

**Rethinking State-Society Relationships:
Emergence of Civil Society at Canton in Late
Qing, 1896-1911.**



**Presented to
Dr. Chan Kin-man**

by

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Table of Contents

Acknowledgments	i
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Abstract	iii
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List of Figures	v
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CHAPTER ONE: INTRODUCTION

BACKGROUND OF THIS STUDY	1
AIMS AND OBJECTIVES.....	6
CONCEPTUAL FRAMEWORK.....	7
CIVIL ORGANIZATION.....	12
CIVIL SOCIETY	14
STATE-SOCIETY RELATIONSHIP.....	15
JUSTIFICATION OF THIS STUDY	20
A METHODOLOGICAL NOTE	24
CHAPTER OUTLINE.....	26

CHAPTER TWO: CONCEPT OF CIVIL SOCIETY REVISITED

INTRODUCTION	30
WESTERN TRADITION.....	35
POLITICAL SOCIETY AND CIVIL SOCIETY	36
ECONOMIC SOCIETY AND CIVIL SOCIETY	37
PARADOXES OF CIVIL SOCIETY.....	39
WESTERN DEFINITION OF CIVIL SOCIETY.....	43
EASTERN EUROPE TRADITION	45
CIVIL SOCIETY IN POLAND.....	45
CHINESE TRADITION	48
PHILOSOPHICAL-MORAL REFLECTION IN CHINA.....	50
HISTORICAL-SOCIOLOGICAL REFLECTION IN CHINA.....	53
CONCLUDING REMARKS.....	56

CHAPTER THREE: STATE OVERWHELMED SOCIETY: STATE-MERCHANTS RELATIONSHIP FROM EARLY TO MIDDLE QING, 1644-1895

INTRODUCTION	59
AUTOCRATIC LEGACIES OF QING DYNASTY	61
MERCHANTS UNDER AUTOCRATIC TRADITION.....	64

CO-HONG SYSTEM: REPRESENTATION OF STATE-MERCHANTS RELATIONSHIP.....	69
GUILDS OF MERCHANT: A LONG HAUL	76
CONCLUDING REMARKS.....	80

CHAPTER FOUR: GENERAL BACKGROUND OF MERCHANTS' ORGANIZATIONS AT CANTON IN THE LATE QING, 1896-1911

INTRODUCTION	84
POPULAR TYPE OF MERCHANTS' ORGANIZATION.....	86
SEMI-OFFICIAL TYPE OF MERCHANTS' ORGANIZATION.....	89
CONCLUDING REMARKS.....	93

CHAPTER FIVE: ANALYSIS OF CANTON GENERAL CHAMBER OF COMMERCE: REALIZATION OF MERCHANTS' AUTONOMY?

INTRODUCTION	96
AUTONOMY OVER ELECTION AND DECISION MAKING PROCESS	98
AUTONOMY OVER FINANCE.....	103
AUTONOMY OVER ACTIVITIES	106
FUNCTIONS OF THE CHAMBER	108
PARTICIPATION IN PUBLIC AFFAIRS	114
CONCLUDING REMARKS.....	120

CHAPTER SIX: DISCUSSION OF POLITICAL-ECONOMIC-CULTURAL DYNAMIC: AN EXPLANATION FOR RISE OF INTERPENETRATED MODE OF CIVIL SOCIETY IN CANTON IN THE LATE QING, 1896-1911

INTRODUCTION	125
DECLINE OF STATE.....	128
ACCELERATION OF COMMERCIALIZATION.....	135
INTEGRATION OF MERCHANT CULTURE	142
CONCLUDING REMARKS.....	149

CHAPTER SEVEN: CONCLUSION

CONCLUDING REVIEW OF STUDY.....	154
SUFFOCATION OF EMERGED CIVIL SOCIETY	164
ACHIEVEMENT OF IDEA OF CIVIL SOCIETY	167
LIMITATIONS OF STUDY AND FUTURE DEVELOPMENT	169

