

The 1907 Hague Peace Conference: Understanding China's Initial Steps towards the 'International Society'*

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Before the Republican era, the Qing dynasty had taken on initiatives to interact with the international governmental system imposed by Europeans. In particular, at the 1907 Hague Peace Conference, Chinese diplomats took on singular approaches to defend China's interests within the international legal framework of the time. Their actions demonstrate increased understanding of the Western international legal understanding, as well as clarity over the limits to the integration to the "civilised class of nations." Chinese diplomats' interactions demonstrate the hybrid intellectual space, which was emerging, integrating traditional Chinese understanding of its cosmology with European-inherited concepts of universality and civilisation. Their actions also demonstrate the country's volition to engage and interact with a non-Chinese universal system, as opposed to their more passive participation at the 1899 Hague Conference. As such, the Qing had already laid the foundations for a modern dialogue between the West and the Chinese in international diplomacy, prior to the Versailles Treaty in 1919.

Keywords: 1907 Hague Peace Conference, Qing diplomacy, International Law, European System of Public Order

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1. Introduction

China participated in the first Hague Peace Conference in 1899. It was the one of the first entrances to the “European system of public order.” With little interest in this system, the Qing’s presence was then merely symbolic. In 1907, however, China changed its attitude drastically to be part of this new system by actively participating in the second Hague Peace Conference with particular interest in international law. China’s participation in the Conference marked a significant turn from its traditional approach to foreign relations. It represented the end of China’s uncontested belief in its tributary system based on Sino-centrism.

The primary purpose of this essay is to examine China’s involvement in the 1907 Hague Peace Conference. The author will discuss: how did China understand international law then?; how did the Chinese use it within this new system?; how was their recognition reflected at The Hague in 1907?; What were China’s priorities within this system?; how successful was its integration? What impact did it leave on China’s foreign affairs?¹

This paper is composed of six parts including a short introduction and conclusion. Part two will review historically China’s participation at The Hague Peace Conferences. Part three will discuss China’s position in the second Hague Peace Conference. Part four analyses the context and tacit cultural understandings amongst Western diplomats, as exposed with concepts such as the “standard of civilisations.” Part five reflects on the value of China’s engagement at The Hague Conference in 1907 for further diplomatic relations in the twentieth century.

2. History

During the late nineteenth century, China lost several wars against European powers and concluded unequal treaties. In this course, imperial China gradually began to adopt the West’s science and technology without opening its door to the outside. With the defeat against the Japanese in 1895, the Chinese imperial court and intellectuals accelerated the processes to reform China’s traditional social and political systems. Likewise, they saw greater value in participating at external diplomatic reunions, including the 1907 Hague Peace Conference,

where China signed certain conventions such as the prohibition to send explosives weapons,² the Geneva Conventions related to the laws of war on land,³ which had been discussed in 1899 at The Hague.⁴ China was invited to The Hague by Czar Nicholas II who officially convened the 1907 Peace Conference.⁵

During discussions at the Qing court, Yuan Shikai, the Minister of the Beiyang Army and advisor to the Imperial Dowager, opposed the idea of mentioning the controversy over Tibet, to preserve a favourable image of China, as this issue was the concern of only China and Great Britain.⁶ Yang Ru, a delegate at the 1899 conference suggested that the Qing court sign The Hague conventions so that China would not be considered as a secondary state.⁷ China also had the same number of representatives as the Great Powers with 11 delegates.⁸

Plenipotentiary Chinese ambassador to the Netherlands Lu Zhengxiang, who had a minor role during the First Conference, was attributed the key responsibilities, as the Court recognised his language skills and experience in diplomacy as valuable assets for China.⁹ Lu's friendly relations with the Czar¹⁰ and his participation at the First Conference enabled him to be appointed as one of the Honorary Presidents of the Third Commission¹¹ on maritime law. He attended a ceremony at the Court of the Netherlands during the Conference in 1907, delaying the validation of the Chinese vote at the Conference.¹² Lu also requested that he be attributed to plenipotentiary status, to serve the interest of China on equal grounds with plenipotentiary delegates from other states. He explained that China would be handicapped if its delegates were to rival the Great Powers without the same honorary title.¹³ This revealed the strategic considerations that the diplomats took into account to prepare and promote China's entrance into the international system. Dowager Cixi accepted his request,¹⁴ although it had initially been refused.¹⁵ Hence, the Qing court had agreed to overcome the internal confrontation between the Conservatives who sought to control power and the Reformists who requested in-depth modifications.

