

SIR JOHN BOWRING AND THE QUESTION OF TREATY REVISION IN CHINA¹

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SIR John Bowring was one of the most active “ peace radicals ” of the Victorian age. His name was always mentioned with those of Richard Cobden and other prominent members of the Peace Society. He had a varied and interesting career, including eleven years (1849-59) of service in the Far East which he began at the age of fifty-seven. His life should have offered fertile ground for study by historians interested in the Victorians, their ideals, and the possible compromises they made when sent to the front line in the opening of the East to British trade. It is unfortunate, therefore, that misinformation about such a man exists in so many references, including the *Dictionary of National Biography*. G. F. Bartle has produced a well-researched and cogent thesis on Bowring’s career up to 1849.² Much work remains to be done on his activities in the Far East, however. Such work had not been possible until the John Rylands University Library of Manchester purchased surviving papers of Sir John in 1958 and made them available for the inspection of scholars.³ Since then, various fascinating aspects of Bowring’s diplomatic activities have come to light, in the form of specialist articles in this *Bulletin*. They began with Bartle’s “ Sir John Bowring and the *Arrow* War in China ”, “ Sir John

¹ This article has been written in the congenial environment of St. Andrew’s College in the University of Sydney. I am grateful to the Principal, Fellows and students of the College for having been most kind and helpful to a newcomer.

² G. F. Bartle, “ The Political Career of Sir John Bowring (1792-1872) between the years 1820 and 1849 ”, unpublished M.A. thesis, University of London, 1959.

³ Classified as Rylands English MSS. 1228-34. Other sources which are equally important and which have not been available until recently are the Canton Archive in the Public Record Office, London; the Parkes Papers at Cambridge; the Clarendon Deposits at Oxford; the Broadlands MSS. at the Royal Historical Commission, and the Veritable Records of the Ch’ing Dynasty, *Ch’ing-shih-lu* (hence CSL), of the Hsien-feng period (hence HF) now in most major libraries of the world.

Bowring and the Chinese and Siamese Commercial Treaties",¹ and my "Sir John Bowring and the Canton City Question".² The present article deals with yet another aspect of Bowring's career in the Far East, namely, his efforts to "revise" the Treaty of Nanking, signed between Great Britain and China in 1842.

The question which immediately springs to mind is, why did Bowring want to revise the treaty? The idea was, of course, not entirely his. In fact, he had been instructed by the Foreign Secretary, Lord Clarendon, to try to change the treaty when he first assumed duty as H.M. Plenipotentiary in 1854.³ Therefore, the question should have been directed to the British government. To answer this question, it will be useful to clarify what exactly Britain expected to obtain from China, and why she was not happy with the Treaty of Nanking.

Britain has always wanted to trade freely with China since Britons appeared in Chinese waters in the seventeenth century. They brought back to Britain tea, which quickly became very popular and which was imported in increasing quantities as the years went by. Soon, they discovered that they were buying a great deal and not selling much in China. The main item of British export was woollens, which did not appeal to the Chinese at all. The Chinese preferred their light silk and cotton to heavy wool. Furthermore, China was commercially self-sufficient, and there was little that Britain could offer. However, Britain did not realize this. Moreover, in 1757 China closed all her ports except Canton to international trade. The background to this action will be discussed later. It suffices here to say that such a measure led the British to believe that their goods were not selling because of this restriction. If only this restriction were removed, they argued, all would be well. Hence

¹ BULLETIN, xliii (1960-1), 293-316, and xliv (1961-2), 286-308. It should be mentioned that N. Tarling has written an article entitled "The Mission of Sir John Bowring to Siam", *Journal of the Siam Society*, 1 (1962), 91-118, using exclusively official despatches, books and articles.

² BULLETIN, lvi (1973-4), 219-45. I have also dealt with Bowring in a general way in my book (forthcoming) entitled *Inner Discord, Outer Threat. The Life and Times of Yeh Ming-ch'en, 1807-59* (Cambridge University Press). I also hope to give an assessment of his part in the Arrow War in my second book (in progress), entitled *The Origins of the Arrow War*.

³ F.O. 17.210, Clarendon-Bowring, 13 February 1854.

Lord Macartney was sent to China in 1793, Lord Amherst in 1816, and Lord Napier in 1834 to try to persuade Peking to open more ports for trade.¹ The failure of these missions convinced the British that coercion might succeed where persuasion had failed. Meanwhile, they discovered at least one commodity which sold well in China. This was opium, which quickly changed the balance of trade. For the first time, China found herself "in the red", and her silver bullion rushing out of the country. The subsequent economic crisis, and the devastating effects of opium, induced the Chinese government to take drastic measures to suppress opium.² This gave Britain the excuse to use force, which she had been contemplating. Furthermore, opium was the product of India, not of England. Although its sale greatly helped to finance the administration of that colony, China had still not become a significant market for British goods. War broke out in 1839.³

China succumbed to what was known as gunboat diplomacy. A treaty was signed at Nanking. Consequently, four more ports were opened to international trade. They consisted of the so-called five treaty-ports: Shanghai, Ningpo, Foochow, Amoy and Canton. The question of opium remained unresolved, however. Britain had wanted the drug to be legalized, and hence protected from possible Chinese moves to suppress it in the future. China realized that Britons had a vested interest in opium, and that she could not do much about it. On the other hand, she apparently found it difficult, if not impossible, to

¹ Cf. J. C. Crammer-Byng, *Lord Macartney's Embassy to Peking in 1793* (Hong Kong, 1961), and M. Greenbery, *British trade and the opening of China* (Cambridge, 1951).

