importing country’.¹⁷⁰ The *Opiumregie* dealt with trading opium to people inside the Dutch East Indies, so only import. However, having a system that only deals with the import of raw opium does

¹⁶⁶ NL-HaNA, 2.05.03, inv. nr. 1464, 31-12-1921, Letter from the minister of Labour to the minister of Foreign Affairs.

¹⁶⁷ NL-HaNA, 2.05.03, inv. nr. 1464, 30-12-1921, Letter from the minister of Colonies to the minister of Foreign Affairs.

¹⁶⁸ League of Nations, ‘International Opium Convention The Hague 1912’, 193 and 195.

¹⁶⁹ NL-HaNA, 2.05.03, inv. nr. 1464, 30-12-1921, Letter from the minister of Colonies to the minister of Foreign Affairs.

¹⁷⁰ League of Nations, ‘International Opium Convention The Hague 1912’, 199.

not mean there is not a reality in which opium is still imported. Moreover, the largest goal for the League of Nations at this time is to counter opium smuggle, for which they have intended this exact law. The Dutch are either naïve as to the existence of opium smuggle, or they do not want the League interfering with their *Opiumregie*, no matter what the flaws of this system may have been. The last option seems more likely, considering their own records on smuggle.¹⁷¹

However, when Karnebeek agrees with the League of Nations, it is to keep face. As we have seen in the second chapter, the minister sides with the League, who wants to receive statistics on the manufacture, preparation and sale of narcotics. Not because he thinks this is the right thing, but because he worries that, it will reflect bad on The Netherlands and their ‘prominent position’ regarding the fight against opium.¹⁷² Meanwhile however, communication between ministries was slow and inefficient, mostly because the Ministries were not motivated for opium control in the same way, the League was. Neither the minister of colonies, minister of Labour, or minister of Foreign affairs, explicitly indicate they want to work together with the League on further improving Dutch Opium control within a framework of international opium control.

However, the minister of Foreign Affairs, responded to the League on opium matters, based on comments from both the minister of Labour and Colonies, as well as the minister of Finance and Justice.¹⁷³ We can see this chain of communication clearly, when we look at an example where the Opium Committee asks information from The Netherlands on the transport of cocaine to Canada.¹⁷⁴ This discussion is part of a larger discussion on the export of opiates to the United States.¹⁷⁵

There is no specific case running against The Netherlands, apart from the League of Nations advises; that it would be good if The Netherlands, Germany and France would exercise more control on the export of opium and other substances, since these countries exported a lot of opium. However, Aalberse refers to the attitude of the opium committee as ‘tendentious’ in response to the minister of Foreign Affairs. The minister thus criticises the Opium Committee for even asking about cocaine transport. He furthermore denies that The Netherlands exported (in this case) cocaine to Canada and refers to the Government for any

¹⁷¹ Rush, *Opium to Java*, 297-298.

¹⁷² NL-HaNa, 2.05.03 inv. nr. 1464, 16-10-1922, Letter from the minister of Foreign Affairs to the minister of Labour.

¹⁷³ NL-HaNa, 2.05.03 inv. nr. 1464, 29-11-1922, Letter from the minister of Foreign Affairs to van Wettum.

¹⁷⁴ Ibid.

¹⁷⁵ NL-HaNa, 2.05.03, inv. nr. 1464, 7-09-1922, Questionnaire sent by the US secretary of State.

further information.¹⁷⁶ Van Karnebeek conveyed this message to Van Wettum, and expresses that he hopes this information suffices.¹⁷⁷ The conveyed message of Aalberse, does not give information. Instead, the minister of Labour had only acted in a defensive manor, against what were not officially allegations, but only questions.

On a different page

In the fight against opium, even the Dutch minister of Labour Aalberse is not on the same page as the League, as becomes clear from these letters. This did not mean that there was no concern for solving the opium question in the Dutch government, but they did not fully cooperate with the League of Nations and the Opium Committee. The League of Nations had provided a central framework, the supranational power The Netherlands wanted. Furthermore, the Opium Committee helped with efficient diplomacy on opium control. However, that could not take away the two most apparent problems.

Firstly, the Dutch attitude towards the League was different from that of Siam. For Siam, the League of Nations meant creating possibilities for themselves on an international level. For The Netherlands, the League of Nations was mostly an institution that could help keeping international peace. However, The Netherlands were concerned with what problems the League could pose to their free trade position.

Secondly, the Dutch *Opiumregie* did not work flawlessly and was far from effective and the Dutch did not want the Opium committee and the League interfering with the *Regie*. In addition, the attitude of Aalberse, who refuses to share production figures on cocaine, does not fit within new diplomacy through international collaboration.

¹⁷⁶ NL-HaNa, 2.05.03, inv. nr. 1464, 10-11-1922, Letter from the minister of Labour to the minister of Foreign Affairs.

¹⁷⁷ NL-HaNa, 2.05.03 inv. nr. 1464, 29-11-1922, letter from the minister of Foreign Affairs to van Wettum.

H3: The struggle of opium supervision (1925-1942)

In first and second chapter, we saw the diplomatic processes that led to advanced drug control and the Permanent Central Opium Board. This chapter will assess this for the next period after the Opium Treaty of 1925, up until the Japanese occupation of the Dutch East Indies in 1942. We will follow the process of this intended intensified control towards Opium and the way it affected diplomatic discussion and the transformations within the League of Nations. In this period, the Dutch still traded in opium in a monopolized manor, were still member of the League of Nations and still officially participated with League of Nations to control opium.¹⁷⁸ How did this discussion continue in this period and what were there notable changes in character, speed and goals of the diplomatic discussions in this period? Furthermore, how did the imperial relation between metropole and colony add to this discussion?

