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A born settler: Mineichiro Adachi and Permanent Court of International Justice

Chifuyu HIYAMA
Foreign Affairs and National Defense Division
Research and Legislative Reference Bureau

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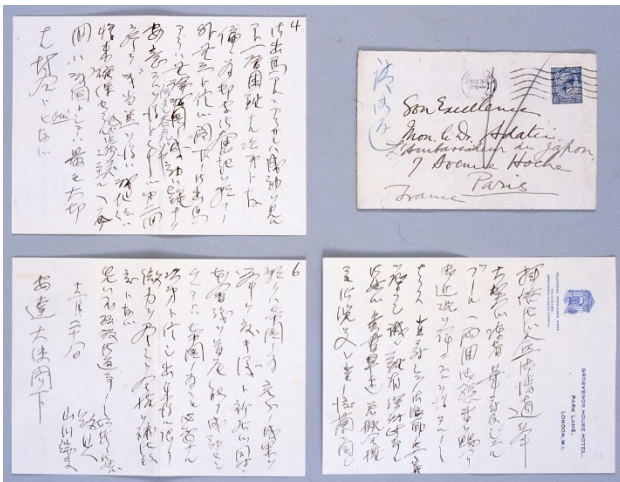
<<Photo 1: ADACHI Mineichiro Papers, Document #1158
(held by the Modern Japanese Political History Materials Room, Tokyo Main Library) >>
Note: This was made in a studio at the Panama-Pacific International Exposition held in
San Francisco on October 1, 1915. Adachi was then envoy to Mexico.

The silhouette in Photo 1 is of a diplomat in the prewar period: He is Mineichiro ADACHI (1869-1934) who actively worked in diplomatic affairs such as the Portsmouth Peace Conference, the Paris Peace Conference and the League of Nations, and finally served as the President of the Permanent Court of International Justice.

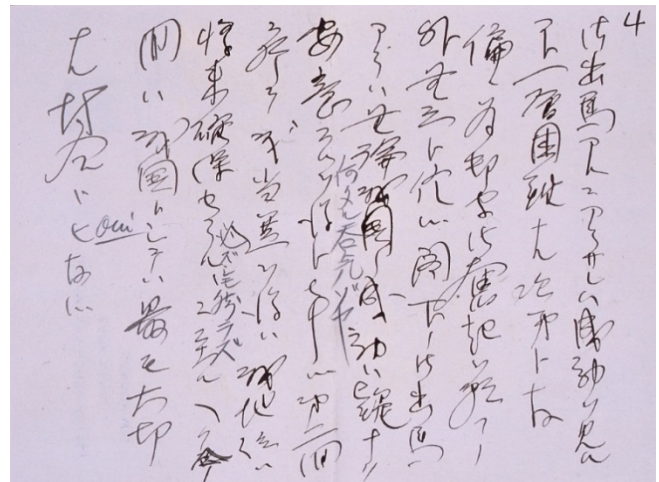
The [International Court of Justice](#) (ICJ) is sometimes referred to as a means of resolving territorial disputes in recent times. There was a preceding organization of the ICJ: The Permanent Court of International Justice (PCIJ) established in 1922, after the First World War.

Judges at the PCIJ were elected from among candidates from all over the world. The PCIJ was set up in the idealistic atmosphere based on reflection on the First World War, however, when it comes to election for judges, countries waged a fierce battle.

Photo 2 is a letter sent at the end of 1929 to Adachi, who was to run for judge, from his friend Tadao YAMAKAWA (1873-1962) who stayed in London as one of Japan's plenipotentiary representatives for the London Naval Conference held from January 1930.



<<Photo 2: ADACHI Mineichiro Papers, Letter #706-3 (held by the Modern Japanese Political History Materials Room, Tokyo Main Library)>>



<<Photo 3: Upper left paper of Photo 2 (closeup). This material (Photo 2) is provided for use in microform>>

Responding to Yamakawa's comment "there is no doubt of Japan's win if you run in the election," Adachi harshly wrote on the letter "what a carefree view"; and to "your post will be secured for the future," wrote "that is not necessarily so" (Photo 3). It is obvious that Yamakawa in the letter intended to encourage Adachi. However, having seen diplomatic realism including conflicts of national interests, he might have regarded even the words of encouragement as too optimistic. Adachi wrote in his private letter sent to Makoto SAITO (1858-1936, the 30th Prime Minister) that candidates for judge "are contesting behind the scenes supported by their home governments" (Photo 4).



<<Photo 4: SAITO Makoto Papers, Letter #270-3 (held by the Modern Japanese Political History Materials Room, Tokyo Main Library)>>

After a severe race, Adachi was elected in the first place in September 1930. In January 1931, he became the President chosen by his fellow judges.

With a vast experience in diplomacy, Adachi wished the PCIJ not to be a means of power politics among nations. In his inaugural address,¹ he stated that the PCIJ aims to "be the living embodiment of the conception of peace based on law." Adachi, who had studied international law at the Tokyo Imperial University and had been appointed as a member of the Advisory Committee of Jurists by the Council of the League of Nations in 1920 and was involved with drafting the PCIJ statutes, must have had a deep understanding of the importance of the PCIJ's philosophy as an institution to judicially resolve international conflicts. He showed his decision toward realizing that philosophy in his address.

Adachi served as President for three years and dealt with the Eastern Greenland case (between Denmark and Norway, judgment on April 5, 1933) and others. He was even referred to as a "born settler,"² and along with a profound understanding of international affairs, earned the trust of other judges and jurists from various nations by his gentle attitude and rich knowledge in international law.

In the preamble of a book published in 1932 summarizing the PCIJ's activities of 10 years, Adachi stated that the role of the PCIJ was to look ahead to the future so ten years was too short for the life of an international organization.³ He might have seen the difficulties for the PCIJ to continue its activities in the situation of increasingly heightened international tension at the time.

Adachi died in the Netherlands in 1934 while serving as a judge, and the PCIJ subsequently suspended its operation due to the Second World War. However, the PCIJ was in effect succeeded by the ICJ established in 1945, and the legal concepts created at the PCIJ still play a significant role in the present international trials.

Reference (in Japanese):

- Kisaburo Yokota "Kokuhou teki sonzai no Adachi hakase (Dr. Adachi as a national treasure)" *Sekai no ryoshin Adachi Mineichiro hakase*, Adachi Mineichiro Kinenkan, 1969, pp.11-28. NDL call no.: GK32-H15 (only in Japanese)
- *Adachi Mineichiro, hito to gyoseki* (Adachi Mineichiro, personality and achievement), Adachi Mineichiro Kinen Zaidan, 2009. NDL call no.: GK32-J9 (only in Japanese)
- Jones, Dorothy V. *Toward a just world: the critical years in the search for international justice*. University of Chicago Press, 2002. NDL call no.: A75-B12

¹ *Permanent Court of International Justice, ser. E, no.7: seventh annual report*. pp.20-21

² Spiermann, Ole. *International legal argument in the Permanent Court of International Justice: the rise of the international judiciary*. Cambridge University Press 2010 p.301

³ *Ten years of international jurisdiction (1922-1932)*. A. W. Sijthof 1932 p.5