² H. B. Morse, *The International Relations of the Chinese Empire*, vol. 1 (London, 1916); W. C. Costin, *Great Britain and China, 1833-1860* (Oxford, 1937); and Hsin-pao Chang, *Commissioner Lin and the Opium War* (Cambridge, Mass., 1964) are standard reference works.

³ Morse, Greenbery, Costin, Crammer-Byng and others have laid great emphasis on the corruption of the Chinese officials, irritating restrictions, injustices of jurisdiction, the insolent mandarins, and, in particular, their view that China was the centre of the world, and the like. Morse, for example, devoted a large number of pages to giving details of so-called insults in China. Although there is some truth in these accusations, too much emphasis on these matters has tended to obscure the main issue, which is that Britain wanted to open China and exploit the market. See the conclusion of this article.

bring herself to legalize the drug after all the anti-opium campaigns, the efforts to suppress it and, finally, war. She refused to comply, despite her defeat ; and opium continued to be left in the hands of smugglers. Although Britain had agreed to let sleeping dogs lie for the time being, she was not at all happy about the vulnerability of the opium trade. Apart from anything else, " three or four million of Indian revenue " was at stake. Bowring, for example, was at one stage (1849) terrified lest the Imperial Commissioner for Foreign Affairs, Hsü, might take steps to suppress opium. He depicted Hsü as reckless and resolute. He was convinced that if Hsü had his way, disasters were bound to follow.¹ Although nothing happened eventually, a shadow was cast on the mind of Bowring, and indeed on that of the British government.²

Britain soon found the Treaty of Nanking unsatisfactory for yet another reason. When the five treaty-ports were opened, the British merchants had high expectations. They expected the sale of manufactured goods to increase dramatically, if not five-fold. They flooded the market with items irrelevant to Chinese needs. The volume of business was not unsatisfactory for about two years after peace was restored ; but after that, there was a steady decline, ending in a great slump in 1848.³ It was probably realized then that China was self-sufficient. Hence some concluded that there was little prospect of trade figures multiplying dramatically. Others disagreed. Consul Alcock, for example, argued that China might be self-sufficient ; but British goods could still invade the vast inland trade, particularly in the rich Yangtze River valley and along the Grand Canal.⁴ Apparently, he was convinced that Chinese products made on the basis of a family economy or small handicraft industry could be no competition to the mass production of Great Britain. The Foreign Secretary at this time was Lord Palmerston and the

¹ MSS. Clar. Dep. C37 China, Bowring-Clarendon, 4 October 1855. Bowring had opposed the opium trade when he was in Britain. When he went to the Far East, he completely changed his views. This is what is meant by " the possible compromises " mentioned at the beginning of this article.

² Broadlands MSS. GC/BO/84, Bowring-Palmerston, 12 May 1849.

³ Canton Archive 137.1.42, report on the decline of trade at Canton (1848).

⁴ F.O. 17.116, Desp. 46. Incl. Alcock-Bonham, 13 February 1850.

Plenipotentiary Sir George Bonham. Both were duly impressed. Palmerston instructed Bonham to approach Peking to make alterations in the treaty.¹ The Chinese, however, regarded a treaty as a permanent settlement, and would not allow it to be tampered with. Persuasion having failed, Palmerston again thought of war.

I clearly see that the Time is fast coming when we should be obliged to strike another Blow in China, . . . These half civilized governments, such those of China Portugal Spain America require a Dressing every eight or ten years to keep them in order. Their Minds are too shallow to receive an Impression that will last longer than some such period, and warning is of little use. They care little for words and they must not only see the Stick but actually feel it on their Shoulders before they yield to that only argument which to them brings conviction, the *Argumentum Baculinum*.²

Palmerston no doubt wished to wield the stick. But it was perhaps difficult to wield sticks over Europe, Asia and America at the same time. Consequently, his threats had to remain on paper, at least for the time being.

Since direct requests made to the Chinese had been turned down, and since a war with China was difficult to arrange at this stage, Britain tried to find some legal excuse to make the Chinese grant her further concessions. This she found in the question of the so-called treaty revision. Before proceeding further, it will be useful to clarify a few points about this question of treaty revision.

To begin with, the Treaty of Nanking did not provide for revision of any of its clauses at any time. In the subsequent Treaty of Wang-hsia, signed between China and America in 1844, there was a clause to this effect.³ It stipulated that, should there be unforeseen difficulties in the execution of the treaty, some minor changes to its clauses might be considered in twelve years time. As a result, Britain claimed the *right* to revise the

¹ F.O. 17.164, Palmerston-Bowring, 3 September 1850. J. K. Fairbank has quoted this at length in *Trade and Diplomacy on the China Coast* (Cambridge, Mass., 1953), pp. 379-80.

² F.O. 17.173, Palmerston's remarks on Bonham's despatches, 29 September 1850. Both Costin and Fairbank have used it (pp. 149-50 and 380, respectively).

³ Cf. Treaty of Wang-hsia, article 34. The same clause may be found in the Treaty of Whampoa, art. 35, signed with France in the same year.

Treaty of Nanking under the most-favoured-nation principle.¹ If China and America had subsequently agreed to make some such modifications as regards the details of their treaty, Britain, under the most-favoured-nation principle, could of course share the privileges arising out of these modifications. Whether or not she could claim the *right* to revise her own treaty under the same principle, however, was a question for the law officers. The law officers, when eventually consulted by Lord Clarendon in 1857, denied that Britain could claim such a right.² It no longer mattered in 1857. Britain had by then decided to use force again to back her demands, and had mobilized her troops and formed an alliance with France against China. There was no need for Elgin even to mention the phrase "treaty revision", and he did not. But there was a need in the early 1850s, after persuasion had failed and before the troops were ready.