There are four important elements towards answering this part of the question. First, there is the functioning of the League of Nations towards its disintegration and final disbandment at the end of the 1930s. Next is the way in which the Permanent Central Opium Board functioned and what influence they in effect had on Dutch opium policy with their findings. Thirdly, there is Dutch communication with the League and the Board to examine the effect of the diplomatic efforts, which also connected to the diplomatic relation between Dutch government and Dutch colonial governments, especially in the Dutch East Indies. For implementation, the fourth element and central to any anti-opium measures would rely on their cooperation. Dutch cooperation was, as we already saw in chapter three, not of a straightforward nature.

League of Nations

Even admitting, as I think we must, that the Geneva Conferences – having reference particularly to the second – registered, in words at least, certain net gains, perhaps on the whole as much as was to be expected; even accepting for the moment a half-loaf as better than no bread at all; nevertheless, it is exceedingly important to remember that the net gain, whatever its theoretical value, as yet is and probably for a long time will continue to be only on paper. There is a long and arduous road to be travelled before any of it can be put even nominally into effect.

¹⁷⁸ NL-HaNa, Ministry of foreign affairs, 2.05.03, inv. nr. 1467, 25-1-1927, Letter from Paul Dinichert from the advisory committee on opium and other dangerous drugs to the Ministry of Foreign Affairs about the smuggling of opium through the post.

Meanwhile will grow a false and harmful sense of accomplishment, as if something had been set in motion. Nothing has been set in motion. Something very important has been lost.¹⁷⁹

These are the opening words of journalist John Palmer Gavit in his response to the Opium Conventions held in 1924 and 1925, on which Gavit is not positive. These conventions were supposed to further the fight against opium in a more solid way than the earlier 1912 Treaty had done. However, Gavit clearly does not see any real progress in the commitments nations that made during the last conventions. Furthermore, as Gavit discusses his negative situation, he also mourns the loss of the US as a participant to the discussion. A failed convention, combined with the terminated participation of both the United States and China, sounds like a more than a leap away from any real solution to the opium problem.¹⁸⁰

The US did not completely pull back from the opium discussion. They furthermore continued to communicate with The Netherlands on Dutch opium control. In 1927 for example, the United States sent an envoy to Europe and The Netherlands to study the fight against opium.¹⁸¹ The Dutch Ministry of Foreign Affairs asked the Chief Inspector of public health to translate Dutch Opium regulation for the envoy and to answer any questions the envoy might have, as well as giving him all information he asks for. This meant that if the US formally retreated from the conference, they did not ignore the problem of opium like a lost cause. In addition, this attitude of The Netherlands towards US involvement seems positive in contrast to previous letters in which The Netherlands held back information about cocaine production.¹⁸²

However, the US did not think The Netherlands and the League were busy enforcing new policy based on international legislation. Six months earlier the Ambassador of the US wrote about his observations on the battle against opium to the Dutch government and more specifically Van Karnebeek.¹⁸³ The writer, ambassador Richard M. Tobin (ambassador to the United States) uses the details of the 1912 international Opium Treaty to make his argument.¹⁸⁴ He presses that participating governments must take the promised actions, as mentioned in the 1912 Treaty. Most importantly to reduce opium to medical and legitimate use only. No reaction

¹⁷⁹ John Palmer Gavit, *"Opium"* (London: Routledge, 1925), 219.

¹⁸⁰ Ibid.

¹⁸¹ NL-HaNA, Ministry of Foreign Affairs, 2.05.03 inv. nr. 1467, 21-06-1927, Letter to the Chief Inspector of Public Health concerning the upcoming visit of an American envoy.

¹⁸² NL-HaNA, Ministry of Foreign Affairs, 2.05.03 inv. nr. 1464, 17-11-1922, Letter from Dutch Opium committee van Wettum concerning an argument between Van Wettum and the minister of Labour.

¹⁸³ NL-HaNA, Ministry of Foreign Affairs, 2.05.03 inv. nr. 1467, 4-11-1926, Letter from Richard M. Tobin to minister of Foreign Affairs H.A. van Karnebeek.

¹⁸⁴ Idem, 1-2.

from the Ministry of Foreign Affairs is present on these observations by Tobin, but they would suggest the US wants governments to do more about opium control.

Tobin emphasises that governments must not only take said action on a domestic level, but also in the colonies.¹⁸⁵ Tobin mentions this because he is concerned with opium use in the United States.¹⁸⁶ He argues that most opium used in the US, is not medicinal opium that people illicitly sell to users, but smuggled opium from other countries, like the colonies of The Netherlands. Tobin emphasises that according to congress, the right kind of legislation is vital to control opium trade and prevent the abuse and illegal trade in opium. The problem thus lies with the European empires, because they apparently do not have enough control to prevent this smuggle in their Asian colonies. The argument also shows that the American government is more interested in international opium control for their own domestic opium problem, than they are in solving the global problem of opium smuggle, let alone how the Dutch deal with their domestic opium control.

Tobin calls his solution ‘progressive suppression’ through ‘international cooperation’.¹⁸⁷ This also means that every person involved in a part of the trade, needs to be registered. He argues that this had a large affect in the United States, were a lack of the correct bonds on opium packages could result in a 100.000\$ fine. Furthermore, he adds that the US does not export opium under any circumstances to a country that did not partake to and ratified the 1912 Opium Treaty. He also emphasises that this kind of legislations helps the vital part of control, namely to ‘follow the raw material’.¹⁸⁸ Tobin surprisingly concludes that he hopes, not that The Netherlands may use this advice, but that the Dutch government may be able to give the United States suggestions and lend their help in any way towards the control of opium trade. This makes it seem, if the US believes that the Dutch have a well-functioning system to control the opium trade.

