

THE SEARCH FOR  
MODERN  
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A  
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COLLECTION

shall first be expelled from his banner, (or regiment) and then dealt with as one of the common people; if a government underling, a relation of an officer, a secretary or follower, the offender shall be punished one degree more severely than a common man; if an officer of government, the offender shall be sent to Xinjiang on some degrading and laborious mission; if of the provincials or general army, the offender shall be transported to a shorter distance. . . .

### 7.5 LORD PALMERSTON'S DECLARATION OF WAR, FEBRUARY 20, 1840

After the seizure of British opium in Canton, Charles Elliot and the British community rejected Lin Zexu's demand for a bond pledging that they would no longer engage in the opium trade. They fled to Macao, where Elliot and the merchants separately petitioned the Tory foreign minister, Lord Palmerston, to take measures against the Qing government. Palmerston was initially reluctant to intervene. However, the minister changed his mind as domestic pressure intensified, in the form of energetic lobbying by William Jardine (a leading opium trader) and Manchester textile firms that feared being cut out of the Chinese and Indian markets.

On October 18, 1839, Palmerston informed Charles Elliot that a British expeditionary force would reach China in the spring of 1840. Since the structure of the British constitution provided Parliament with little control over foreign policy, the decision for war was made without parliamentary consultation. Indeed, until Palmerston's departure from the government in 1841, he single-handedly shaped the China policy.

The following dispatch from Lord Palmerston informs the Qing government of Britain's intention to use force to "protect" the interests of its subjects.

#### DESPATCH FROM LORD PALMERSTON TO THE MINISTER OF THE EMPEROR OF CHINA

F.O. London, *February 20, 1840.*

THE UNDERSIGNED, Her Britannick Majesty's Principal Secretary of State for Foreign Affairs, has the honour to inform the Minister of the Emperor of China, that Her Majesty The Queen of Great Britain has sent a Naval and Military Force to the Coast of China, to demand from the Emperor satisfaction and redress for injuries inflicted by Chinese Authorities upon British Subjects resident in China, and for insults offered by those same Authorities to the British Crown.

For more than a hundred years, commercial intercourse has existed between China and Great Britain; and during that long period of time, British Subjects

have been allowed by the Chinese Government to reside within the territory of China for the purpose of carrying on trade therein. Hence it has happened that British Subjects, trusting in the good faith of the Chinese Government, have fixed themselves in Canton as Merchants, and have brought into that city from time to time property to a large amount; while other British Subjects who wished to trade with China, but who could not for various reasons go thither themselves, have sent commodities to Canton, placing those commodities in the care of some of their fellow Countrymen resident in China, with directions that such commodities should be sold in China, and that the produce of the sale thereof should be sent to the Owners in the British Dominions.

Thus there has always been within the territory of The Emperor of China a certain number of British Subjects, and a large amount of British Property; and though no Treaty has existed between the Sovereign of England and the Emperor of China, yet British Subjects have continued to resort to China for purposes of trade, placing full confidence in the justice and good faith of the Emperor.

Moreover, of late years the Sovereign of Great Britain has stationed at Canton an officer of the British Crown, no wise connected with trade, and specially forbidden to trade, but ordered to place himself in direct communication with the local Authorities at Canton in order to afford protection to British Subjects, and to be the organ of communication between the British and the Chinese Governments.

But the British Government has learnt with much regret, and with extreme surprise, that during the last year certain officers, acting under the Authority of The Emperor of China, have committed violent outrages against the British Residents at Canton, who were living peaceably in that City, trusting to the good faith of the Chinese Government; and that those same Chinese officers, forgetting the respect which was due to the British Superintendent in his Character of Agent of the British Crown, have treated that Superintendent also with violence and indignity.

It seems that the course [cause] assigned for these proceedings was the contraband trade in Opium, carried on by some British Subjects.

It appeared that the Laws of the Chinese Empire forbid the importation of Opium into China, and declare that all opium which may be brought into the Country is liable to confiscation.