Acknowledgments

Appendices	171
Bibliography	177
Chinese Bibliography	193
GLOSSARY	200

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Abstract

This thesis attempts to capture the changes in the state-society relationship under the Qing dynasty, conceptualized within the framework of civil society where it was particularly manifested in the late Qing, 1896-1911. As an ideal type, civil society is elevated to an abstract level with an emphasis on common characteristics shared between the West and China, such as autonomy and publicness. Yet, the Western type of civil society, especially the domination of liberal view in the contemporary discourse, reminds us of the necessity of reconceptualization.

Arguing against the conception of a binary opposition centered on civil society versus state schema, we instead propose trinary conception: the state, civil society and society. In other words, civil society should be a distinct entity, not set against the state which largely affects its constitution. Likewise, such differentiation brings it with a caveat that society, as a positive force toward civil society, should not be taken for granted. The process of societalization is as hazardous for the emergence of civil society as the process of state-ification. Following such logic, the emergence of civil society will be understood in association with an interpenetrated mode of state and society coming into prominence.

We confine ourselves to a case study of merchants and their organization in Canton, attentively focusing on the relationship and dynamic with the state in the Qing dynasty. In the early Qing, state capability was strong and dominating. Merchants were granted very limited autonomy in a given jurisdiction, and their organizations, especially under the Co-hong of system in Canton, were largely subject to incorporation. In contrast, the state-society relationship in the late Qing had undergone radical changes. Through the General Chamber of Commerce, which was a semi-official type of civil organization, we realize that the merchants

(including gentry-merchants) could enjoy relative autonomy over elections, the decision making process, finance and activities. In particular, their participation in public and political affairs to which they were not entitled in the Chamber's constitution, led us to recognize their relatively high degree of autonomy. Actually, such a civic realm can be understood as the emergence of an interpenetrated mode of civil society.

Three ways of explaining its emergence are also suggested, namely the decline of the state, the acceleration of commercialization and the development of merchant culture. Then, we demonstrate the role of the state in the formation of civil society and understand such relatively high degree of autonomy which did not primarily act against the state.

By so doing, we hope to elucidate the existence and quality of civil society as such in ancient China and to shed light on the possibility of its development and implications in a contemporary context. The source of this thesis is mostly primary, in particular, a letter written to stipulate the constitution of the chamber of commerce in Canton from the Collection of Zheng Guan-ying's Writings. The study is also supplemented with library research, for example the Works concerning the relationships among merchants, their organizations and the state from the Sinologists.

摘要

這篇論文旨在透過民間社會這一概念，來捕捉滿清一代國家與社會關係之轉變，尤其強調它在晚清（1896-1911）的出現。在西方哲學的傳統下，民間社會作為一個概念已可有不同的理解，包括了自由主義觀及馬克斯主義觀。事實上，這概念於一九八九年在東歐波蘭復興時，其內涵就變得更為複雜。故此，當我們應用於中國歷史脈絡時，必須對之加以修復。

我們的中心思想是以三元的概念來取代西方自由主義傳統的國家與民間社會二元對立的理解。民間社會應是一獨立於國家與社會的自主空間，而在中國它又是形成於兩者相互滲透之中。

為了加深對它的理解，我們會研究清代廣州商人(紳商)及其組織，即廣州總商會，特別著重其相對自主空間的體現。通過對選舉及議事，財政和活動三方面的分析，我們確認商人已經保有自主性。而其以商會之名義參與及討論公共事務，則是這自主空間作為民間社會的最高體現，但非如西方般以對抗國家為依歸。

最後，希望這個中國民間社會的歷史研究能有助分析其在當代的發展。論文的材料主要來自原始歷史資料，如報章及書信等。其中對廣州總商會的剖析主要靠紳商鄭觀應的一些書信。並且輔以二手素材，如有關國家，商人和商會及其三者關係的漢學研究。

List of Figures

Background of This Study

Figure 1.