This is remarkable since this would suggest that American congress, on which behalf Tobin is writing, is in the presupposition that The Netherlands would be on track with their control of opium. If The Netherlands wanted to fool other nations by playing a forward member in the anti-opium cause, it certainly seems to have worked with Tobin. This also puts the earlier discussed letter regarding an American government envoy in a different light.¹⁸⁹ This envoy

¹⁸⁵ Ibid.

¹⁸⁶ Idem, 5-8

¹⁸⁷ Idem, 1-2

¹⁸⁸ Idem, 6-7.

¹⁸⁹ NL-HaNA, Ministry of Foreign Affairs, 2.05.03 inv. nr. 1467, 21-06-1927, Letter to the Chief Inspector of Public Health concerning the upcoming visit of an American envoy.

wanted to learn from the Dutch approach. This means either that American government had a naïve attitude towards Dutch policy, or they were playing another diplomatic game. Maybe Tobin hoped The Netherlands would transfer his argument to the League. There is however not enough information to make a judgement on this.

In any case, the American government had an interest in the fight against opium, but not in the approach by the League of Nations. For the US, it could have seemed that any compromise in agreements slowed process, which would mean that indirect goals in opium control ended up even further down the road. One of the reasons of the US to participate in international opium control, namely, to solve their own domestic opium, could therefore not benefit from these agreements. That explains why the US disagreed with the agreements made in 1925, which they criticised as being nothing but compromise and would not accept.¹⁹⁰ More precisely, they seem to have been mainly interested in their own fight against opium. The 1925 Treaty were worthless to this cause. The fact that the ambassador does not even mention the 1925 opium agreements, which also specify on all these matters, shows a disregard for the validity of these agreements.¹⁹¹

However, the League of Nations had more issues to worry about than opium. Towards the 1930s, the League of Nations begin to disintegrate slowly, with their members withdrawing from the League throughout the years, hollowing out the institution.¹⁹² According to Ruth, the League caught themselves in a spiral in which they kept losing control. This spiral diminished their supervising role, and more and more countries began to bypass the League.¹⁹³ Henig mentions that in the 1920s the League thought their objective to improve working- and living conditions on an international scale was an important key to establish lasting international peace and stability. The combat against drugs was part of this objective, which would suggest that the fight against opium had a central function for the League that was now collapsing. This already had started in 1931 with the Japanese invasion of Chinese Manchuria but regressed further through the lack of the League of Nations to control this crisis. After that, countries started to return to former policy and armed themselves.¹⁹⁴ The legitimacy of the League was fading.

¹⁹⁰ Gavit, "Opium", 219.

¹⁹¹ NL-HaNA, Ministry of Foreign Affairs, 2.05.03 inv. nr. 1467, 4-11-1926, Letter from Richard M. Tobin to minister of Foreign Affairs H.A. van Karnebeek, 1-3 and League of Nations, 'Agreement concerning the suppression of the manufacture of, internal trade in and use of, prepared opium, adopted by the First Opium Conference of the League of Nations, with protocol, signed at Geneva, February 11, 1925', *Treaty series: Publication of Treaties and International Engagements, registered with the Secretariat of the League of Nations* 51, 1-4 (1926-1927), 340-343.

¹⁹² Walters, *History of the League of Nations*, 706-708.

¹⁹³ Ruth Henig, *The League of Nations* (London: Haus Publishing, 2010), 73-74.

¹⁹⁴ Idem, 57 and 64.

Although not related to opium, both peace control and opium control shared the same vicious circle. Because the League of Nations could not control the Japanese invasion, they lost more control. This way the League also lost the means as an international policing institution against opium, which was part of the goals of the League to procure stability and peace. The situation was now escalating, with only a handful of major powers remaining a member of the League in the mid-1930s.¹⁹⁵

Communicating with the colonial government

In this period, the Dutch East Indies Governor-General and the Ministry of Colonies formed the basis for communication between the colonies and The Netherlands. The minister of Colonies in The Hague and the Governor-General in Batavia corresponded directly with each other. Also, part of the colonial government was the Director of Justice for legislation issues and the Director of Finance, as well as the director of the *Opiumregie* and later also the *Zoutregie* (*Regie* for Salt). These persons and departments resided in Batavia (Jakarta). Opium (as was salt) was an important part of economic profit for the Dutch East Indies government.¹⁹⁶

In 1936, L.W.H de Leeuw, the chief official on legislation for the Director of Justice in the Dutch East Indies wrote a letter to the Attorney General in Batavia (Jakarta) about the *Opiumregie* and *Zoutregie*. He voiced his concerns about proposed articles for the next agreement with the League. Those articles would mean that warehouses that house opium for smuggling needed to be closed and forfeited.¹⁹⁷ De Leeuw poses that this measure is too radical, if warehouses originally intended to enable smuggle. He furthermore states that the closing of a warehouse could only be presented as an optional decision. Instead, with the proposed measures, the government has to impose the closure of warehouses.¹⁹⁸ De Leeuw leaves judgement on smuggling practices in warehouses and proposed measures with the director of Justice and the Attorney General Jansen. However, he confirms that he agrees on the matter with M.C.Ph.C.E. Steinmetz, the director of the *Opiumregie*.¹⁹⁹ While it would seem logical to shut down warehouses that house smuggle, this would mean that the *Regie* lost their own freedom on ‘solving’ these issues.

¹⁹⁵ Idem, 65.

¹⁹⁶ Derks, *History of the opium problem*, 369-372.

¹⁹⁷ NL-HaNa, Ministry of Colonies, 2.10.54, inv. nr. 310, 28-3-1936, Letter from the chief official on legislation for the Director of Justice in the Dutch East Indies to the attorney general in the Dutch East Indies on *Opium- en Zoutregie*.

¹⁹⁸ Ibid.

¹⁹⁹ Ibid.