In The Hague, China was able to use the mechanisms in place to its advantage. During the First Commission regarding international arbitration, Britain and the US tried to put extraterritoriality outside the realm of obligatory arbitration, under Article 161 of the 1907 Hague Convention. China strongly opposed such stance¹⁶ and openly referred to the Great Powers who would benefit from it.¹⁷ The US agreed to change its position, eventually leading to the rejection of Article

161.¹⁸ Lu knew how to use the principles advocated at The Hague to promote China's interests as he defended his claims in the name of "extending the empire of law and of fortifying the sentiment of international justice."¹⁹ China defended its position against Britain and the United States, by gathering the votes of 35 participating states against this clause.²⁰ The issue of extraterritoriality was particularly sensitive because China started negotiations with Britain in 1902 through the MacKay Treaty regarding the abolishment of extraterritoriality. If this clause were to be adopted, extraterritoriality would acquire more legitimacy since it would have been in the presence of a higher number of states.²¹

In regard to choosing the permanent judges within the arbitration system, China initially declared that Chinese judges would only have a four-year term, thereby decreasing its ranking to the third level.²² In the beginning, Lu offered to have the judges designated according to the tariff paid for the expenses of the International Bureau, for which China was in the same ranking as the other Great Powers.²³ The United States proposed to have judges based on the size of the state's population, whereas Lu Zhengxiang remarked that China had not been taken into account under this criterion.²⁴ China would abide by the principles of justice, as revealed when it supported the Austrian delegation's appeal against the members of the Permanent Court from being appointed to serve on an arbitration tribunal by their governments.²⁵ However, this does not imply that China blindly advocated for the defence of all legal principles; it did so only when it was relevant to its advantage. The principle of "sovereign equality" was a concern for China inasmuch as it did not affect its prestige. China refused to acknowledge a ranking inferior to the leading Powers of this new global governance.

China also paid attention to the questions on the Russo-Japanese War. In the Third Commission, relating to the regulation of the employment of automatic submarine contact mines, the debate was mostly inspired by the situation in China during the Russo-Japanese War.²⁶ China referred to its current situation, as five or six hundred men had died from the mines implanted during the Russo-Japanese War.²⁷ This message had significant impact and led to a draft agreement, stating that belligerents would have to remove the mines they had planted.²⁸ Regarding the status of neutrality, Chinese Judge Advocate General at the War Office, Colonel Ting Shiyuan recognised the 1907 Hague Convention in principle, specifying that to Section A of article 10 of the said Convention, "to its knowledge" should

be inserted after the words “there has been installed” and to Section B of article 10, the words “recognizable as such” should be added to the sentence ending “by means of auxiliary vessels of their fleet.”²⁹

3. Conflict

China remained a secondary actor at The Hague Conference despite its efforts in 1907. The delegation did not appear as an outstanding protagonist, as revealed by a general outlook of the entire proceedings of the Conference noted in the official documents.³⁰ The Concert of Europe usually dominated the debates instead, including at times Japan, as well as the US and Latin American states. Concerning the choice of judges at the Permanent Court of Arbitration, for example, China was opposed to its ranking like many other states.³¹

Moreover, Beijing also chose an American within its delegation, John Foster,³² who had been in charge of the peace treaty with Japan in 1895 and was an experienced intermediary between the US investors and the Chinese.³³ The Qing court hoped that having an American representative would increase their prestige, but in a different sense, it would reveal the lack of confidence within these international diplomatic settings. Lu Zhengxiang was extremely good at diplomatic skill and the Qing preferred to rely on foreign expertise to strengthen its position, as most Chinese delegates had limited experience. Regarding the status of merchant ships and cargoes, John Foster, supporting the US proposition, made an eloquent plea defending this stance.³⁴ Foster’s performance not only gave China a weak image but was also detrimental to its position because of the conflicting interests between the US and China.