Another point which needed to be clarified is how far one might go under the guise of treaty revision. Revision in this case ought to mean making some changes of detail within the framework of the existing treaty. It should not include demands which were extra and unrelated to the treaty. Opening the whole of the interior of China, in addition to the five treaty-ports, to foreign trade and legalizing the opium trade, were such demands. It is possible that the Chinese authorities were aware of the fact that Britain might exploit the clause providing for revision. Therefore they had worded it very carefully, and in such a way that it was guarded against this possibility.

Once the treaty is agreed upon, both parties [China and America] should abide by it, *and must on no account make any changes to it* [italics inserted]. Since the [five] treaty-ports differ from one another, however, it is possible that some adjustments in the clauses governing trade and navigation [in these places] may be necessary, in which case both parties should meet again for negotiations in twelve years time.³

¹ Treaty of the Bogue, art. 8, signed with Britain in 1843.

² F.O. 17.274, Clarendon-Elgin, 20 April 1857. This document makes nonsense of Morse's statement (p. 414). Costin's comments, on the other hand, are more careful and sober (pp. 184-5).

³ Treaty of Wang-hsia, art. 34, in Yü Nung-mo, *comp. Chung-wei t'iao-yüeh lich-pien* (Shanghai, 1933), p. 75. The American version of the relevant clause is: "Experience may show that inconsiderable modifications are requisite in those parts which relate to commerce and navigation."

It is obvious that the first is the main sentence, and the second only subsidiary. Furthermore, the third sentence runs as follows :

Britain and other countries must not take advantage of this clause to make unreasonable demands at will.

Hence, it is clear that any Briton appointed to negotiate for treaty revision with China had a difficult task on his hands. Bowring certainly had no illusions when he became H.M. Plenipotentiary in 1854, while his letter of appointment reminded him that it was nearly twelve years since the signing of the Treaty of Nanking. The letter also instructed him to take advantage of the occasion to make a series of new demands in addition to those mentioned. Firstly, he should obtain access generally to the whole interior of China as well as to other cities on the coast. Failing this, he was to obtain free navigation of the Yangtze River and access to all the cities of the rich Yangtze River Delta. He was also instructed to effect not only the legalization of the opium trade, but the abolition of transit duties (*likin*) on imports and exports, and the suppression of Chinese pirates. Furthermore, he was to regulate, if possible, the emigration of Chinese labourers (coolies), to secure the permanent residence at Peking of a British representative, and unrestricted personal intercourse between this representative and the Chinese authorities. Finally, he was

To provide that, in the construction of the *Treaty to be concluded* [italics inserted], all doubts are to be solved by reference to the English version and that alone.¹

The last instruction is illuminating ; the words in italics sum up the despatch exceedingly well. Bowring was instructed to conclude a *new treaty* with China. This explains why British documents constantly referred to a "new treaty" and not a "revised treaty".

Bowring's immediate task was somehow to establish the validity of his claim to a complete overhaul of the treaty. Clarendon, in giving him the above instructions, had alleged that Commissioner Ch'i-ying had recognized the right of the British to do so. However, when Bowring had the opportunity

¹ F.O. 17.210, Clarendon-Bowring, 13 February 1854.

to examine the correspondence between his predecessor, Sir John Davis, and Commissioner Ch'i-ying, he found that this was not the case.¹ Apparently, the Chinese Secretary, Gutzlaff, had misinterpreted the Commissioner's reply to Davis's inquiries, and had therefore misinformed the Foreign Office. Ch'i-ying did not have any law officers to consult and had been led by Davis into thinking that Britain could claim the privilege of treaty revision under the most-favoured-nation clause. But he vehemently denied that the words "inconsiderable modifications", which appeared in the American treaty, could possibly be taken to mean that "after twelve years, the Treaty should be disregarded and ministers appointed to determine upon other provision".² Indeed, it could only mean that "the minutiae of the commercial points may possibly after a term of twelve years stand in need of slight alteration".³ Therefore, it was out of the question that Britain should claim the right to a new treaty. Davis did not pursue the subject with Ch'i-ying any further, apparently satisfied with the erroneous interpretation by Gutzlaff. Naturally, Bowring exclaimed that the Chinese authorities were bound to take note "of Sir John Davis's silence, and will refer to it as evidence of his having recognized Keying's views".⁴ He concluded that his task would be "infinitely difficult".

Equally difficult was the fact that he was forbidden to adopt an authoritative tone in advancing points or urging concessions.

The treatment of these questions however requires much caution; for if we should press them in menacing language, and yet fail in carrying them, our national honour would require us to have recourse to force.⁵

Clarendon found it necessary to restrain Bowring because he realized that he would not be able to implement Bowring's threats should they be made. The situation in the Crimea was deteriorating rapidly, and war actually broke out when Bowring was on his way to take up his new appointment as H.M.

¹ MSS. Clar. Dep. C19 China, Bowring-Clarendon, 27 April 1854.

² F.O. 17.213, Bowring-Clarendon, 25 April 1854. ³ Ibid.

⁴ MSS. Clar. Dep. C19 China, Bowring-Clarendon, 27 April 1854. Before romanization was standardized, Ch'i-ying was spelt Keying.

⁵ F.O. 17.210, Clarendon-Bowring, 13 February 1854.