At this time, the government communicated a lot with the Ministry of Colonial Affairs and were very much aware of the Leagues and Dutch concerns surrounding smuggle. Meanwhile De Leeuw not only disagrees on a legal basis, he also thinks that this measure is to extreme.²⁰⁰ This story again relates to the way, even in the later years of the thirties, the colonial government still defended trade as the major objective, in cost of opium control. The director did not recognise the extent of the governments trouble with opium smuggle.

De Leeuw had more issues with the proposed agreement from the League.²⁰¹ He opposes that The Netherlands should apply international rules to the cultivation and production of opium. The intent was to include these rules in a new agreement with the League of Nations. De Leeuw states that in earlier agreements this kind of legislation, referring to diplomatic conventions, the parties have never had this intention in mind. He concludes this intention does not fit in the system of the earlier agreements and will bring danger to cooperation.²⁰² He does not specify whose cooperation that would be. Either this could mean cooperation within the Dutch East Indies, or he could have referred to the relation between the colony and her metropole. In any case, the Dutch government and the Dutch East Indies government were not a unified front on these matters. Critique and unwillingness from persons within the colonial government, like the De Leeuw, made it more difficult to propose new legislation.

The Dutch government and the Ministry of Foreign Affairs struggled with differing opinions, while this agreement may have to lead to a stronger and more effective policy towards opium control. Part of the problem was a consequence of the *Opiumregie*, of which the Dutch East Indies Governor-General thought, they already had the effective tool to control opium trade.²⁰³

The Dutch attitude

Within the Dutch state, the Dutch East Indies government did not see smuggle as a threat, as much as the League or even the government, back in the metropole saw it, because they thought the *Opiumregie* contained the smuggling of opium and the profits boosted the finances of the colonial government.²⁰⁴ Even if the *Opiumregie* was not a successful medicine against smuggle,

²⁰⁰ NL-HaNa, Ministry of Colonies, 2.10.54, inv. nr. 310, 28-3-1936, Letter the Department of Justice in the Dutch East Indies to the attorney general in the Dutch East Indies on *Opium- en Zoutregie*.

²⁰¹ Ibid.

²⁰² Ibid.

²⁰³ Derks, *History of the opium problem*, 338.

²⁰⁴ Idem, 366-369.

this did not hurt the profits the system brought. However, that was exactly the problem: Smuggle remained with coming of the *Regie*.

Derks states that under the *Opiumregie* smuggle did not even decline. According to him, the *Opiumregie* had profit as a motivation.²⁰⁵ All arguments to defend the *Regie* were just rationalizations to mask that motive. His argument is that while the sale of opium by the *Regie* had since 1914 diminished with almost 75% by 1930, profits had not diminished. The profits were higher in 1930, than they were in 1914.²⁰⁶ With this, they could maintain support from the anti-opium lobby and the Dutch government in for the *Opiumregie* as an effective means for control of opium. However, as Derks notes, the efforts of the *Regie* did not affect smuggling.²⁰⁷ In effect, the *Regie* had sliced themselves a smaller piece of the pie, but with higher prices so their profits did not decline. The *Opiumregie* raised prices and sold smaller amount of opium. This way the *Regie* was not just tolerating the smuggling of opium, they were serving it. As a result, people kept using, despite the lower official supply.

Opium sales did decline more during the 1930s and so did the profits, but only because of economic depression.²⁰⁸ From 1936, profits and sales were rising again. Derks quotes an author from the 1930s who states with some degree of sarcasm that whether the *Opiumregie* increased or decreased the price, the goal was still to keep the people from buying smuggled opium.²⁰⁹ This commenter concluded that countering smuggling was a placeholder argument for The Netherlands, when they adjusted prices. Thus, whether the *Opiumregie* enforced price adjustments that counter or promote smuggle, the *Regie* presented the measure as a tool against smuggle. The *Regie* said their goal was to legitimize their policy, but what actually motivated their policy was mostly profit.²¹⁰

Permanent Central Opium Board

The PCOB was a new means for the League to control opium trade and the US used the PCOB to offer criticism on opium control. This is already visible from their decision to place an American member in the Permanent Central Opium Board. Derks mentions that American representative Herbert L. May, who had been siding with the anti-opium lobbies in the US, became a member of the PCOB. This was thus a strategic choice by the US. In his research as

²⁰⁵ *Idem*, 371.

²⁰⁶ *Ibid.*

²⁰⁷ *Idem*, 369-371.

²⁰⁸ *Ibid.*

²⁰⁹ *Ibid.*

²¹⁰ *Idem*, 368.

a member, May offered criticism to the high prices the *Opiumregie* administered, because these kinds of prices would promote opium smuggling, which was at this point the most central theme in the battle against opium.²¹¹

May and the PCOB focussed much of their attention on The Netherlands in this period and criticised the *Opiumregie*. Le May made the conclusion in the 1927 PCOB opium survey that ‘Existing government prices most everywhere are too high, however, especially in the Dutch East Indies’.²¹² Derks calls this high price the main cause for more smuggling of Opium, as opposed to what the Dutch government said. Namely, that the users were accustomed to the price and reducing it would not be necessary in the near future.²¹³ For the PCOB, the high prices would lead to an increase in opium smuggling. However, the Dutch government clearly disagreed; defending prices that incidentally also lead to higher profits for the *Opiumregie*.

Dutch communication with the League

The League of Nations joined in this critique from the PCOB and intensified their communication with the Dutch Ministry of Foreign Affairs from the second half on the 1920s. This shows, because the communication archives are larger in this period.²¹⁴ In these records, the League and the PCOB went on to discuss the Dutch situation verses the agreements made in 1925.²¹⁵ Most important were the agreements the League members had made in 1924-1925 towards putting a stop to the smuggling of opium, and therefore also on new trade regulation. This went as far as specific cases.