During the conference, China was at times sidelined. First, regarding the status of merchant ships and cargoes, 21 votes were in favour of the final proposition. Opponents believed that this vote should not be counted because 11 participants were absent and that the approved votes represented 800 million people, including 400 million Chinese, while those voting against the proposition represented 729 million people altogether. The Chinese delegates were insulted to see that their vote could be considered as invalid in such a way. However, no explanation was given to the delegates and no definite conclusion was made on this affair.³⁵

Second, Colonel Ting enquired about two specific issues: whether a declaration of war “can be considered by the State toward which it is directed as a unilateral act and whether the latter can regard it as null[?]”³⁶ He also asked for clarification on the meaning of ‘war,’ “for it has often been made under the name of an expedition as may be learned from numerous instances that can be found in the history of my own country.”³⁷ Although these questions were relevant, thereby demonstrating the Colonel’s astute manoeuvre of the law, they were left unanswered. China was one of the two states which abstained from voting. It implied the necessary acceptance of the declaration of war if a State were to receive one.³⁸ Beijing had little means to stand up for its demands apart from refraining from voting.

China had only recently started to reform its legal system, noticeably through the influence of the European jurisdictions. China had its branch of legal philosophy dating several millennia back. However, this remained a philosophical concept and the usage of the law was less institutionalized within the political foundations of its society. Most importantly, the content of this law was also very different from the one practised in modern international law, inspired by Europe. R. Svarverud demonstrated the difficulty in translating certain legal concepts in Chinese as they were non-existent prior to the translation.³⁹ The US naming of The Hague as the “World Conference”⁴⁰ contrasted with the Chinese naming of the “Peace Conference” (和会 *Hehui*) or “The Hague Conference for the Preservation of Peace” (海牙保和会 *Haiya Baohe Hui*). China was reluctant to regard this conference as a representative of the world, because its basic ideas and vision were too different from China’s traditional understanding of the world in the tributary system. Similarly, the word ‘peace’ in Chinese is inclusive of the character ‘harmony’ (和). The idea of ‘harmony’ entails the existence of a system, where all elements need to be placed adequately and interacted accordingly. Following traditional Chinese ideas, there would be harmony and peace naturally, if all states acted according to the ceremonies of their status, abiding by the order imposed. Likewise, as China tried to go to The Hague, it wanted to preserve its status as a major state, rather than to seek the application of sovereign equality in all conventions blindly. This was substantiated by its traditional understanding of peace, rather than by the Western sentiment of ‘civilization.’

Following Lydia Liu’s idea of the ‘commensurability’ in translation,⁴¹ international law proved to have similar concepts between China and the West, which facilitated

a dialogue between the two parties. China's delegates referred to the Spring-Autumn period in analysing contemporary geopolitics of their time.⁴² This makes the idea of rival states with equal power competing for their interest more explicit and facilitates the understanding of the dynamics in The Hague. Such concepts of "cultural commensurability" can partially explain the transition from one mental framework to another. Despite these common points, the international legal system was fundamentally different from Chinese law. Qian Xun noted the difficulty for the Chinese legal system to compete on the global scene, as it is ill-suited for Sino-Western communication, particularly when considering the cultural connotations in each language.⁴³

In 1907, China first invoked international law outside of the tributary system – The Hague. It was not solely trying to distance itself from the West, but using the law to engage and interact with other participants. At the time of the Peace Conferences, China had only initiated its development in modern law. Ironically, however, it was no longer irrelevant to send students to Japan and learn the law with their translations and publications.⁴⁴ In 1907, concerning the rights and duties of neutral states, Japan wanted to substitute the expression "within its own territory" to "under its own jurisdiction" for the limitation of a neutral state's responsibility. This was an attempt to increase its influence over protectorates such as Manchuria.⁴⁵ Japan eagerly pushed for greater advantage at the detriment of the Chinese. Lu decried how Japan also spread false rumours regarding China's domestic political situation to undermine its image amongst the Europeans.⁴⁶

