



## Lecture Series: Historicism and Chinese Translations of International Law in Late Qing China (17 Feb 2023)

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Katy Ng

In light of a forthcoming book on Histories of International Law in China: All Under Heaven? (edited by Ignacio de la Rasilla, Jiangyu Wang, and Congyan Cai, Oxford University Press 2025), the Centre for Chinese and Comparative Law (CCCL), in partnership with Wuhan University Law School and Fudan University Law School, is organizing a massive series of public lectures on the histories of international law from both Chinese and global perspectives. On 17 February 2023, the Centre for Chinese and Comparative Law (CCCL) of the City University of Hong Kong's School of Law hosted the third lecture to assist students and lawyers in discovering Chinese translations of international law in late Qing China. Prof. QU Wensheng and Dr. WAN Li, East China University of Political Science and Law were invited as our distinguished speakers.

**Prof. WANG Jiangyu**, the CCCL's Centre Director, delivered a welcome speech to start the public lecture.

**Prof. QU Wensheng** is the Dean of the Graduate School, East China University of Political Science and Law. He is honored as the Changjiang (Yangtze River) Scholar by the Ministry of Education. Qu has been dedicated to multilingual and multi-archival research of legal history and translation, especially the historical research where international relations, jurisprudence, diplomacy, and linguistics are intersected. **Mr. WAN Li** is a Ph.D. candidate at East China University of Political Science and Law, works on legal translation, extraterritoriality in the modern world, and Asian acceptance of international law, especially interested in the transnational movement of law across British imperial frontiers in Asian and the collapse of Imperial China's tributary system by European international law.

To discuss how Europeanized international law became universalized in modern China, using translation as a methodology, Dr. Qu began the lecture by explaining several issues on the topic. First, is to understand how international law is both Europeanized and universalized simultaneously; what were its methodological premises; which particularization and discriminations its doctrine install, and to what extent can a translation history of law contributes to its analysis. Back in China in 1840, which is still the early 20th century, the appropriation was

not done but many western translators and missionaries were active in China. He assumed many may know that after the Opium war, China gradually became an object but not a subject of international law. In addition, the elements of international law which are based on historicism and its hypothesis are based on their findings, that the early doctrine of international law before the first opium war was in a certain sense more cosmopolitan or more universal in theory than out of the period. Mr. WAN Li focused on talking about the turning from voluntarism to historicism in the first opium war, and Wheaton's international law and historicism. He argued that there was "only a particular law of nations, applicable to a distinct set of the family of nations" so there is no universal law of nations. However, there is a universal public law produced by translation with historicism in modern China, and the gongfa can mean public law in modern meaning. He emphasized that it should be noted likely that a Qing reader would have no concepts of public and private law. He, at last, pointed out that the connection between gongfa and shili forms a system that can be used to evaluate the principles and rules for achieving a utopian society.

**Assoc. Prof. Inge Van HULLE**, KU Leuven led a discussion session following the thought-provoking speech, in which they shared their insights. The majority of all those attending took the opportunity to express themselves, and many of them were insightful and imaginative. **Prof. WANG Jiangyu** gave a closing remark in which he thanked all of the attendants for their contributions to the lecture's success.



Prof. QU Wensheng and Prof. WANG Jiangyu.