Conceptual Schema of Independent Variables.....p. 8

Figure 2.

Categorization of Civil Organizations.....p. 12

Figure 3.

Conceptual Diagram of Transformation of State-Society Relationships in the Qing Dynasty.....p. 15

Figure 4.

Matrix of State-Society Relationships.....p. 18

Chapter One

Introduction

Background of This Study

This study was an unintended consequence of a series of historic events in 1989. In Eastern Europe, a number of countries gained their independence from the Communist Soviet regime. A process of democratization and democratic polity was identified as an emancipation of these countries, such as Poland, Hungary and Czechoslovakia. Likewise, the Communist party-state in China was challenged by a group of dissidents whose aspirations ranged from democracy, to more basic ones, such as the improvement of living standard and a crackdown on corruption. This culminated in the well known Tiananmen or June Fourth incident. At that period of time, empires grounded on Communist belief were considered likely to collapse. All these events were quickly comprehended by a liberal conception of civil society which stresses its position to act against the authoritarian states. Yet, theoretically, these events cannot be regarded simply as "the triumph of the Western idea"¹ and then proclaimed a theme of the end of history.² At the empirical level, there is only the successful case of Solidarity in Poland but a failure in China. Since then, a so-called "Civil Society Project" has been phased in and is attributed to be the root of democracy.³ The concept of civil society has become one of the most popular academic discourses in recent years. In China, for example, a group of scholars had attended a conference, captioned as "Civil Society and Modernization of China" in

¹ John Gary (1991) "Post-totalitarianism, Civil Society, and the Limits of Western Model", p. 146

² Jürgen Habermas (1995) (et al.) *Shehui zhuyi: hou lengzhan shidai de sisuo*, p. ix.

³ Lai Yiu-keung (1994) *The Search for Public Sphere in Modern China: The Case of Shanghai 1843-1914*, pp. 1-2.

Shanghai, 1993.⁴ Similarly, in the West, there was a conference held for the "Emergence of Civil Society: A Precondition or A Problem for Democracy?" at the University of Warwick, 1996.⁵

The origins of civil society can be traced back to Western political philosophy, such as that of John Locke, Hegel and the like. All their debates were basically directed to questions about the nature of state and society as well as how the establishment of ethical and ordered life becomes possible. In contemporary parlance, the existence of civil society is a natural process of history in relation to the sprout of industrialization, the rise of capitalism, the modern state and democracy.⁶ Therefore, it is a product of Western political economy and culture. As already mentioned, the rebirth of civil society was used to conceptualize the great metamorphosis in Communist countries. Among them, the Solidarity of Poland, as a typical case, epitomized a triumph of civil society. Undoubtedly, it can provide a demonstration of how social forces win back their power from the authoritarian state. Its proponents, like Havel, widely advocate such ideas as "the power of the powerless".⁷ It is obvious to us that the liberal conception of civil society influences their ways of thinking about the state-society relationship. Yet, even in Polish experience, slower changes were overlooked:

Proponents of this civil society and the state model appeared unaware that the process of change that they described in the 1980's was the continuation of changes that had begun in the 1950s and that had long been studied and documented by scholars of the region. They therefore never asked themselves why and how society could suddenly become so strong as to finally overthrow the state itself--given that

⁴ Jing Yuejin (1993) "Shimin shehui yu zhongguo xiandaihua xueshu taolunhui shuyao", pp. 197-202.

⁵ Robert Fine and Shirin Rai (1997) "Understanding Civil Society: A Preface", p. 1.

⁶ Michael Frolic (1997) "State-led Civil Society", pp. 53-54.