Plenipotentiary.¹ Furthermore, Bowring himself needed such restraint because he had shown himself to be over-enthusiastic about opening the whole of China to British trade. When Sir George Bonham recommended Bowring to succeed him as H.M. Plenipotentiary, he had to assure Lord Clarendon that Bowring “could, under proper instructions and restraints, manage affairs as they now are”.² When Bowring’s appointment was being considered in the Foreign Office, Addington wrote to Clarendon about him as follows :

Of his talent and intellectual vivacity there can be no doubt. But there might possibly be a question as to his carrying sufficient ballast to countervail his superfluity of sail. He would probably be over the Great Wall before we had time to look around us.³

Should Bowring mishandle the situation, not only would it be impossible to obtain new concessions, but existing privileges might be jeopardized. Therefore, Clarendon warned him that, “in order to obtain results the practical advantage of which is not demonstrable, we might place in peril the vast commercial interests which have already grown up in China, and which with good and temperate management will daily acquire greater extension”.⁴

With many difficulties in front of him, and strings behind, Bowring set about negotiating for a revision of the treaty. On his arrival at Hong Kong, he took the first opportunity to write to Commissioner Yeh. But he expected “only an evasive answer on the subject”.⁵ There was no reply for a week, and he began to wonder “if indeed we can get the Chinese to entertain *that* question at all”.⁶ Like Ch’i-ying, Commissioner Yeh had no law officers to refer to as regards the British claim. He was either trusting enough to take Bowring’s word for granted, or, when he looked up the correspondence of his

¹ Bowring first went to China as Consul of Canton in 1849. He returned to England on leave in 1853, at the end of which he was appointed H.M. Plenipotentiary.

² MSS. Clar. Dep. C8 China, Bonham-Clarendon, 5 August 1854.

³ Ibid. Addington-Clarendon, 26 August 1854.

⁴ F.O. 17.210, Clarendon-Bowring, 13 February 1854.

⁵ MSS. Clar. Dep. C8 China, Bowring-Clarendon, 20 April 1854.

⁶ Ibid. 27 April 1854.

predecessor, he realized that Ch'i-ying had accepted the claim in the way that he had understood it. In any case, since he obviously never dreamt that the clause providing for treaty revision could possibly be taken to mean negotiations for a new treaty, and since Bowring merely mentioned that the date for *hsiu-yüeh* (treaty revision) was drawing near, he replied that he would be happy to discuss the issue when the time came, i.e. in four months. It is interesting to see what wishful thinking Bowring indulged in as a result of this reply: "Still, the matter stands somewhat better than I expected it would, for the Imperial Commissioner had not referred to, and probably has not looked back to, Keying's correspondence with Davis. His answer to me that we must wait till the time comes will give me good ground for a move *when* the time comes. . . ." ¹ However, probably realizing the weakness of his position, he immediately added, ". . . but we must anticipate every sort of repugnance and unwillingness". He pointed out the wrong assumption that Ch'i-ying had agreed to interpret the provision for treaty revision in the way that the British had chosen to. "I think you will have to look at matters from a point of view somewhat different from that which you naturally stood on when I left England", he told Lord Clarendon. "To found demands for the revision of the treaties on the concessions of Keying is a bad 'locus proceduri'." ² In his reply the Foreign Secretary agreed that there was nothing to be gained by mentioning Ch'i-ying and his correspondence with Davis, ³ and Bowring was back in square one.

Since he had to wait four months before he could formally approach the Imperial Commissioner for discussions, Bowring went to Shanghai, partly to explore other possibilities. There he found a very cordial colleague in his American counterpart, McLane. He also discovered much confusion in the place. One of the rebel groups, the *hsiao-tao-hui*, had occupied the city, and Europeans had to organize a militia to protect their settlement outside the city. The customs house had ceased to function, and trade was in peril. He and McLane worked hard to restore trade to a more secure footing, and, with the co-operation of the

¹ Ibid. 31 May 1854.

² Ibid.

³ F.O. 17.211, Clarendon-Bowring, 5 July 1854.

Chinese authorities, a foreign Inspectorate of Customs was established, and revenue began to flow into the Manchu coffers again.¹ As an advocate of honest free trade, Bowring's hostility towards smuggling and the evasion of legal taxes is understandable. He had also envisaged using the new system to strengthen his position, when he raised the subject of treaty revision with the Chinese authorities responsible for Shanghai, namely, Governor Chi-erh-hang-a and Governor-General I-liang.²

The back duties at Shanghai was another weapon Bowring planned to use to facilitate treaty revision. After the collapse of the Chinese customs house in September 1853, the British and American consuls had secured bonds from their merchants in lieu of the duties they should have paid to the Chinese, out of a sense of duty and honesty. When Bowring and McLane arrived at Shanghai, they both tried to make their merchants honour their bonds. Whereas J. K. Fairbank, using the official papers, has shown that the Chinese permitted the establishment of the "foreign inspectorate in exchange for back duties",³ Bartle, consulting the Rylands manuscripts as well, has been able to write that Bowring and McLane, "in return for undertaking to make the merchants pay their arrear duties, obtained Keih's promise to convey to Peking the desire of the three powers to secure a revision of their treaty rights".⁴ Then he adds that the Governor later "suddenly withdrew his offer to mediate". One wishes that Bartle had gone on to explain this abrupt change of attitude. Otherwise one is left with the impression that Chi-erh-hang-a was untrustworthy or even treacherous. Costin mentioned that "an imperial edict had been issued commanding the two foreigners to go to Canton and settle affairs with Yeh".⁵ Here, Costin, in turn, failed to explain the uncompromising attitude adopted by Peking, although he had exonerated the Governor.

¹ See Fairbank, pp. 439 ff.

² Chi-erh-hang-a and I-liang appear in English documents as Keih and I-leung respectively.

