The Hague Peace Conferences of 1899 and 1907 can be regarded as the first multilateral negotiations in the modern sense – the start of the ‘Conference System’ (Karns and Mingst, 2010: 67) – because of the relatively large number of countries participating on an equal footing while under pressure from individuals and non-governmental groups and organizations, some of which were allowed to attend. They were distinctive because they were not connected to a particular war – past, present or prospective (Holls, 1900: 352). Furthermore, the conference of 1899 was ‘the first ever occasion on which an intergovernmental, in technical terms a “diplomatic”, conference was accompanied by a great show of organized public opinion in its support, not to mention what we now call “media interest”’ (Best, 1999: 623). The idea was to have at least two follow-up meetings, but only one came into being: the 1907 convention. The First World War prevented further negotiations in the context of the ‘The Hague System’, as well as implementation of the decisions reached during the two Hague Peace Conferences (Hoogstraten, 2008: 131).

The initiative to hold the conferences was taken by Tsar Nicholas II of Russia and they were hosted by his niece, Queen Wilhelmina of the Netherlands (Scott, 1909: vol. I,
There were good reasons to hold such conferences, in view of the arms races at the end of the nineteenth and the beginning of the twentieth century. They can be perceived as an attempt to prevent a world war. The Tsar was worried in particular about the technological disadvantage of Russia vis-à-vis Germany and Austria and was therefore striving to prevent war as it would damage his efforts to modernize Russia. Moreover, there was a general feeling – especially among elements of public opinion – that modern technologies would lead to immense human and material losses. The world was becoming more international in outlook, countries were becoming more dependent on each other and war would therefore inflict severe damage on the developing international fabric.

From a theoretical perspective, there was not a mutually hurting stalemate (Zartman, 2000: 159), but the fear of it. In that sense, the Peace Conferences could be perceived as a mutually enticing opportunity (Zartman, 2000: 159) to prevent a potential war. Not every country and not all public opinion saw it this way, and this might be the main reason why the conferences did not produce very substantial results. One can even be doubtful of the intentions of the Russian Tsar. Did he want to prevent or regulate war because of his non-superior position at that moment? Was his initiative an attempt to buy time in order to prepare for a successful war at a later stage? Were the Russians to be trusted? 'The chancelleries of Europe handled [the Russian proposal] like a parcel that might contain a bomb' (Best, 1999: 622). Nevertheless, 26 countries accepted the invitation to the first conference; 44 countries to the second conference.

The participating countries in the first conference were the major powers plus some medium- and small-sized states. Nineteen countries were from Europe, and seven from the Americas and Asia: the United States and Mexico, as well as Turkey, Iran, China, Japan and Thailand (Siam). Although this was not very representative as a worldwide conference, it should be remembered that colonialism was at its pinnacle. The colonies were represented by their European colonizers. In the second conference, there were twenty European, nineteen American and five Asian countries present. The non-state actors had a chance to lobby representatives of the states and they organized informal side-events, which allowed for an exchange of opinions, especially with diplomats and military officers from democratic countries. Besides being the first international jamboree, it was surely also a landmark on the road to women’s equal participation [...] Many women were in The Hague, and one of them was the celebrated peace worker and writer, the Austrian noblewoman Bertha von Suttner’ (Best, 1999: 624). At the same time, the press came closer to these conferences than ever before. While the press was still confined to the fringes of the first conference, it was officially admitted to the second. With press involvement, the general public became more engaged and thus also the constituencies of the participating states. The true two-level game was about to begin.

The problem with the conferences was the ‘ambivalence of the agenda, concerned on the one hand with peace by arbitration and on the other with the conduct of warfare’ (Tuchman, 1966: 251). They nevertheless reached some results, of which the decision to create an International Court of Arbitration would be the most important and most durable. The Court would be based in the Peace Palace (opened in 1913) in The Hague. The 1899 conference adopted thirteen conventions, some declarations, recommendations and protocols. Furthermore, the conference discussed the laws of war, but it failed to reach agreements on multilateral disarmament because of resistance from Germany. The 1907 conference was proposed in the first instance by President Theodore Roosevelt of the United States. These negotiations were more inclusive than those of the first meeting, but by having more countries around the table they were also more difficult to handle. Thirteen conventions and one declaration were adopted. Moreover, the second conference proposed the creation of a International Judicial Court and called for a third Hague Peace Conference before 1915. This never materialized because of the outbreak of the First World War, but in 1915 the International Women’s Movement convened an unofficial peace conference.

Negotiations during the two peace conferences were quite ineffective because of seven obstacles in the process. First, there was the relative multitude of actors. Second, the more powerful of these actors were unwilling to surrender their technical advantages over the smaller actors. Third, the issues to be dealt with were quite disconnected from each other. Fourth, decisions had to be taken by consensus, meaning a veto for every participating state. Fifth, public opinion played a role, making negotiators very cautious in view of their own constituencies. Sixth, a unified chair was lacking. Seventh, there was no experienced secretariat that could channel the processes in the desired direction. On the positive side, however, there was a certain willingness to prevent an upcoming catastrophe. However, the
national interests of the participating states and the weak structure of the conferences could not overcome the inherent weaknesses of the collective effort to cooperate more effectively. It took two world wars to institutionalize international negotiation processes in such a way that they became relevant in dealing with the international order. Control over internal and external actors through regime-building (Meerts, 2015: 322) may have started in 1899 and 1907, but it took another hundred years to materialize, and is still far from perfect.

Apart from being the first truly multilateral conferences, because of the multitude of actors who were – at least in a formal sense – negotiating on equal footing, the two-level aspect deserves attention. As has been noted, media and public opinion entered the stage and especially for the democratic countries this was a new experience they had to cope with. Until now the connection between democracy and negotiation has not been thoroughly researched. It is however of eminent importance, as shown by Brexit recently. While the United Kingdom became a member of the EU through negotiations between the political elites, the populous rejected this deal forty years later. Negotiation is – next to voting - the main tool of democracies to decide within and between their constituencies. At the same time negotiation will be obstructed if there is too much transparency. How to deal with this intrinsic tension between democracy and negotiation as peaceful tools of power sharing and conflict resolution?

References