⁷ Vaclav Havel (1991) "The Power of the Powerless", pp. 125-214.

civil society had been emerging slowly, in a sense, for many decades.⁸

That is to say, the emergence of civil society in Eastern Europe in 1989 was a historic but not a fortuitous event. A long period of development should not be bypassed. Seen from this light, the formation of civil society in Eastern European countries hinged on their political, economic, social and cultural particularities. Such circumstances may partly explain why Solidarity succeeded in overthrowing the communist party-state, but their counterparts in China did not, and why the June Fourth incident might be, relatively speaking, considered an occasional episode. Such a liberal conception of civil society makes sense merely in a specific political or social setting in a specific period of time.

Civil society as a discourse in Chinese intellectual circles has had a shorter life than in Eastern Europe.⁹ Despite the fact that many scholars at least at that time held a sanguine conviction that the June Fourth incident could be understood along with the emergence of civil society in China,¹⁰ there is still no conclusive statement of the existence of civil society in contemporary China.

Taking the June Fourth as a point of departure, the discourse of civil society which is lumped together with the perspective of social movements has gradually been weeded out in Chinese circles. Scholars have turned to strike out a new direction, focusing on the transformation of the state-society relationship in

⁸ Andrew Walder (1997) "Perspectives on State-Society Relations in Contemporary China: From Description to the Analysis of Change", p. 14.

⁹ Remarkd by Ma, civil society discussion is only traced back to 1986 when an essay published in journal. See Ma Shu-Yun (1994) "The Chinese Discourse on Civil Society", p. 183. In contrast, the discussion of potential civil society in Eastern European countries firstly appeared in 1956. See Janina, Frentzel-Zagorska (1990) "Civil Society in Poland and Hungary", pp. 760-761.

¹⁰ See Clemens Stubbe Ostergaard (1989) "Citizens, Groups and a Nascent Civil Society in China: Towards an Understanding of the 1989 Student Demonstrations", pp. 28-41. David Strand (1990) "Protest in Beijing: Civil Society and Public Sphere in China", pp. 1-19. Thomas B. Gold (1990b) "The Resurgence of Civil Society in China", pp. 18-31. Lawrence R. Sullivan (1990) "The Emergence of Civil Society in China, Spring 1989", pp. 126-144. Barrett L. McCormick, Su Shaozhi

Communist China.¹¹ In particular, there is a manifest change in the socio-economic aspects of life by taking 1978 as a watershed. After the Chinese Communist party came into power in 1949, the party-state set out to consolidate its power by restructuring the whole society. The state-society relationship was theoretically described as "totalism"¹² in which social life was monitored strictly through different levels of formal and informal organizations, political belief was monolithic, and economic affairs were centrally planned. Dramatically, such a grip by the party-state seemed to be relaxed largely due to the fact that social initiative had been boosted under the "reform and openness" program propelled under the leadership of Deng Xiaoping starting in 1978. An autonomous capacity appeared in different spheres, such as organizational life, a floating population and so forth. Simply, all the evidence seems to encourage scholars to speak of an emergence of civil society in contemporary China.

Although we accept that an autonomous realm in China came into existence after 1978, no scholarly works can specify clearly the basic question of what conception of civil society is referred to. Then, the data collected in Chinese cases cannot come to terms with the theoretical tools. In this sense, the concept of civil society as a lens for analysis is bereft of explanatory power. Adjectives imposed on the term, such as nascent, incipient or embryonic, of course, just reveal such shortcomings. Generally, they still simply follow the liberal conception, reflecting that no profound understanding can be grasped until now for an application of the

and Xiao Xiaoming (1992) "The 1989 Democracy Movement: A Review of the Prospects for Civil Society in China", pp. 182-203.

¹¹ See Mayfair Yang Mei-hui (1989) "Between State and Society: The Construction of Corporateness in a Chinese Socialist Factory", pp. 31-60. Martin K. Whyte (1991) "State and Society in the Mao Era", pp. 255-274.

concept of civil society in a Chinese context.