The Queen of England desires that Her Subjects who may go into Foreign Countries should obey the Laws of those Countries; and Her Majesty does not wish to protect them from the just consequences of any offenses which they may commit in foreign parts. But, on the other hand, Her Majesty cannot permit that Her Subjects residing abroad should be treated with violence, and be exposed to insult and injustice; and when wrong is done to them, Her Majesty will see that they obtain redress.

Now if a Government makes a Law which applies both to its own Subjects and to Foreigners, such Government ought to enforce that Law impartially or not at all. If it enforces that Law on Foreigners, it is bound to enforce it also upon its own

Subjects; and it has no right to permit its own Subjects to violate the Law with impunity, and then to punish Foreigners for doing the very same thing.

Neither is it just that such a Law should for a great length of time be allowed to sleep as a dead letter, and that both Natives and Foreigners should be taught to consider it as of no effect, and that then suddenly, and without sufficient warning, it should be put in force with the utmost rigor and severity.

Now, although the Law of China declared that the importation of Opium should be forbidden, yet it is notorious that for many years past, that importation has been connived at and permitted by the Chinese Authorities at Canton; nay, more, that those Authorities, from the Governor downwards, have made an annual and considerable profit by taking money from Foreigners for the permission to import Opium: and of late the Chinese Authorities have gone so far in setting this Law at defiance, that Mandarin Boats were employed to bring opium to Canton from the Foreign Ships lying at Lintin.

Did the Imperial Government at Peking know these things?

If it did know these things, it virtually abolished its own Law, by permitting its own officers to act as if no such Law existed. If the Chinese Government says it did not know of these things, if it says that it knew indeed that the Law was violated by Foreigners who brought in opium, but did not know that the Law was violated by its own Officers who assisted in the importation, and received fixed sums of money for permitting it, then may Foreign Governments ask, how it happened that a Government so watchful as that of China should have one eye open to see the transgressions of Foreigners, but should have the other eye shut, and unable to see the transgressions of its own officers. . . .

Now as the distance is great which separated England from China, and as the matter in question is of urgent importance, the British Government cannot wait to know the answer which the Chinese Government may give to these demands, and thus postpone till that answer shall have been received in England, the measures which may be necessary in order to vindicate the honour and dignity of the British Crown, in the event of that answer not being satisfactory.

The British Government therefore has determined at once to send out a Naval and Military Force to the Coast of China to act in support of these demands, and in order to convince the Imperial Government that the British Government attaches the utmost importance to this matter, and that the affair is one which will not admit of delay.

And further, for the purpose of impressing still more strongly upon the Government of Peking the importance which the British Government attaches to this matter, and the urgent necessity which exists for an immediate as well as a satisfactory settlement thereof, the Commander of the Expedition has received orders that, immediately upon his arrival upon the Chinese Coast, he shall proceed to blockade the principal Chinese ports, that he shall intercept and detain and hold in deposit all Chinese Vessels which he may meet with, and that he shall take possession of some convenient part of the Chinese territory, to be held and occupied

by the British Forces until everything shall be concluded and executed to the satisfaction of the British Government.

These measures of hostility on the part of Great Britain against China are not only justified, but even rendered absolutely necessary, by the outrages which have been committed by the Chinese Authorities against British officers and Subjects, and these hostilities will not cease, until a satisfactory arrangement shall have been made by the Chinese Government.

The British Government in order to save time, and to afford to the Government of China every facility for coming to an early arrangement, have given to the Admiral and to the Superintendent, Full Powers and Instructions to treat upon these matters with the Imperial Government, and have ordered the said Admiral and Superintendent to go up to the Mouth of the Peiho River, in the Gulph of Pechelee, that they may be within a short distance of the Imperial Cabinet. But after the indignity which was offered to Her Majesty's Superintendent at Canton, in the course of last year, it is impossible for Her Majesty's Government to permit any of Her Majesty's Officers to place themselves in the power of the Chinese Authorities until some formal Treaty shall have been duly signed, securing to British Subjects safety and respect in China; and therefore the Undersigned must request that the Chinese Government will have the goodness to send on board the Admiral's Ship the Plenipotentiaries whom the Emperor may appoint to treat upon these matters with the Plenipotentiaries of The Queen of England. Those Chinese Plenipotentiaries shall be received on board the Admiral's Ship, with every honour which is due to the Envoys of the Emperor, and shall be treated with all possible courtesy and respect.