Nevertheless, Japan was also a systematic reference for the Chinese at The Hague Conference. When the Presidency attributed to Lu in the Third Commission was reported to the Imperial Court, the sole and immediate comparison made was the Japanese case: the latter was attributed the same status for issues on the Red Cross in the Fourth Commission.⁴⁷ Before the commencement of The Hague, the Chinese were still uncertain whether or not they would be invited, and their reassurance was paralleled with the knowledge that the Japanese were as well.⁴⁸ Their affinity from the tributary system provided the Chinese with a cultural reference amidst a Conference guided by Western principles and conduct. This also confirms how incongruous the Conference appeared to the Chinese. When China was outside its usual milieu, the familiarity of the Japanese presence provided a point of reference and even became an object of fascination,

to understand how Japan integrated into the international system. Such different experiences of international law were exposed at The Hague in 1907 between China and Japan.

4. A Utopian Gathering

In the First Hague Conference of 1899, Ambassador White, President of the US delegation, remarked: “Never has so large a body come together in a spirit of more hopeless scepticism as to any good results.”⁴⁹ White’s scepticism was still valid in 1907. The symbolic dimension of the Peace Conference was enough to make it difficult for states to refuse a movement promoting pacifism and idealist values. The Hague Conference seemed to be a promise of greater inclusion within the global governance, via the construction of a unified legal system, in the name of peace, justice and solidarity. White’s pessimism reflected the realistic view of the discrepancy between the ideals proclaimed and the ineluctable tensions, which would arise from the laws governing real politics. Hence, despite China’s knowledge of modern international law or its volition to integrate, the country would inevitably be limited in its ability to react to the Great Powers.

In fact, 1907 corresponded to a new period of alliances. Russia and Japan ensured the protection of their respective areas of annexation and led to Japan’s indirect participation to the “Triple Entente,” signed between Russia, France and Britain in August 1907. Their attendance at the 1907 Conference was motivated by self-interest, as each sought to maximise the freedom of their navy and the protection of their commerce.⁵⁰ Similarly, the US wanted to increase its legitimacy over Latin America and reinforce the Monroe Doctrine *vis-à-vis* the Europeans. One of the most prominent US delegates at The Hague Conference in 1907, J. Choate mentioned the necessity for the US to have a strong navy at that time to defend the Monroe Doctrine and control the Panama Canal.⁵¹ Within such a context, it would be utopian for China to expect to obtain much from the Conference, apart from any symbolic gestures.

While The Hague Conference promoted ideals in the names of “Family of Nations” and ‘internationalism,’ it failed to acknowledge the diversity of the world that would be subsumed within this understanding of universality. The “World

Conference”⁵² as J. Choate would call The Hague in 1907 implied the global vision of the US rather than that reflecting the diverse political systems that were juxtaposed across the globe. If China, Turkey or Persia were to integrate fully into the international system, they were to adopt these standards rather than expect the ‘world’ to change and consider alternatives to the propositions made by the West.

This attitude was in line with the positivist thinking of the time. It gave a linear interpretation of the world and the various systems, to evaluate their level of advancement. This was detrimental to countries which did not belong to the West and led to the emergence of the “standard of civilization’ as a means to include or, more often, to exclude participants from the international system. It was, in fact, difficult to define “the standard of civilization” as it remained essentially European and therefore difficult to apply in practice.⁵³ The belief that there were different levels of progress between states and societies legitimized the sentiment of superiority of the West. This standard also led to the necessary exclusion of China. Contrary to the advocacy of substantial inclusion there were a few “leading spirits, chiefly delegates from the great powers (who) made their preponderating influence felt at critical times.”⁵⁴