It is against this background that research of civil society in imperial China becomes interesting and meaningful. Indeed, arguing for emergence of civil society in the late Qing is the focus of this thesis. We are interested in capturing the changing state-society relationship. We also absolutely recognize the argument of Philip Huang that there is a "paradox of the expansion of the public realm without the assertion of civic power against the state".¹³ An insightful question asked by Lui is that: when civil society is no longer situated in acting against state-making or political mobilization, how should we understand its nature and functions?¹⁴ In other words, civil society appeared in the late Qing neither in terms of liberal conception, nor in terms of Eastern European experience. It should be embedded in a Chinese political, socio-economic and cultural context.

At first sight, we take the timeframe of the Qing dynasty chronologically, by and large dividing into the early Qing 1644-1830s, the middle Qing 1840-1895 and the late Qing 1896-1911. Two historic events are selected as turning points, namely the Opium War and the Sino-Japanese War. Much attention will be paid to merchants and their organizations, especially the chamber of commerce in Canton (Guangzhou) - it is the substantive subject of this thesis used to argue for an interpenetrated mode of civil society in the late Qing. Last but not least, three hypothetical ways of explaining the emergence of civil society, namely the decline of state, the acceleration of commercialization and the development of merchant

¹² Tsou Tang (1991) "The Tiananmen Tragedy: The State-Society Relationship, Choices, and Mechanisms in Historical Perspective", p. 271.

¹³ Philip Huang (1991) "The Paradigmatic Crisis in Chinese Studies: Paradoxes in Social and Economic History", p. 321.

¹⁴ Lui Tai Lok (1995) *Jintui liangnan: shimin shehui de tiaojian yu juxian*, p. 7.

culture, will be outlined. It is hoped that such suggestions can stimulate interest in further study and exploration in future. We believe that these explanatory variables are significant in understanding such an interpenetrated mode of civil society which in turn is worthy of study in contemporary China.

Aims and Objectives

Having employed the concept of civil society in a Chinese context, we intend to show ambition in several aims and objectives to be achieved:

1. Theoretically, this thesis hopes to contribute to an understanding of civil society in the Chinese past. The concept will be reformulated with contextual and historical analysis, as a locus to understanding changing state-society relationships.
2. With recognition of the Chinese circumstances, it is fallacious to assume that the Western conception is universally true. A Western bias, especially one referring to the liberal schema of a binary opposition: civil society versus state, towards China should be properly avoided and correctly remedied. Instead, an interpenetrated mode of civil society will be elaborated through a study of the chamber of commerce (merchants' organization) in Canton in the late Qing.
3. This study intend to throw light on the state-society relationship of contemporary China in foreseeable future and is to give the discussion of the concept of civil society a new reference. In comparison with the Chinese past, we believe that the emergence of an autonomous capacity in the late Qing was more obvious than that in the contemporary period.

Conceptual Framework

Three theoretical frameworks are used in this research, namely civil organization, civil society and state-society relationship. Each of them is not a discrete entity and they should be knitted together. To address them succinctly, three research questions are asked as follows:

1. What makes a difference between civil organizations in terms of autonomy, voluntariness and spontaneity?
2. What is the role of the state and society to be played in the making of civil organizations?
3. What was the state-society relationship in imperial China when characterized by existence of civil society?