The Undersigned has further to state, that the necessity for sending this Expedition to the Coast of China having been occasioned by the violent and unjustifiable acts of the Chinese Authorities, the British Government expects and demands that the expenses incurred thereby shall be repaid to Great Britain by the Government of China.

The Undersigned has now stated and explained to the Chinese Minister, without reserve, the causes of complaint on the part of Great Britain; the reparation which Great Britain demands, and the nature of the measures which the British officer commanding the Expedition has been instructed in the first instance to take. The British Government fervently hopes that the wisdom and spirit of Justice for which The Emperor is famed in all parts of the World, will lead the Chinese Government to see the equity of the foregoing demands; and it is the sincere wish of Her Majesty's Government that a prompt and full compliance with those demands may lead to a speedy re-establishment of that friendly intercourse which has for so great a period of time subsisted between the British and Chinese Nations, to the manifest advantage of both.

The Undersigned, in conclusion, has the honour to state to the Minister of The Emperor of China that he has directed Her Majesty's Plenipotentiaries to forward to His Excellency the present Note, of which he has transmitted to the

Plenipotentiaries a copy, with instructions to cause a Translation of it to be made into the Chinese language, and to forward to the Chinese Minister the Translation at the same time with the original Note.

The Undersigned avails himself of this opportunity to offer to His Excellency the Minister of The Emperor of China the assurances of his most distinguished consideration.

PALMERSTON.

**C**HINA'S  
**R E S P O N S E**  
**T O T H E W E S T**

*a documentary survey*  
1839-1923

**Ssu-yü Teng**

*with*  
*E-tu Zen Sun*  
*Chaoying Fang*  
*and others*

**John K. Fairbank**

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and London, England

growth of nationalistic anti-foreignism at Canton, a sentiment which was eventually to motivate great changes.

In the first document, the righteous moral tone of Commissioner Lin's appeal to Queen Victoria in 1839 is certainly striking. It indicates that the opium question in the minds of Chinese officials was not entirely, as some have alleged, a matter of economics; the responsibility of the Confucian monarch for the welfare of the common people was also involved. Lin Tse-hsü had reached Canton as imperial commissioner on March 10, 1839, and soon coerced the British merchants into surrendering their opium stocks, which were publicly destroyed. But by August it had become apparent to him that the opium trade could be finally checked only at its source. This famous letter to "the ruler of England" (*Ying-kuo wang*, i.e., without distinction of sex) was therefore a further and unprecedented effort to solve an insoluble problem.

Lin's phraseology toward the British ruler is courteous within the limits of traditional tributary language. His theory that the barbarians must perish without the rhubarb,<sup>2</sup> tea, and other exports from China is a manifestation of Chinese egocentricity which has not been entirely absent in recent times. Lin's use of rewards and punishments to make merchants calculate their advantage and disadvantage is in the Chinese tradition of administrative law. It is plain that the imperial commissioner expected human nature to be the same in Britain as in China. More important, he expected it to respond equally to the dictates of moral conscience.

#### DOC. 1. LIN TSE-HSÜ'S MORAL ADVICE TO QUEEN VICTORIA, 1839<sup>3</sup>

A communication: magnificently our great Emperor soothes and pacifies China and the foreign countries, regarding all with the same kindness. If there is profit, then he shares it with the peoples of the world; if there is harm, then he removes it on behalf of the world. This is because he takes the mind of heaven and earth as his mind.