Van Wettum for example, in the 1920s still a member of the Opium Committee of the League of Nations and now the advisor to the Dutch government for international opium matters, went in to rather extensive discussion with Malcom Delevingne. Delevingne was the delegate of the British with the 1931 Geneva Convention of the League of Nations, about the legality of certain opium trades in the Dutch East Indies.²¹⁶ This letter from 1932 is a reaction to the transport of prepared opium through British waters at Singapore, with the Dutch East Indies as a destination.²¹⁷ Delevingne reports that transport on current agreements is not legal,

²¹¹ Derks, *History of the opium problem*, 340.

²¹² Quoted in: Derks, *History of the opium problem*, 340.

²¹³ Derks, *History of the opium Problem*, 339-340.

²¹⁴ The number of files available in the National archives is very high for the last years of the 1920s and the first three years of the 1930s: NL-HaNa, Ministry of Foreign Affairs, 2.05.03, inv. nrs. 1467-1470.

²¹⁵ Ibid.

²¹⁶ Charles Irving Bevans, *Treaties and other international agreements of the United States of America, 1776-1949: Multilateral, 1931-1945* (Washington: Department of State Publication, 1968), 6.

²¹⁷ NL-HaNA, Ministry of Foreign Affairs, 2.05.03 inv. nr. 1470, 2-6-1932, Letter from Malcolm Delevingne to M.W.G. van Wettum surrounding the legal aspect of transport of prepared opium through British waters.

because it is in contradiction with the sixth article of the 1925 Geneva prepared opium agreement is applicable.²¹⁸ According to Delevingne this article states without doubt, that transit of prepared opium through the Singapore territorial waters is prohibited. This leads again to discussion on the part of Van Wettum on what the last convention allows. Van Wettum defends the export, argues the interpretation of Delevingne is wrong and advocates what kind of interpretation of the Geneva agreement should be used to legitimate the opium transport.²¹⁹

Van Wettum and Delevingne discuss the regulation which is designed to prevent the possibility of opium smuggle, but Van Wettum does not discuss the prevention of smuggle at all. He does not see this possibly illicit transport as smuggle risk, but as trade. This discussion is for Van Wettum just a result of misinterpretation by Delevingne, an argument about trade to which specific international rules and customs do or do not apply.²²⁰

However, the nature of this ‘trade matter’ is related to the 1925 convention as the minister of Colonies de Graaff shows in his 1933 report on the matter to the minister of Foreign Affairs Frans Beelaerts van Blokland.²²¹ In his rapport, he refers to the 1925 Treaty and indicates that there have been many difficulties since prohibition on the transport of prepared opium through any area that imports opium with the intent of sale for consumer purposes. Central case and probably the reason for the rapport are again the ports in Singapore, for the minister states that in many cases, these kinds of routes cannot be avoided.

The British were worried that traders would illegally import Dutch prepared opium to Singapore, but Van Wettum and de Graaff have other concerns. De Graaff reports the communication between Van Wettum and Delevingne as an argument to impose more straightforward agreements for opium transport.²²² He calls for a more definite solution, based on earlier agreements between members of the league, but coinciding with the wishes of the Dutch East Indies government.²²³ De Graaff emphasizes that he does not share the opinion of the British that the 1931 article on the subject of transport is applicable to this instance. De Graaff also mentions his discussion with the Governor-General of the Dutch East Indies government on this matter and seems to indicate that the call for this long-term solution

²¹⁸ League of Nations, ‘Agreement, Geneva 1925’, 341.

²¹⁹ NL-HaNA, Ministry of Foreign Affairs, 2.05.03 inv. nr. 1470, 7-6-1932, Letter from M.W.G. van Wettum to Malcolm Delevingne surrounding the legal aspect of transport of prepared opium through British waters.

²²⁰ Ibid.

²²¹ The rapport was sent out in the last months of the administration of minister of Colonies Simon de Graaff, who by May of that year would be succeeded by Hendrik Colijn, who would also act as prime minister; NL-HaNA, Ministry of Foreign Affairs, 2.05.03 inv. nr. 1470, 22-2-1933, Report sent out to the Dutch minister of Foreign Affairs surrounding the Dutch opium trade by the *Opiumregie*.

²²² Idem, 1.

²²³ Idem, 3-5.

originated from said government.²²⁴ Summarizing, both the Dutch metropole and the colonial government wanted the international law to exempting Dutch trade, thereby protecting Dutch free trade.

This discussion can be explained in legal way, but this still does not justify the Dutch point of view. Delevingne mentions a type of regulation that The Netherlands had never used, as also stated by Beelaerts van Blokland in a letter from 1927 to the board of the Union of Insurers in Amsterdam, regarding insurance policy for transport over sea.²²⁵ Minister Beelaerts van Blokland mentions in that letter that current policy uses the English system of import certificates and export licenses. The Netherlands is not familiar with this system, according to the minister.²²⁶ The sixth article of the 1925 agreement mentions this system as a prerequisite for the transit of prepared opium through waters, belonging to, in this case, Singapore.²²⁷ However, the Dutch government and the Dutch East Indies government had still not adapted to this in 1927, nor had they in 1933. The fact that The Netherlands did not have the right legal system to implement laws was their own doing.

Implementation

We can see that in this specific case that implementation was not a natural result from the agreements and this could go on for many years before both the Dutch and other League of Nation parties like Britain went on the actively resolve the problems that resulted from the lack of implementation. The PCOB is a clearer example of what the League of Nations achieved, through the Agreement from 1925. Why was implementation so difficult and which measures did the Dutch and the Dutch East Indies government implement? Furthermore, was the colonial government prepared to implement new opium legislation?