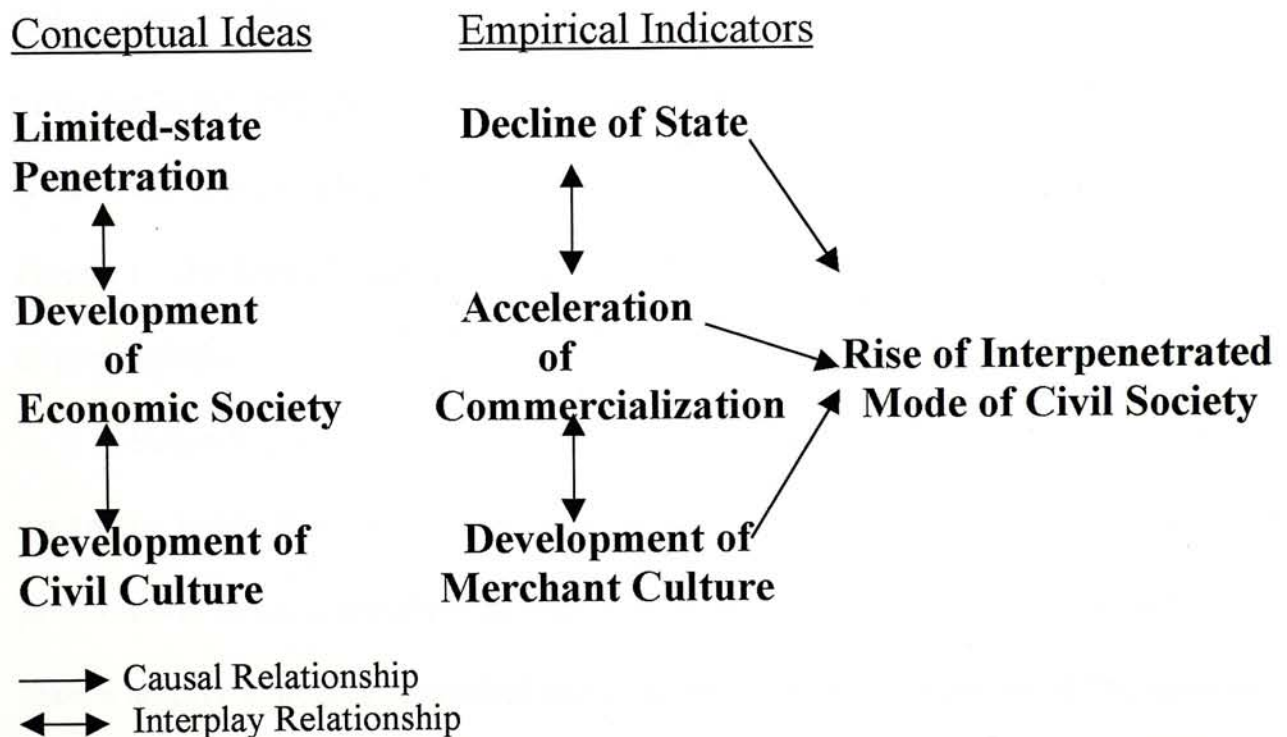
In this thesis, we then mainly focus on demonstrating our interpenetrated mode of civil society through a study of chamber of commerce in Canton in the late Qing. It is our intention to make use of it as a lens to understand the changing state-society relationship in the imperial Qing. Civil society, as a viable and useful concept, provides us a new standpoint from which to reinterpret the history. Equally important, such a reinterpretation gives us a concrete basis to act against the dominant liberal view which is given to pinpoint a schema of civil society versus state in the contemporary discourse of civil society.

Before going into any detailed illustrations, we will conceptually outline three lines of hypothesis as an explanation for the emergence of interpenetrated mode of civil society in the late Qing. These are the limited-state penetration, the development of economic society and the development of civil culture. Each of them can be empirically identified, as shown in Figure 1 in the following. They are the decline of state, the acceleration of commercialization and the development of

merchant culture. As the independent variables, they are used to grasp the meaning of the chamber of commerce and its merchants in the late Qing, which is synonymously thought of an embodiment of emergence of the interpenetrated mode of civil society.

Yet, we prepare to set out our boundary at a merely suggestive tone. The variables will be explained as theoretically sound and empirically workable. But what is left unexamined is their situation in Canton in the late Qing. It really goes beyond the capacity of this thesis but remains an important issue for further exploration. We still believe, however, that if it is the case, Canton will be the most appropriate place to understand these three variables coming into effect. In the following, the focus will be on arguing for their validity from a theoretical stance. For an empirical exploration, there the task is left to chapter five and six.