The kings of your honorable country by a tradition handed down from generation to generation have always been noted for their politeness and submissiveness. We have read your successive tributary memorials saying, "In general our countrymen who go to trade in China have always received His Majesty the Emperor's gracious treatment and equal justice," and so on. Privately we are delighted with the way in which the honorable rulers of your country deeply understand the grand principles and are grateful for the Celestial grace. For this reason the Celestial Court in soothing those from afar has redoubled its polite and kind treatment. The profit from trade has been enjoyed by them continuously for two hundred years. This is the source from which your country has become known for its wealth.

But after a long period of commercial intercourse, there appear among the crowd of barbarians both good persons and bad, unevenly. Consequently there are those who smuggle opium to seduce the Chinese people and so cause the spread of the poison to all provinces. Such persons who only care to profit themselves, and disregard their harm to others, are not tolerated by the laws of heaven and are unanimously hated by human beings. His Majesty the Emperor, upon hearing of this, is in a towering rage [p. 34]. He has especially sent me, his commissioner, to come to Kwangtung, and together with the governor-general and governor jointly to investigate and settle this matter.



All those people in China who sell opium or smoke opium should receive the death penalty. If we trace the crime of those barbarians who through the years have been selling opium, then the deep harm they have wrought and the great profit they have usurped should fundamentally justify their execution according to law. We take into consideration, however, the fact that the various barbarians have still known how to repent their crimes and return to their allegiance to us by taking the 20,183 chests<sup>4</sup> of opium from their storeships and petitioning us, through their consular officer [superintendent of trade], Elliot, to receive it. It has been entirely destroyed and this has been faithfully reported to the Throne in several memorials by this commissioner and his colleagues.

Fortunately we have received a specially extended favor from His Majesty the Emperor, who considers that for those who voluntarily surrender there are still some circumstances to palliate their crime, and so for the time being he has magnanimously excused them from punishment. But as for those who again violate the opium prohibition, it is difficult for the law to pardon them repeatedly. Having established new regulations, we presume that the ruler of your honorable country, who takes delight in our culture and whose disposition is inclined towards us, must be able to instruct the various barbarians to observe the law with care. It is only necessary to explain to them the advantages and disadvantages and then they will know that the legal code of the Celestial Court must be absolutely obeyed with awe.

We find that your country is sixty or seventy thousand *li* [three *li* make one mile, ordinarily] from China. Yet there are barbarian ships that strive to come here for trade for the purpose of making a great profit. The wealth of China is used to profit the barbarians. That is to say, the great profit made by barbarians is all taken from the rightful share of China. By what right do they then in return use the poisonous drug to injure the Chinese people? Even though the barbarians may not necessarily intend to do us harm, yet in coveting profit to an extreme, they have no regard for injuring others. Let us ask, where is your conscience? I have heard that the smoking of opium is very strictly forbidden by your country; that is because the harm caused by opium is clearly understood. Since it is not permitted to do harm to your own country, then even less should you let it be passed on to the harm of other countries — how much less to China! Of all that China exports to foreign countries, there is not a single thing which is not beneficial to people: they are of benefit when eaten, or of benefit when used, or of benefit when resold: all are beneficial. Is there a single article from China which has done any harm to foreign countries? Take tea and rhubarb, for example; the foreign countries cannot get along for a single day without them. If China cuts off these benefits with no sympathy for those who are to suffer, then what can the barbarians rely upon to keep themselves alive? Moreover the woolens, camlets, and longells [i.e., textiles] of foreign countries cannot be woven unless they obtain Chinese silk. If China, again, cuts off this beneficial export, what profit can the barbarians expect to make? As for other food-stuffs, beginning with candy, ginger, cinnamon, and so forth, and articles for use, beginning with silk, satin, chinaware, and so on, all the things that

must be had by foreign countries are innumerable. On the other hand, articles coming from the outside to China can only be used as toys. We can take them or get along without them. Since they are not needed by China, what difficulty would there be if we closed the frontier and stopped the trade? Nevertheless our Celestial Court lets tea, silk, and other goods be shipped without limit and circulated everywhere without begrudging it in the slightest. This is for no other reason but to share the benefit with the people of the whole world.