³ Fairbank, pp. 453-5. There is a slight inaccuracy in the phrase quoted, because the back duties were not actually given in exchange.

⁴ Bartle, "Treaty", p. 290.

⁵ Costin, p. 189.

The English sources available do not have much to offer in the way of an answer to this question. The Chinese sources, on the other hand, are illuminating. It seems that Bowring had made some serious mistakes from the beginning. His hasty departure for Shanghai shortly after his arrival at Hong Kong had aroused considerable suspicion in Peking. The fact that he came to Shanghai on board a man-of-war greatly aggravated such suspicion. Then his despatch of Medhurst up the Yangtze River to meet the Taiping leaders proved the last straw. The Emperor asked, "If the British consider themselves our friends, trading with us, why should they go out of their way to ingratiate themselves with our enemies?"¹

There followed an episode which has been omitted by Costin and those who rely entirely on this pioneer for information. McLane had arrived at Shanghai before Bowring and had been clamouring to see the Governor-General, I-liang, who was stationed at Soochow. Eventually I-liang agreed to see him at K'un-shan, about two-thirds of the way from Shanghai to Soochow. The meeting took place on 21 June 1854.² Although Bowring was already in Shanghai by this time, he had come too late to be included in this arrangement. It hardly mattered. Bowring had become such a good friend of the American Commissioner that he thought nothing could be more "accordant and harmonious" than their co-operation. Moreover, McLane had promised Bowring that he "would not take *any* step without previous consultation" with him.³ To return to the meeting between McLane and I-liang, the American Commissioner raised the question of treaty revision and the opening of the Yangtze River for foreign trade. When the minutes of the conference reached Peking, the Emperor issued the strictest injunction on 15 July 1854 that on no account should McLane continue to roam about in China, but should immediately proceed to Canton and raise whatever matter he had in mind

¹ CSL HF 133 : 8-9, Edict, 7 July 1854. Bowring went to Shanghai on board H.M.S. *Winchester* (Ryl. Eng. MS. 1228, Bowring-Edgar Bowring, 26 May 1854).

² Fairbank, pp. 456-7.

³ MSS. Clar. Dep. C19 China, Bowring-Clarendon, 19 June 1854.

with the Imperial Commissioner for Foreign Affairs.¹ If the report on the meeting of 21 June did not reach Peking until about 15 July, it will be safe to assume that the imperial edict of 15 July took an equally long time to reach Shanghai, around 3 August.² The last date was of course the time when both McLane and Bowring were told to leave Shanghai for Canton by Chi-erh-hang-a who, in a previous meeting with them on 27 July, had succumbed to Bowring's exploitation of the back duties. As mentioned, Chi-erh-hang-a had agreed to transmit their communications to Peking in return for their undertaking to make the merchants pay their arrear duties.

It should be pointed out that whereas the injunction concerned McLane alone, Chi-erh-hang-a told Bowring to leave as well. He must have taken the initiative to do so, pretending that Bowring was also affected. This is indeed disgraceful, but beside the point. The question is, how does one explain his behaviour, which is crucial to an understanding of the important issue of treaty revision? Here, as elsewhere, a pioneer piece of work by its very nature often leaves something to be desired. Historians who refer to Constin alone generally assume that Chi-erh-hang-a was the Governor when McLane and Bowring arrived at Shanghai.³ In fact, the Governor at this time was a man called Hsü Nai-ch'ao, and Chi-erh-hang-a was only Provincial Treasurer. The Emperor had shown great dissatisfaction with Hsü's lack of success against the Shanghai rebels. Hsü's conciliatory attitude towards the Plenipotentiaries was the drop that made the cup overflow. He was summarily dismissed on 7 July 1854.⁴ Chi-erh-hang-a was appointed as successor. Hsü had agreed to meet Bowring and McLane; and Chi-erh-hang-a honoured this agreement on 27 July, as mentioned. Within a week, however, he received the edict commanding McLane to leave for Canton. In the same edict, Hsü was severely censured for having agreed to see the envoys.

¹ CSL HF 134 : 1-3, Edict, 15 July 1854.

² As another example, Chi-erh-hang-a's letter of appointment was dated 7 July 1854. His reply accepting the appointment arrived at Peking on 16 August 1854.

³ For example, Bartle, "Treaty", p. 290.

⁴ CSL HF 133 : 5-7, Edict, 7 July 1854 ; 134 : 1-3, 15 July 1854.

It also enjoined Chi-erh-hang-a and I-liang to annul whatever understanding Hsü might have come to with the foreigners.¹ Seeing what had happened to his predecessor, it is obvious that Chi-erh-hang-a panicked and washed his hands of the affair.

Bowring was bitterly disappointed. He had previously advocated a joint expedition to the Peiho demanding an audience with the Emperor. This was on 27 July, immediately after their first meeting with Chi-erh-hang-a. He argued that the moment was "singularly favourable" for taking such action due to "the presence of large fleets in the Chinese seas, the good feeling which the settlement of the duty question has produced here, the tottering state of the Empire and the demands made upon us for interference, and the general principle that prompt action is the great element of success, and that delays are always perilous".² Although the Governor had agreed to mediate, and although the envoys had agreed to meet again in forty days at Shanghai to hear the result of the Governor's move,³ Bowring thought that he might facilitate the proceedings by steaming up to the Peiho. Admiral Stirling and McLane disagreed. Stirling argued that the opening given them by the Governor "ought at all events to be first tried, that a visit to the capital would be premature".⁴ Bowring gave in. When the Governor backslid, Bowring again attempted to prevail upon the others in vain. Instead, he was once more urged to begin with Yeh, then to proceed to the Peiho in the Autumn if nothing could be gained at Canton. The noises Bowring made, however, far from helping his cause, bedevilled it further. The Emperor decreed, "I have heard that the American and British representatives have threatened to come to Tientsin. These people are used to employ every excuse to make demands, and what they say is often no more than an empty threat designed to sound out our position".⁵ On the same day, he repeated what he had defined earlier that Commissioner Yeh should do when meeting the Plenipotentiaries, "Stick absolutely to the treaty and on no

¹ Ibid. 15 July 1854.