Implementation was also dependent on the corporation of the Ministry of Foreign Affairs, not just the minister. The secretary-general of the Ministry, Aarnout Snouck-Hurgonje, related to the famous scholar on Arabia Christiaan Snouck-Hurgonje, was responsible for the Ministry from 1921-1940 and after that some years after the war.²²⁸ This means he is the only diplomatic player present during all these years in the same capacity, and next to Van Wetum the only one who attributed to diplomatic discussion during all these years. Will Klaassen writes

²²⁴ Ibid.

²²⁵ NL-HaNA, Ministry of Foreign Affairs, 2.05.03 inv. nr. 1467, 31-5-1927, Letter from Frans Beelaerts van Blokland (minister of Foreign Affairs) to the board of the union of insurers, 1-2.

²²⁶ Ibid.

²²⁷ League of Nations, 'Agreement, Geneva 1925', 341.

²²⁸ Dutch parliament, https://www.parlement.com/id/vg09llzzocq/a_m_snouck_hurgonje (last visited on 13-5-2019).

in the introduction to a publication from De Graeff, that the minister and Snouck-Hurgonje enjoyed a good working relationship, because of the Experience of the secretary general.²²⁹ In one of these letters however, de Graeff notes that the Ministry does not function, as it should, and that Snouck-Hurgonje had been in the department too long to see what needed to be improved, or to be able to improve it.²³⁰ De Graeff does mention opium control or the *Opiumregie* in these letters. However, De Graeff mentions that the prime minister H. Colijn is either or abroad or unreachable, according to Snouck-Hurgonje. De Graeff complains about the lack of information he receives because of this. It must also be noted that Colijn was not only the prime minister, but also the minister of Colonies.

The Ministry of Colonies handled further communication with the different colonial government about possibilities of implementation of international opium law. In accordance with the upcoming new Treaty in 1936, as minister of Colonies Colijn, asked the Dutch colonies about their cooperation to the new proposed measures. The governor of the island of Curacao mentions to Colijn, that a bureau for the fight against opium use on the island would be an overly expensive investment to fund.²³¹ However, the governor of Suriname did not acknowledge the need for measures against opium smuggle in the case of Suriname at all.²³² Even if the governor had previously ordered full investigation and found no signs of any smuggle, this still seems presumptuous. Furthermore, the governor did not consider that measures would also be necessary for future problems with smuggle.

Opium use did decline however in the 1930s, but this was not due to the actions of the League of Nations. Many of the declining opium use is credited by Rush to the ‘crushing rural depression’ that haunted Java in the 1930’.²³³ He also states that opium use in Indonesia raised and fell with the changing of economic situation. When users had more to spend they bought more opium, and when they had less to spend, they cut down on use or used surrogates to opium.²³⁴ This depression meant the already marginalized group of users mostly stopped buying opium, resulting in drastically and definitively declining opium sales in at least the Java region,

²²⁹ Graeff, A.C.D. de, J.P. Limburg Stirum and Wil Klaassen, *Voor u persoonlijk: Brieven van minister van buitenlandse zaken jhr. A.C.D. de Graeff aan gezant J.P. graaf van Limburg Stirum 1933-1937* (Houten: De Haan, 2nd ed., 1987), 4.

²³⁰ Idem, 21.

²³¹ NL-HaNA, Ministry of Colonies, 2.10.54 inv. nr. 310, Willemstad, 24-03-1936, Letter from the governor of Curacao to the minister of Colonies.

²³² NL-HaNA, Ministry of Colonies, 2.10.54 inv. nr. 310, 11-03-1936. Letter from the governor of Suriname to the minister of Colonies.

²³³ James Robert Rush (dissertation), *Opium farms in the nineteenth century Java: Institutional continuity and change in a colonial society* (Yale, 1977), 300.

²³⁴ James Robert Rush, ‘Opium in Java’, 556-558.

which according to Rush was the centre of opium usage.²³⁵ And so the combination of flexible opium use in accordance to economic circumstances and a large rural crisis was central in users in Indonesia, or at least Java, to finally let go of their opium.

Results and discussion

There is scarcity on data on this subject, since reports from the PCOB are not available in the archives of the Ministry of Foreign Affairs. The Ministry of Foreign Affairs did however in the years 1925-1926 collected their own set of data on the import and export of opium, but also morphine and cocaine, but they only show amounts of imported and exported opium within Europe.²³⁶ Derks also collected data from opium production and trade, but mostly for the nineteenth century.²³⁷ However as we have seen in the previous chapters the use of opium increased at the second half of the 1930s following the end of economic depression. This meant that according to the theory of Rush, opium use would rise because people would have more to spent. Be it for opium of the *Regie* or for illicit opium. However, as I discussed in last chapter, the League and the ministries were in the first half of the 1930s busy with a new agreement.

When signing the Bangkok Opium agreement in 1931, the parties already discussed that they should draw a new treaty for prosecution of opium related offenses.²³⁸ The parties proposed to discuss this new treaty during another conference. This follow-up treaty would involve restriction in production and legislation towards the distribution of opium.²³⁹ While a new League of Nations Treaty would seem a right step in the direction of final abolishment of all opium trade, the reach of these new legislative rules do not seem that different from what had been decided in 1925. Furthermore, it would take until 1936 for nations to sign a new Treaty.

Director of the *Opiumregie* Steinmetz later comments on the proposed concept of this treaty that this new Treaty is designed to combat the smuggling and illicit trade of opium and the extradition of offenders, and not the general opium trade and production.²⁴⁰ The Director mostly agrees to the concept, but states that The Netherlands cannot prosecute offenders abroad,

²³⁵ *Idem*, 556-558 and 550.

²³⁶ NL-HaNa, 2.05.03, inv. nr. 1467, 4-12-1926, letter from the chief inspector for State Supervision on Public Health tot the minister of Labour.

²³⁷ Derks, *History of the opium problem*, 333-341 and 765.