It represented the hierarchy within the participants, which was fundamentally based on culture. International law emerged as the dominant and sole means of translating the political rules between the participants in The Hague. Europeans regarded the law as a universal discourse to solve political tensions and to ensure the protection of identical values. Japan had argued that China was not to have its judges in the Permanent Arbitration Court attributed first ranking because its legal system was not mature enough, and hence could not be characterised as ‘civilized.’⁵⁵ As the “standard of civilization” became an explicit legal concept towards the end of the nineteenth century,⁵⁶ it provided a legal rationale for limiting the recognition of international law among “non-civilized” states.⁵⁷

Koskenniemi argues that the legal discourse itself comprehends specific social connotations and an interpretation of the world.⁵⁸ In the same way, language “continues to mould discourse beyond the consciousness of the individual, imposing on his thought conceptual schemes which are taken as objective categories.”⁵⁹ The usage of the law imposed a system of Western thinking as a means of communication between participants. In 1907, China was at a new phase, no longer dismissing such interpretations as irrelevant to its domestic situation, and

willing to integrate international law as political concepts, to become more aligned with the rising model of the Western global system. The Chinese ambassador to Germany who was a Chinese delegate Sun Baoqi expressed his sentiment that the law was a form of neutral diplomatic tool, used for communication on the world scene.⁶⁰ However, China never adhered to the values of international law *per se* but saw it as a tool for assimilation and the promotion of its country's status.

5. The Commencement of Dialogue

If the sense of superiority was an attitude that was not well celebrated amongst the participating states, it was comprehensible that there needed to be a common structure of codes and organization for the Conference to function. As G. Simpson noted, for a privileged recognition such as the “standard of civilization” to even take shape, there needs to be a substantive integration of the states “within a network of norms and expectations for the category to acquire any meaning.”⁶¹ The ‘law’ was a misleading term, because it was not enforceable by a comprehensive institutionalized system such as tribunal. Rather, it shaped a discourse.⁶²

With the increasing interactions between different continents at a political level, a new space was needed to integrate actors outside of the European continent. The most significant impact of The Hague Conference was precisely its ability to create a dialogue between various actors on common ground. W. J. Hull wrote: “We may be assured that [...] an international public opinion will be created.”⁶³

The enhancement of a new platform for global governance was perhaps the fundamental achievement of the Conference for the Chinese. The impression that nothing essential was at stake for China, as opposed to the Paris Peace Conference in 1919, should not give the illusion that the process of integration was less important. It had already initiated the first steps in 1907 and consented to adopt a new diplomatic vocabulary and methods of conduct. After the failure of the Court of Arbitration, Lu Zhengxiang declared his own ‘*voeu*’ “that henceforth we may no more, [...] disregard the sovereign and independent rights and the equality of States which form the fundamental principles of international arbitral justice.”⁶⁴ It also willingly adopted new principles and symbols of governance such as the

Red Cross, which “only strengthened the broadmindedness which determined the Imperial government to adopt it tacitly with a purpose of maintaining the unity of this emblem and facilitating its recognition in all nations.”⁶⁵

Ground-breaking for China was not only to adopt new signs coming from Western created institutions, but also to do so in the name of “all nations.” In 1907, China was aware of its position outside of the tributary system. As R. Karl argued, China acquired an unforeseen understanding of its position in the world accompanied by a different form of universalism.⁶⁶ He also maintained that the Boer War ending in 1902 articulated China’s “shared contemporary historical space with other colonial peoples.”⁶⁷ China could relate to nations across different regions, albeit the geographic distance and the absence of cultural and diplomatic ties because they were also going through the brutality of imperialism and all advocated for their emancipation. Moreover, these modern perspectives developed China’s sentiment of belonging to Asia, a novel concept because it was not a part under the tributary system. Lu Zhengxiang referred to China as being an Asian state to the Imperial Court.⁶⁸ In the first translation of “Elements of International Law,” the world map shows China’s position amidst Asia, Africa and Europe. The book introduced a different form of global consciousness to the Chinese elite, which was only adopted forty years after its publication, similar to its attitude regarding international law mentioned previously.⁶⁹ However, contrary to Karl’s statement, China’s identification with Asia was superficial. It was endorsed as a form of categorization used at The Hague and more extensively in the international system. China, however, believed in neither a fundamental unity of all Asian states, nor in the necessity to conduct an Asian revolution to align other powers. For example, China’s reference to Persia or the Siam kingdom continued to be limited, and Japan was mentioned more because of its previous belonging to the tributary system than to the Asian continent. Asia remained a Western-imposed identification, which China adopted for administrative coherence with the international system.