² MSS. Clar. Dep. C19 China, Bowring-Clarendon, 27 July 1854.

³ F.O. 17.215, Bowring-Clarendon, 27 July 1854.

⁴ MSS. Clar. Dep. C19 China, Bowring-Clarendon, 27 July 1854.

⁵ CSL HF 136: 16-17, Edict, 8 August 1854.

account allow them to make any unreasonable demands under the guise of treaty revision".¹ This instruction heralded the third phase of Bowring's diplomatic activities.

While McLane professed that he had no desire whatever to see Commissioner Yeh, although he was going to Canton nonetheless,² Bowring began to make preparations to approach Yeh formally for a revision of the treaty. Lord Clarendon had told him that 29 August 1854 was the date due for revision³; therefore, after he returned to Hong Kong in August, Bowring despatched his Chinese Secretary, Medhurst, to Canton for preliminary discussions. His instructions to Medhurst may be summarized as follows.

1. To request an interview with Yeh within the city walls of Canton, or in Hong Kong.
2. To find out if the Commissioner had the power to negotiate a new treaty.
3. To return to Hong Kong immediately if the answer to the second was negative.⁴

When Yeh heard of the arrival of Medhurst, he despatched two "respectable and suitable men, both being magistrates of important districts," to meet him.⁵ As soon as he heard of Bowring's intentions, he realized that he had an unusually difficult task on his hands. It is interesting to note that Bowring placed entry into the walled city of Canton at the top of his priority list. His obsession with this question, and why Yeh found it impossible to satisfy such an obsession, has been dealt with in a separate article.⁶ As regards the second object of Medhurst's mission, one can anticipate Yeh's reaction, recalling the Emperor's instruction. He replied as follows :

I am charged with the Superintendency of trade at the five ports on the express understanding that I act in accordance with established regulations [treaty

¹ Ibid. See also HF 134 : 2, 15 July 1854.

² F.O. 17.215, Bowring-Clarendon, 3 August 1854.

³ F.O. 17.210, Clarendon-Bowring, 13 February 1854.

⁴ F.O. 17.215, Desp. 128. Incl. 2, Bowring-Medhurst, 22 August 1854. (See also MSS. Clar. Dep. C19 China, Bowring-Clarendon, 22 August 1854).

⁵ Ibid. Incl. 5, Medhurst-Bowring, 2 September 1854.

⁶ See my article on the Canton City Question mentioned above.

regulations]. The Power of the Sovereign in this country is absolute, that of the minister altogether limited.¹

As a result, Medhurst complied with his third instruction by abruptly terminating his visit to Canton. Meanwhile, the representatives of the three treaty Powers of Britain, France and America were instructed by their respective governments to take concerted action. They conferred in Hong Kong and decided to return to the north.² On 30 September 1854, they were all back in Shanghai, ready to perform Act Four of the drama.

Bowring was full of determination to achieve something by this move. He told the Foreign Secretary, "Now at all events I *have* an end and an object, *to open China* and if you will support me, and I have such colleagues as the U.S. have now sent, we *will open* China. *Aye!* and with the keys of peace".³ One wonders how many "keys of peace" Bowring possessed. We have seen that he had used one, namely, the question of back duties, with some success against Chi-erh-hang-a. Unfortunately, although that key opened the gate of the garden, it did not open the door of the house. This time, he planned to use another key which he hoped might fit both locks. This was the confusion in China. Whereas his immediate predecessor, Sir George Bonham, had been convinced that so long as the Taiping and other rebellions were raging in China, nothing could be done in the way of treaty revision,⁴ Bowring had always believed that the confusion "invites us to avail ourselves of the changes which are inevitable".⁵ In other words, he was hoping to exploit the weakened position of the Manchus, to induce them to give more concessions by some kind of promise to side with them. However, he had been cautioned by Clarendon against

¹ F.O. 17.215, Desp. 128. Incl. 6, Yeh-Bowring, 1 September 1854. I have not been able to find the Chinese original of this English version of the document. However, it is obvious from the Chinese sources available that "established regulations" is a translation of the phrase *ch'eng-yüeh*, and is not entirely accurate because *ch'eng-yüeh* literally means "established agreements". Indeed, the phrase is used in Chinese documents to refer to the treaty.

² Ibid. 5, 11 and 29 September 1854.

³ MSS. Clar. Dep. C19 China, Bowring-Clarendon, 5 September 1854.

⁴ Ibid. C8 China, Bonham-Clarendon, 5 August 1854.

⁵ Ibid. Bowring-Clarendon, 23 February 1854.

“taking any part in the civil contest” in China.¹ He realized that he could not blatantly disobey orders although he was convinced that somehow he had to do so to some extent if he were to succeed. He decided to act according to his own judgement, but took two precautions to mitigate the consequences should things go seriously wrong. First, he tried to persuade the Foreign Secretary that the step he was about to take was a necessary one. The choice, he argued, was between “anarchy on the one side and feebleness on the other”. The success of the rebellion, he asserted, would mean “the establishment of difficulties greater than we had to struggle before the Opium War”. To side with the feeble, however, would bring the British position “as near territorial possession as it can well be”. He asked Clarendon to “instruct us as to our course”.² The request was superfluous and deliberate.