²³⁸ NL-HaNa, 2.10.54, inv. nr. 1253, 15-11-1948, Letter from the Chef the Board of Economic Affairs to the minister of Oversees Territories with a memorandum of the 1936 Opium Treaty.

²³⁹ NL-HaNa, 2.10.54 inv. nr. 310, Letter from the minister of Foreign Affairs to the prime minister surrounding the organisation of a new League of nation opium conference and the design of a new treaty.

²⁴⁰ NL-HaNa, 2.10.54, inv. nr. 310, 22-02-1936, Letter from the director of Finance in the Dutch East Indies to the governor general concerning a revision of the concept opium treaty of the League of Nations.

as proposed in the concept.²⁴¹ By stating this, he ignores that this whole treaty is about creating international law, to prosecute offenders of earlier opium agreements.

The foremost issue for the League remains the illicit trade of opium and the prosecution against it. It would take from 1931 to 1936 to direct a new Treaty and from what we see the Dutch East Indies Financial director and Director on state opium trade thinks, it might prove difficult to end up with effective regulation.

Last years

We have seen that opium use declined at the end of the 1930s, but this was more of a culture change than a result of League of Nations interference. The League of Nations had ever-declining power and had no means that could effectively prevent the Second World War.²⁴² When Germany and in 1937, after much diplomatic struggle, also Italy left the League of Nations, the League remained without real authority as a collective institution for peacekeeping.²⁴³ The League however, still had the intention for nations to sign a new treaty.

The remaining members signed one more treaty, before the Second World War broke out, namely the 1936 Geneva Treaty.²⁴⁴ This Treaty was a chance to finally making real changes instead of the ‘compromises’ that the United States had criticised in 1925. However, as we have seen, the Dutch already criticised the concept on major points. The final product was ambiguous in multiple ways. The first major points they made in this treaty was that sale, use or production of opium and other forms of drugs were to be specifically prohibited, and countries were obliged to take the necessary legal actions to make prosecution of offenders possible.²⁴⁵

These articles do not include opium trade by states. Article five states: ‘The High Contracting Parties, whose national law regulates cultivation, gathering and production with a view to obtaining narcotic drugs, shall likewise make severely punishable contraventions thereof.’²⁴⁶ This implies that when the national law of a signing party allowed for a state regulated monopoly, they could keep their monopoly, if they would punish any cultivation, gathering or production that did not fall under that law.

²⁴¹ *Idem*, 8.

²⁴² Henig, *League of Nations*, 72.

²⁴³ *Idem*, 71-72.

²⁴⁴ NL-HaNA, 2.10.54, inv. nr. 1253, publication in the *Staatsblad* concerning changes made in the Geneva Treaty of 1936, following the New York Protocol of 11-12-1946.

²⁴⁵ United Nations, ‘Convention of 1936 for the Suppression of the Illicit Traffic in Dangerous Drugs: Geneva, 26 June 1936, *Certified True Copies (CTCs) of Multilateral Treaties Deposited with the Secretary-General* 12, A (1936), 2-4.

²⁴⁶ *Ibid.*

The signing parties did however have some means to extend the effect of the Treaty. Countries must install a central office to supervise the implementation of this legislation and every non-member of the League of Nations can participate to the treaty.²⁴⁷ However, countries could also, when they signed or ratified the Treaty, or when they chose to join the Treaty (as a non-member) choose to relieve themselves of any obligation to impose the regulation in ‘all or any of his colonies, protectorates and overseas territories’.²⁴⁸ This meant that any country that signed the Treaty still did not have to commit to anything. Furthermore, if a country did not choose for the option of relieving themselves from some or all obligation at one of these times, they could still do so five years after a country had signed the Treaty.²⁴⁹ If they wanted to do so, The Netherlands could comply with the new Treaty, and still not change anything in their legislation or policy, even if they would not choose to relieve themselves of any obligation. They could continue their state regulated monopoly, and although they were obliged to organise a central office for supervision and had to enforce measures for prosecution, they did not have to do this according to any time frame.²⁵⁰ With the power of the League fading rapidly, and lack of forceful articles, this Treaty meant very little for the Dutch situation or any end to Dutch opium trade.

Eventually the legislation of this Treaty would only be implemented in the Dutch empire after another World War would have passed. Only with final adjustments published in 1946 towards the 1936 Geneva Treaty on opium, which the State confirms in the Dutch *Staatsblad* (Government Gazette), would The Netherlands start acting on the Treaty.²⁵¹ The author(s) of the motivation to these adjustments emphasise(s) that production of drugs from the poppy plant has been risen to an industrial level during the Second World War, along with the rise of cigarettes with hemp in them.²⁵² The Treaty had thus, instead of solving illegal trade, failed to prohibit a large escalation of drug trade. However, it would have been questionable if the League could have made real progress with this treaty, even without the Second World War.

²⁴⁷ *Idem*, 3-5.

²⁴⁸ *Idem*, 5.

²⁴⁹ *Ibid.*

²⁵⁰ *Idem*, 2-3.

²⁵¹ NL-HaNA, 2.10.54, inv. nr. 1253, publication in the *Staatsblad* concerning changes made in the Geneva Treaty of 1936, following the New York Protocol of 11-12-1946.

²⁵² *Idem*, 2-3.

Conclusion

In conclusion, the League of Nations failed in establishing fruitful diplomatic relations with The Netherlands. Moreover, they failed in their assumed task of banishing opium. The perspective and goals of The Netherlands do not seem to indicate that the government was truly willing to contribute to diminishing opium trade and opium use. Through failing diplomacy and unwillingness to adjust the *Opiumregie*, The Netherlands remained an active opium trader.