China also adopted international law for the sake of integration into the global system. Chinese delegates were not unaware of the limits of the law and its impotence to genuinely reflect the principles lawyers were advocating. Qian Xun, one of the Chinese delegates in 1907, explained to the Chinese Ministry of Foreign Affairs why China should be cautious in the signing of The Hague Convention of

1907.⁷⁰ The main reasons he cited were the lack of familiarity with the language, the jurisdiction, and the implicit understandings within these conventions and the political outreach these conventions could have, notably for the Great Powers.⁷¹ He also referred to the negative impacts of the unequal treaties in China to demonstrate the effects it still had to this day. Qian Xun also warned of the limits of the law to contain the most powerful.⁷² This was supported by Dong Hongwei, a diplomat of the time who mentioned the irrelevance of referring to arbitration to solve the territorial issues that were at stake in China with Great Britain for Tibet, Germany for Shandong, etc.⁷³ and how diplomacy always interfered against the honest application of international law.⁷⁴ Colonel Ting was astute to observe to the Imperial Court how Britain would always leave itself a margin of flexibility from any engagement with the Conventions. Britain considered a possible war against Germany and did not want to be constrained by these agreements.⁷⁵ The Chinese delegates were perceptive to understand the political dynamics behind the discourse of '*l'empire du droit*' declared solemnly during the two Conferences, which oriented their position and prevented any naive response. This scepticism was also diffused within published media during the era as revealed by the article from *Waijiaobao*, explaining the absence of virtue in foreign diplomacy.⁷⁶ Another article also emphasized the necessity to analyse the foreign state's economic interests before understanding international law, as they are a more significant motivation for action than abiding by the law.⁷⁷

Despite China's approval of the principle of arbitration, for example, it refused to solve the contention over Macao against Portugal via this method, for fear that the complicity between European powers would impede any favourable situation for China.⁷⁸ In 1904, however, China signed a treaty with Britain to renew China's legal recognition over Tibet.⁷⁹ In the latter outcome, the Qing knew that international law would be beneficial to China, as it could at least symbolically, confirm China's territorial claims. Nothing significant was at stake for Beijing once this treaty was signed, whereas the use of arbitration against Portugal would most likely lead to negative consequences for China. The Qing started to adopt international legal conventions in its foreign relations, without overlooking the political dynamics behind the usage of the law. The efforts made to gain further knowledge of the law following the Xinzheng Revolution and immediately after The Hague Conference, while being aware of the distortions within these

jurisdictions, revealed the China's novel transition into a different model of governance. Practical results of the Conference are arguably less important than the creation of unique discourse and its new space of interaction.

China vividly tried to use this forum. China did not believe it as uncivilized, since this term is relatively absent in the Chinese texts. What was most critical was the technical advancement to integrate into the new system. This is noticeable through its eagerness to participate at the Third Hague Conference, scheduled in 1915. Qian Xun requested to train a new generation of experts with knowledge of Western and Chinese law,⁸⁰ such as the analysis of the Great Powers' constitution to improve China's legal system.⁸¹ He also lauded the relevance of Dong Hongwei's translation of the Conventions for future encounters.⁸² Widespread articles were commenting on particular issues to prepare in *Waijiaobao*.⁸³ Furthermore, the turn of the century is also significant for the ongoing efforts to improve the domestic legal system in China, in view of modernizing its governance. The Imperial Constitution changed, and for the first time, China's foreign affairs were made explicit in legal terms in 1908, including foreign customs such as "establishing treaties," thereby recognising new models of diplomacy within its system.⁸⁴ This integration, in turn, strengthened China's position, through both improved domestic reforms and its mastery of the international codes.