Secondly, he let McLane do the crucial talking. The American envoy told the Chinese that if the Emperor agreed to send an Imperial Commissioner specially to negotiate a new treaty, his country would be willing to co-operate with them to clear Shanghai and the whole of the Yangtze River area of rebels, and to order the merchants to pay all the back duties so as to help Chinese military finance.³ Since the Taipings were active mainly in the Yangtze River area, this is tantamount to saying that the Manchus would be assisted in stamping out the Taipings. It is impossible to imagine Bowring making a statement of this kind. But since the three envoys were jointly approaching the Chinese, the offer of one was as good as that of another. With good reason, Bowring made this remark privately to his son, “What I could have done without the assistance of the United States Commissioner I know not.”⁴ For his part, Bowring offered to “co-operate with the Chinese government to clear the coast of thieves”.⁵ This is far less specific than the offer of McLane. But, although the English version referred to the

¹ F.O. 17.210, Clarendon-Bowring, 13 February 1854.

² MSS. Clar. Dep. C19 China, Bowring-Clarendon, 29 July 1854.

³ *Ch'ou-p'an i-wu shih-mo* 8 : 32-35 and 9 : 3, Memos to Emperor, 30 August and 15 October 1854.

⁴ Ryl. Eng. MS. 1228, Bowring-Edgar Bowring, 25 December 1854.

⁵ See the preceding footnote but one.

pirates on the Chinese coast, the Chinese version *hai-pin tao-fei* (coastal thieves) could be taken to mean the Taiping and other rebels in the maritime provinces.

Chi-erh-hang-a was greatly impressed. He had had little success fighting the Shanghai rebels since he became Governor, and he was afraid that he might suffer the fate of his predecessor. Naturally, the offers of the envoys were sweet music to him. He dared not suggest to the Emperor that he should seek foreign assistance ; but if only he could persuade him to send an Imperial Commissioner to negotiate a new treaty, this assistance, he thought, would be forthcoming. Boldly, he told His Majesty that it would be useless to resist the demands of the foreign envoys, just as it had been futile to resist the British demands prior to the Opium War. Rather than watch helplessly the foreigners taking unilateral action, forcing their way up the Yangtze River, it would be better to come to an understanding with them first. Furthermore, should the foreigners decide not to pay any customs duties, there would be no money to fight not only the Shanghai rebels but the Taiping rebels as well. He concluded by repeating the threats he had received, namely, that the envoys would recommend a military solution to their kings if their demands were not met, in which case war would come within six months.¹ With great resentment the Emperor reprimanded the Governor for having believed everything he was told.²

At the same time that the Emperor was giving the Governor a piece of his mind, the envoys arrived at the Peiho, having decided not to stay in Shanghai any longer than was necessary. The expedition was not as grand as Bowring had hoped. Admiral Stirling gave him only one ship, H.M.S. *Rattler*, declaring that he needed the rest to watch the Russians.³ The French Minister declined to participate on the ground that he had no man-of-war at his disposal. He was represented by his attaché. Only McLane could provide an adequate force to make the expedition

¹ Ibid. See also CSL HF 134 : 9-11, Edict, 15 October 1854.

² Ibid.

³ It turned out months later that Stirling had taken the fleet to Japan in the fashion of Commodore Perry, much to Bowring's disgust. See Bartle, "Treaty", pp. 295-6.

look respectable. Despite these setbacks, Bowring was optimistic. Possibly, his morale had been greatly boosted by the repeated success of his diplomacy on Chi-erh-hang-a. "I am not without hopes that you will hear from me under the date of Peking", he wrote to his son Edgar, "this is quite upon the cards and *if we get there*, be assured we shall do something".¹ Unfortunately, he never got there. The envoys were met by a high-ranking Chinese official near Tientsin. Bowring presented eighteen points for a new treaty, which were all politely but firmly turned down however much he waved his "keys of peace". It is interesting to read the Imperial edict which dictated such a firm line. The Emperor pointed out that it was too early for the Americans and the French even to think of treaty revision. As for the English, their treaty made no provision for revision. "What do you mean by a treaty," he asked, "if you do not intend to keep it? Even if we work on a most-favoured-nation principle, what are the English asking for? For something which neither the Americans nor the French have received?"² One is bound to observe that his argument, despite its unminced words, comes close to the advice Clarendon eventually received from his law officers.

Bowring's mission had failed. His conclusion provides some food for thought. He said, "At all events I have cleared much rubbish away, and have enabled 'my masters' to see pretty clearly the state of things."³ Persuasion, legal excuses, inducements, threats, all had proved useless. What would a Power resort to if she were determined to have her way? This is the crucial question in international relations; and before the age of cold war and clandestine subversions, the answer was inevitably "might is right". When the Crimean War was over in 1856, British troops were shipped to the Far East.

Unfortunately, historians are frequently misled and in turn misleading. For example, they have often attributed Bowring's

¹ Ryl. Eng. MS. 1228, Bowring-Edgar Bowring, 7 October 1854.

² CSL HF 144: 4-3, Edict, 23 October 1854. Cf. F.O. 17.274, Clarendon-Elgin, 20 April 1857.