The goods from China carried away by your country not only supply your own consumption and use, but also can be divided up and sold to other countries, producing a triple profit. Even if you do not sell opium, you still have this threefold profit. How can you bear to go further, selling products injurious to others in order to fulfill your insatiable desire?

Suppose there were people from another country who carried opium for sale to England and seduced your people into buying and smoking it; certainly your honorable ruler would deeply hate it and be bitterly aroused. We have heard heretofore that your honorable ruler is kind and benevolent. Naturally you would not wish to give unto others what you yourself do not want. We have also heard that the ships coming to Canton have all had regulations promulgated and given to them in which it is stated that it is not permitted to carry contraband goods. This indicates that the administrative orders of your honorable ruler have been originally strict and clear. Only because the trading ships are numerous, heretofore perhaps they have not been examined with care. Now after this communication has been dispatched and you have clearly understood the strictness of the prohibitory laws of the Celestial Court, certainly you will not let your subjects dare again to violate the law.

We have further learned that in London, the capital of your honorable ruler, and in Scotland (Su-ko-lan), Ireland (Ai-lun), and other places, originally no opium has been produced. Only in several places of India under your control such as Bengal, Madras, Bombay, Patna, Benares, and Malwa has opium been planted from hill to hill, and ponds<sup>5</sup> have been opened for its manufacture. For months and years work is continued in order to accumulate the poison. The obnoxious odor ascends, irritating heaven and frightening the spirits. Indeed you, O King, can eradicate the opium plant in these places, hoe over the fields entirely, and sow in its stead the five grains [i.e., millet, barley, wheat, etc.]. Anyone who dares again attempt to plant and manufacture opium should be severely punished. This will really be a great, benevolent government policy that will increase the common weal and get rid of evil. For this, Heaven must support you and the spirits must bring you good fortune, prolonging your old age and extending your descendants. All will depend on this act.

As for the barbarian merchants who come to China, their food and drink and habitation are all received by the gracious favor of our Celestial Court. Their accumulated wealth is all benefit given with pleasure by our Celestial Court. They spend rather few days in their own country but more time in Canton. [p. 35] To digest clearly the legal penalties as an aid to instruction has been a valid principle in all ages. Suppose a man of another country

comes to England to trade, he still has to obey the English laws; how much more should he obey in China the laws of the Celestial Dynasty?

Now we have set up regulations governing the Chinese people. He who sells opium shall receive the death penalty and he who smokes it also the death penalty. Now consider this: if the barbarians do not bring opium, then how can the Chinese people resell it, and how can they smoke it? The fact is that the wicked barbarians beguile the Chinese people into a death trap. How then can we grant life only to these barbarians? He who takes the life of even one person still has to atone for it with his own life; yet is the harm done by opium limited to the taking of one life only? Therefore in the new regulations, in regard to those barbarians who bring opium to China, the penalty is fixed at decapitation or strangulation. This is what is called getting rid of a harmful thing on behalf of mankind.

Moreover we have found that in the middle of the second month of this year [April 9] Consul [Superintendent] Elliot of your nation, because the opium prohibition law was very stern and severe, petitioned for an extension of the time limit. He requested a limit of five months for India and its adjacent harbors and related territories, and ten months for England proper, after which they would act in conformity with the new regulations. Now we, the commissioner and others, have memorialized and have received the extraordinary Celestial grace of His Majesty the Emperor, who has redoubled his consideration and compassion. All those who within the period of the coming one year (from England) or six months (from India) bring opium to China by mistake, but who voluntarily confess and completely surrender their opium, shall be exempt from their punishment. After this limit of time, if there are still those who bring opium to China then they will plainly have committed a wilful violation and shall at once be executed according to law, with absolutely no clemency or pardon. This may be called the height of kindness and the perfection of justice.