Figure 1: Conceptual Schema of Independent Variables



From the figure, it is obvious to us that one of the most important variables is limited-state penetration which embraces a sense of self-limiting character. Definitely, such an idea is related to the capability of state. In this thesis, we hold the

conviction that the state will be self-limiting when its capability turns weak (see Figure 4). Few resources have been distributed to various aspects because of the retreat of the state. As a corollary, resources from society should be unleashed to complement the inadequacy of the state. Under such circumstances, we realize that the state is forced to allow the existence of a certain autonomous sphere to revitalize society. Following such a line of argument, the idea of a self-limiting state is not only important for the emergence of such a mode of civil society, but also critical to sustain it. Yet, the state, which becomes self-limiting, cannot sufficiently assure the quality of civil society, that is the sense of civility.

Additionally, there is a case where state is strong but is still consciously self-limiting. The two are not mutually exclusive especially when we take the political culture into consideration. For example, civil society in the U.S. is mature enough despite a strong state. The liberal tradition of the U.S. sets a boundary between state and society in which both parties are self-limiting. Whether its mode, in this case, turns out to be interpenetrated or not is an unanswered question. The only thing that we can be sure of is that there is interplay among the variables, as indicated in the Figure 1. The limited-state penetration is obviously modulated by the development of civil culture.

Secondly, we turn to the development of economic society.¹⁵ The basic argument holds that the existence of economic society will directly nurture the proliferation of civil society. According to an assumption from Linz and Stepan, "at least a nontrivial degree of market economy and ownership diversity in the economy

¹⁵ Actually, the development of economic society is synonymous with an entry of market economy. In the view of Western scholars, the market economy is also equivalent to capitalism in existence. See Xia Li Lollar (1997) *China's Transition: Toward a Market Economy, Civil Society and Democracy*, p. 13. Yet, we put aside the discussion of whether or not there was capitalism in ancient China in this thesis.

is necessary to produce the independence and liveliness of civil society so that it can make its contribution to a democracy".¹⁶ Having left the democratic consequences intact, we obviously draw attention to their insight suggesting the indispensable role of economic society in the creation of civil society. Indeed, their relationship is underdeveloped within the discourse of civil society.¹⁷ Primary exploration states that the development of economic society represents the changing relationship of the state and the economy. On the one hand, the operation of market's invisible hand will reduce the intervention of the state's invincible hand. On the other hand, as mentioned previously, there is a gradual retreat of the state to consolidate the sphere of a market economy. As a result, a great deal of resources are given to the proliferation of civil society. At this point, we are driven to think of connotation of Western experience in which the development of economic society does go against the state in nature. This merely means that there is a rather clear delimitation between state and market. The limited-state penetration plays a role in assisting the growth and operation of market, including providing laws and regulations. Such an interplay between the two is drawn in Figure 1.

Meanwhile, social differentiation also rests with the development of economic society. In China, commercial activity was contemptible and traditionally suppressed and had been increasingly rationalized since the Ming dynasty. Shortly after it became a state agenda in the late Qing, the process of commercialization reached a climax under such considerably official encouragement and help. The idea of mercantilism had become popular at that time. Accordingly, the process also generated an opportunity for different social actors. For instance, more and more

¹⁶ Juan Linz and Alfred Stepan (1996b) *Problems of Democratic Transition and Consolidation*, p. 11.

¹⁷ See Jean Cohen and Andrew Arato (1992a) *Civil Society and Political Theory*, pp. 75-76.

gentry engaged in these activities and merchants obtained official titles through the practice of contribution (Juan-na). By then, a picture had emerged in response to what Yu Yingshi has explained as a long-standing ambiguity in the traditional stratification of four classes since the Ming dynasty.¹⁸ More important, the merchants who were considered the lowest among the four had gradually risen.¹⁹ Particularly in Canton, on the basis of the formed guilds (hang-hui for example), they eventually aligned to become the type of Seventy-two guilds in the late Qing. Actually, such existence represents an orientation to pluralistic values which seemed to be difficult for the officials to manipulate. Indeed, such changes suggest that there is an interplay between the development of civil culture and the development of economic society.