³ Ryl. Eng. MS. 1228, Bowring-Edgar Bowring, 9 November 1854.

failure to the "obstructive and evasive mandarins". This is not surprising. Bowring did so himself, and historians seem to have a tendency to be influenced by the manuscripts they read. After he had written his first letter to Yeh in April 1854, Bowring said that he expected only "an evasive answer on the subject of the Treaty with China".¹ Having corresponded with Yeh for about a month, Bowring complained that it was difficult "to get on with these stubborn mandarins".² Then he told Clarendon not to expect much from him, because "moving mandarins is like forcing water from stones".³ When Chi-erh-hang-a swallowed his own words, Bowring declared that he was not at all surprised, as he had never accommodated his policy to "a confidence in the value of any promises made by any mandarins in the Chinese Empire".⁴ While back in Shanghai in October 1854 holding another series of conferences with Chi-erh-hang-a, he proclaimed that his actions in China were guided by his conviction that the "purposes of the Chinese officials are distinctly and decidedly opposed to our own; so that distrust and not confidence is the only safe ground to occupy in relations with them".⁵

Bowring was perhaps unfair in his denunciation of the Chinese officials. Chi-erh-hang-a, for example, was probably inexperienced but not mischievous. He became Governor after he had been Provincial Treasurer for less than a year,⁶ whereas under normal circumstances he would have been in that position for at least three years.⁷ Even the Emperor took a charitable view and wrote to him, encouraging him to work hard and learn fast, because he had not served for long in the maritime provinces.⁸ It was rash of him to commit himself to mediation as soon as Bowring said he would make the merchants pay their

¹ MSS. Clar. Dep. C19 China, Bowring-Clarendon, 20 April 1854.

² F.O. 17.214, Bowring-Hammond, 18 May 1854.

³ MSS. Clar. Dep. C19 China, Bowring-Clarendon, 22 May 1854.

⁴ F.O. 17.215, Bowring-Clarendon, 3 August 1854.

⁵ F.O. 17.216, Bowring-Clarendon, 4 October 1854.

⁶ CSL HF 133 : 7, Edict, 7 July 1854.

⁷ A Chinese official was customarily promoted or transferred every three years. The rebellions had probably caused some exceptions to this rule.

⁸ CSL HF 137 : 20, Edict, 16 August 1854.

back duties ; cowardly of him to retract ; and foolish to play into Bowring's hands again over the question of foreign military aid. It is obvious that he was not responsible for Bowring's failure, nor, indeed, was any of the mandarins. Peking made the decisions, and her functionaries merely carried them out. Bowring's accusations are therefore misplaced, and historians who echo him are responsible for obscuring the main issue. The point is, Britain wanted China to make some important concessions ; China refused, because she had no reason to oblige. No man in his senses would make concessions detrimental to himself. He would do so only under duress.

China had persistently refused to give up the century-old practice of restricting westerners to Canton, despite the efforts of their Lordships Macartney, Amherst, and Napier to negotiate, until she was defeated in the Opium War, 1839-42. She persistently resisted the demands to negotiate a new treaty involving further and greater concessions, despite the battles by their Excellencies Bowring and McLane for revision, until she was defeated in the *Arrow* War, 1856-60.

China had restricted all international trade to Canton in 1757 and set up the irksome Canton system to control westerners only after she had suffered more than two centuries at the hands of the plundering Portuguese, the ravaging Dutch, and the British and French, who constantly brought their European disputes to the Far East. When the first Portuguese came to China at the beginning of the sixteenth century, they found all the ports in China open to trade. Through bitter experience, China slowly evolved the Canton system in the hope of exercising some control over the rowdy foreigners. Advocates of the theory of tributary system, who use the Canton restrictions to prove the superiority complex of the Chinese, are as much at fault as those who use Bowring's frustrations to illustrate the deviousness of the Chinese. There had been times when China had to pay annual tributes to a foreign power, and to address its monarch as uncle or even father. That was in the Sung period (960-1278), when China lived under constant fear of invasion and even annihilation.¹

¹ See H. Franke, "Treaties between Sung and Chin", *Études Song*, 1 (1970), 55-84.

Attempting to use the so-called Chinese superiority complex to explain the difficulties in Anglo-Chinese relations prior to the Opium War, and the alleged Chinese deviousness to explain those before the *Arrow* War, is to focus attention on the Chinese, obscuring the fact that there is a chapter in the history of mankind called European Expansion, and denying that there is such a thing as power politics in the international relations of the nineteenth century.

When studying Sir John Bowring and, indeed, any historical topic, it is important not only to know the relevant details and analyse their significance, but also to put them in a wider perspective. Sir John is the last of a series of names, beginning with Macartney, who continued to knock on the doors of China until troops were eventually summoned to force them open. Furthermore, Bowring himself played no small part in summoning these troops. Despite his connection with the Peace Society, he constantly advocated "gunboat diplomacy" to accompany his "instruments of peace".¹ At first he did so privately, and later, officially, to the Foreign Secretary.² By 27 September 1856, he was firmly convinced that coercion was indispensable.

I see nothing to alter, and very much to confirm the opinion that negotiation unsupported by a considerable fleet will terminate in disappointment and discomfiture.³

Within two weeks, he threw away all scruples and used the so-called *Arrow* incident to shell the city of Canton, hoping to force Commissioner Yeh to come to terms with him. That was how the *Arrow* War began.⁴

As a result of this war, Britain finally obtained more or less all she had desired, and one no longer finds another Bowring steaming up and down the coast of China.

¹ MSS. Clar. Dep. C37 China, Bowring-Clarendon, 16 April 1855.

² MSS. Clar. Dep. *passim*; F.O. 17, Bowring's official despatches, *passim*.

³ F.O. 17.250, Bowring-Clarendon, 27 September 1856.

⁴ See the excellent analysis of Bowring's conflicting ideas in Bartle, "*Arrow*", pp. 314-15.