Certain issues would arise precisely because of China's further integration into the international legal system: extraterritoriality and the unequal treaties. The Qing administration had not realized the injustice of the unequal treaties until it fully understood international law.⁸⁵ China would not overlook the extraterritoriality issue under the arbitration clause, as mentioned above. Its threat was radical: the extraterritoriality would annul all support of the Conventions in The Hague if its voice were ignored.⁸⁶ Even if the Qing's major goal was to demonstrate their integration, it refused the worsening of the extraterritorial issue. *Waijiaobao* included an article dated in 1910 explaining the incompatibility between the principle of equality and the notion of extraterritoriality.⁸⁷ Significantly, the "unequal treaties" emerged in the vocabulary, especially in the legal jargon after The Hague Conference. During the mid-nineteenth century, the treaties were regarded as "peace treaties," designed to keep foreigners away⁸⁸ and ensure 'harmony' as mentioned above. The legal significance of the unequal treaties appeared only at the turn of the century. The author believes that this

was noticeable immediately after the 1907 Hague Conference, rather than later on during the Republican era as Wang Dong argued.⁸⁹ The vocabulary of the inequality of the treaties was noticeable as of 1908,⁹⁰ thereby demonstrating the importance of The Hague Conference not only in the development of China's legal system, but also in its ability to use the legal system to reposition itself on the global scene. This would result in efforts to expulse the imperialists' influence. The 1900 Boxer Revolution demonstrated the importance of the foreigners' presence in the collective consciousness of the Chinese. This made it even more necessary to find a new ground for communication for a sustainable relationship between the West and China, rather than a zone of "no-meeting-of-minds,"⁹¹ where violence or punctual peace agreements would be the sole solutions to express discontent against the '洋人' (*yangren*) (foreigners designating the Imperialists). Non-Chinese political groups were no longer an exogenous threat, but became an external element penetrating their system. It was all the more urgent to lay a new foundation for the interaction between Imperialists and China since prior solutions for short-term concord were no longer viable. This was increased by the consciousness that Chinese values were no longer universal. The stimulus at The Hague to understand international law enabled the technical and conceptual understanding necessary for the next Chinese delegation to defend its stance in Paris. China signed the 6th, 7th, 8th and 11th Hague Conventions in 1917 to ensure that its entrance in the First World War would be on an equal level as its enemies, Germany and Austria-Hungary.⁹²

6. Conclusion

The 1907 Peace Conference promoted China's integration into a new form of global governance that was emerging with the rise of the Pacific powers: the US, Japan and to a lesser extent, Latin American states. This institutionalisation called for greater homogeneity, which was a barrier to China's full integration into this system. Exogenous factors such as the rise of the imperialists made a crucial, although not exclusive, influence in forcing the Chinese to question their model. This presence alleviated the domestic barriers that would have impeded China's integration and helped the Qing to advocate a transformation that would

be in line with the symbols and social behaviour promulgated by the West. Although it remained discreet to ensure its insertion, Beijing never lost sight of the fundamental priority of retaining its prestige on the world scene, even if it were within a new governmental system. The changes were not caused by an inherent belief in China's backwardness, but rather in the need to define itself with new symbols to integrate with the international order that was being created.

China's usage and understanding of international law in The Hague were representative of such attitude; it was cynical in the law's absolute ability to defend its interests against the Great Powers. However, the law was recognised as the means to adhere to a shared discourse and participate in the establishment of a new world order. Hence, China encouraged the studies of international law and the modification of domestic jurisdictions to correspond to global standards. As it deepened its understanding of global legal system, China could also rebel against the injustices that had been imposed under the name of international law, such as the unequal treaties or extraterritoriality, other than through a bellicose confrontation. In this sense, The Hague laid the long-term foundation necessary for China's responsive attitude against the West. Had there not been a form of integration, nor the creation of a common dialogue, the most ruthless military conquest would have been powerless in resolving the conflict between the lost tributary empire and the emerging Great Powers.

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