Britain and China had made the first large efforts in creating international opium legislation. However, the nations who signed the signing nations the 1912 Treaty did not move towards implementation, because governments shifted their priorities with the beginning of the First World War to warfare. Opium then took another role in the war as a very efficient painkiller. After the war, the new international organisation for states, the League of Nations, took up on international opium legislation again, but the 1912 opium treaty was far from strong enough to make an impact.

In 1920, 48 countries joined the League of Nations, among them The Netherlands, but also Siam, which also had a state monopoly on opium. Both governments had an ambiguous relation towards the League of Nations. The Dutch played a central administrative role in this process of international drug regulation, but were also a subject for opium control. Communication did not run smoothly between the League and Dutch ministers. The Dutch government had difficulties complying with requests for production figures and they denied allegations of smuggle. The opium committee could not furthering opium control for the League, as the Dutch government was defensive against critique. Their defensive positions towards the League of Nations resulted in unsuccessful diplomacy for the League. The Dutch attitude also lacked signs consisting with the new kind of international cooperative diplomacy connected to international opium control.

Discussion between the Ministry of Foreign affairs and the colonial government proved to be another issue for international opium control. The colonial government had a very different attitude towards opium trade and smuggle, other than what the minister of Foreign Affairs knew the League wanted. Operators in the *Opiumregie* were less combatting opium, and more running a business. Defenders of the *Regie* argued that the *Opiumregie* was enough to solve the problem in smuggle. However, the final decline of the opium business was the result of local economic circumstances and not due to specific efforts of the *Regie*. The League, with their agreements towards opium control, saw a threat in opium smuggle. The Dutch East

Indies colonial government did not see the same threat in smuggle. This posed an additional problem for international opium control.

The structure of international drug control changed after 1925, both for the better with the PCOB and the worse, with the League not making real progress in opium control for the rest of the interbellum. In 1925, members of the League signed a new treaty, but they compromised in this deal. The Dutch *Opiumregie* profited from this slow progress. Because the US did not criticise the Dutch opium system in this period, but only asked for advice from The Netherlands, their diplomacy also did not affect the opium control system of The Netherlands.

Furthermore, the members of the League had decided for a Permanent Central Opium Board that would monitor the production, trade and use of opium, but this board failed to deliver. Members of this board, among which an American, investigated and criticised the Dutch government, but were not effective in the end. This was however also the result of insufficient communication between ministries. Because of this, the PCOB did not bring the League did not achieve better control over opium trade an opium smuggle.

The Dutch also did call for better regulation in the 1930s, but only because they were involved in a trade and transport dispute and the minister of Foreign Affairs wanted a better legal basis, in name of the colonial government. In the final years of the 1930s, the League organised another convention on opium in Geneva, but the effectiveness of this Treaty is also dubious. However, the Second World War meant another break in international drug control and drug trade further escalated in Japanese occupied Indonesia. Because this agreement was still a compromise, this was a case of too little, too late.

Derks has made a valid point with his theory about Dutch legal hypocrisy. Although this does not tell everything. The League of Nations were too distant, both in distance, but more importantly in diplomatic relations. Therefore, the League was unable to transfer their opinion on drug control effectively to the Dutch East Indies government. In combination with the business mindedness of the *Opiumregie*, the League could not establish effective drug control for the Dutch East Indies.

Steffen Rimner has focussed less on The Netherlands in his research. However, in the way he appraises the insistence of the international League and compliments what the connected nations tried to accomplish; he still leaves something out. For Rimner does not recognise the lengthiness of the process and the compromise that the League was made along the way, before the international community would come any closer to opium control. His view is most applicable to the efforts of his focus points; the US, China, and Great Britain before 1914, but less on the League of Nations as a whole and certainly not on The Netherlands in the

interbellum. For The Netherlands did not show any of the intent that the US, China and Great Britain had shown earlier. Instead, the Dutch waived other means of opium control other than the *Opiumregie* and the League underwent diplomatic failure in not changing this attitude of The Netherlands.

More to the point is Rush, who states that the Dutch *Opiumregie* did not fulfil the function it was intended for. The *Opiumregie* sought trade, but the market was shrinking. When opium use did decline in Indonesia and finally marginalised, it was not due to the efforts of the League or The Netherlands. It was due to the changing market.

The Dutch could continue their trade in opium, also partly because of the pretences of the *Opiumregie* and the way in which they could communicate this to the League, without the League calling their bluff. The Netherlands had trade in their mind. The *Opiumregie* ‘profited’ from an ineffective League of Nations campaign and the lack of forceful international legislation. This allowed the Dutch *Opiumregie* to function for thirty years after the initial opium treaty until the Japanese occupation of the Indonesian colony.

Historians can do a lot more research though. Firstly, they can do research on The Netherlands and the League of Nations, using the archives in Geneva.²⁵³ Research into opium control, is essential to learn more about how diplomacy evolved in the early twentieth century, and how the Dutch diplomatic role changed in this period. In this paper I have shown that diplomacy with League of Nations, was not just about war, and social issues help us in seeing the influence of nations whose role may have been more marginal with international peacekeeping.

Secondly, The Netherlands were a large player in the manufacturing and export of drugs, trading companies in opium as already indicated by Jan Schmidt in *From Anatolia to Indonesia*.²⁵⁴ However, beyond that, Dutch drug cultivation, production and the specifics of Dutch drug trade needs a lot of research. This field is not yet structurally covered but is a central chain in investigating late colonialism and the eventual decolonisation of the Dutch East Indies.

Lastly, Dutch drug control should be central for research in contemporary history. For today, Dutch politicians are discussing the legalisation of marihuana under a state production monopoly, which comes forth from the same core idea: you cannot banish drug trade or use, but you can control it. At least, that is the argument.

²⁵³ The United Nations Office, Geneva (UNOG).

²⁵⁴ Schmidt, *From Anatolia to Indonesia*.

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