Our Celestial Dynasty rules over and supervises the myriad states, and surely possesses unfathomable spiritual dignity. Yet the Emperor cannot bear to execute people without having first tried to reform them by instruction. Therefore he especially promulgates these fixed regulations. The barbarian merchants of your country, if they wish to do business for a prolonged period, are required to obey our statutes respectfully and to cut off permanently the source of opium. They must by no means try to test the effectiveness of the law with their lives. May you, O King, check your wicked and sift your vicious people before they come to China, in order to guarantee the peace of your nation, to show further the sincerity of your politeness and submissiveness, and to let the two countries enjoy together the blessings of peace. How fortunate, how fortunate indeed! After receiving this dispatch will you immediately give us a prompt reply regarding the details and circumstances of your cutting off the opium traffic. Be sure not to put this off. The above is what has to be communicated. [Vermilion endorsement:] This is appropriately worded and quite comprehensive (*Te-t'i chou-tao*).

In retrospect it is plain that the Manchu-Chinese defiance of Britain never had the slightest chance of military success. Confident of their power, the British

soon opened hostilities, and in 1840 Commissioner Lin was recalled from Canton in disgrace for having produced a war instead of a settlement. As punishment he was ordered to start on his way into exile in Ili.<sup>6</sup> On the basis of his recent experience with the British at Canton, he wrote letters in 1842 to various friends frankly admitting China's military inferiority to the West and favoring her purchase and manufacture of ships and guns patterned after the Western model. This confession is in sharp contrast with his former intransigent action in Canton. Had his plans for making modern weapons been carried out, China's modernization movement might have been advanced twenty years. Unfortunately, with the Court opposed to it, he dared not make an overt advocacy of Westernization but told only his friends and asked them to keep it confidential. One of these letters, translated below, was addressed to Wu Tzu-hsü,<sup>7</sup> a compiler of the Hanlin Academy and a good friend of Wo-jen and Tseng Kuo-fan (on these men, see Chapter VI and Doc. 18).

DOC. 2. A LETTER OF LIN TSE-HSÜ RECOGNIZING WESTERN MILITARY  
SUPERIORITY, 1842<sup>8</sup>

[Lin describes to his friend how impossible it proved to control the barbarians, p. 19.] The rebels' ships on the open sea came and went as they pleased, now in the south and now suddenly in the north, changing successively between morning and evening. If we tried to put up a defense everywhere, not only would we toil and expend ourselves without limit, but also how could we recruit and transport so many troops, militia, artillery, and ammunition, and come to their support quickly? . . .

When I was in office in Kwangtung and Kwangsi, I had made plans regarding the problems of ships and cannon and a water force. Afraid that there was not enough time to build ships, I at first rented them. Afraid that there was not enough time to cast cannon and that it would not be done according to the regulations, I at first bought foreign ones. The most painful thing was that when the Hu-men [the Bogue or "Tiger's mouth," the entrance to the Canton River] was broken into, a large number of good cannon fell into the hands of the rebellious barbarians. I recall that after I had been punished two years ago, I still took the risk of calling the Emperor's attention to two things: ships and guns. At that time, if these things could have been made and prepared, they still could have been used with effect to fight against the enemy in Chekiang last fall [1841]. Now it is even more difficult to check the wildfire. After all, ships, guns, and a water force are absolutely indispensable. Even if the rebellious barbarians had fled and returned beyond the seas, these things would still have to be urgently planned for, in order to work out the permanent defense of our sea frontiers. Moreover, unless we have weapons, what other help can we get now to drive away the crocodile and to get rid of the whales? . . .

But at this time I must strictly observe the advice to seal my lips as one corks the mouth of a bottle. However, toward those with identical aims and interests, I suddenly spit out the truth and am unable to control myself. I extremely regret my foolishness and carelessness. Nevertheless, when I turn my thoughts to the depth of your attention to me, then I cannot conceal these things from myself. I only beg you to keep them confidential. By all means, please do not tell other persons.