Finally, it is equally important to take the development of civil culture into consideration. In order to explain such development, we address the development of merchant culture in the late Qing, which embraced mixed characters of Chinese and Western culture, and can be characterized by publicness, autonomy and cooperation.

A primary focus is on how merchant culture embraces civil culture. What interests us was how the idea of zhongyong in Confucian tradition came to influence the merchant's mind, especially toward the idea of the state. Apart from this, ideas of civil rights and self-government, partly borrowed from the West, were also pertinent. By briefly reviewing ideas from Zheng Guan-ying, a leading gentry-merchant and Liang Qichao, a famous political thinker, in the late Qing, we can clearly grasp the influence of Confucianism and Western ideas over the merchant culture. The three characteristics of the merchant culture, namely the publicness,

¹⁸ Yu Yingshi (1993) "Zhongguo jinshi zongjiao lunli yu shangren jingshen". pp. 347-363.

popular types. Some of the organizations have a close affinity with popular type which is shown in their relatively high degree of autonomy from the state, the voluntariness of membership and the spontaneity of self-organization, such as in the 'Canton Seventy-two Guilds' (Guangzhou Qi-shi-er hang hang-hui) in 1899. Certainly, the official and illegal types are excluded because the former is a state institution, obviously devoid of civility and submissive to manipulation in political society whereas the latter violates the rule of law, constituting a revolutionary force against the state.

Hence, the focus of this thesis will be on the type of semi-official organization, which acquired a legal sense by official definition. The chamber of commerce in Canton, which was formed partly under the official authorization and partly from the merchants' initiative, will be the subject matter of our study. Our concern is theoretical rather than empirical. It is not to exhaustively explore the situations of civil society in the late Qing, but instead to indicate a civil society with Chinese characteristics. Therefore, we definitely identify that the popular type of organization in the late Qing actively participated in public affairs, and thus were able to exemplify civil society in the liberal sense. Yet, this admission is just a sideline of this thesis simply because of its incompatibility with our conception of the interpenetrated mode of civil society. Likewise, the underground and revolutionary organizations, notwithstanding as a type of civil organization, like Solidarity in Poland, will be left intact. Certainly, we recognize that these organizations were overwhelmingly autonomous from the state and further participated in activities to overthrow the authority. Their extreme objective is inappropriate to our conception of civil society with Chinese characteristics.

Behind this delineation, we should bear in mind that there are at least three kinds of misconception in Chinese study, which are widely held by those who are enmeshed in a liberal conception of civil organization.

1. They focus attention on the autonomous, voluntary and spontaneous characteristics of these organizations at the expense of their relationship with the state;
2. They implicitly assume an oppositional and conflictual relation with the state, neglecting the cooperative dimensions;
3. They assume a one-way impetus to the formation of these organizations, that is from below.²⁰

Without doubt, the formation of the merchant organizations, such as the Canton Seventy-two guilds and the Canton general chamber of commerce, represent the co-existence of different types of civil organizations. These indicate a change in the state-merchants relation which can be regarded as a change in the state-society relationship. The emergence of a semi-official type of civil organizations, such as the chamber of commerce, is evidently indicative of the emergence of civil society. Reconceptualization is a must.

Civil Society

There are variant understandings of civil society. It has become a terminology heralded in different illustrations and meanings in recent studies. Owing to its complexity, the concept deserves to be treated separately for clarification and reconceptualization. As will be shown in next chapter, the Western conception, precisely the Liberal tradition, which embraces a schema of civil society versus state is dominant in the contemporary discourse. The case of Solidarity in Poland is a good example.

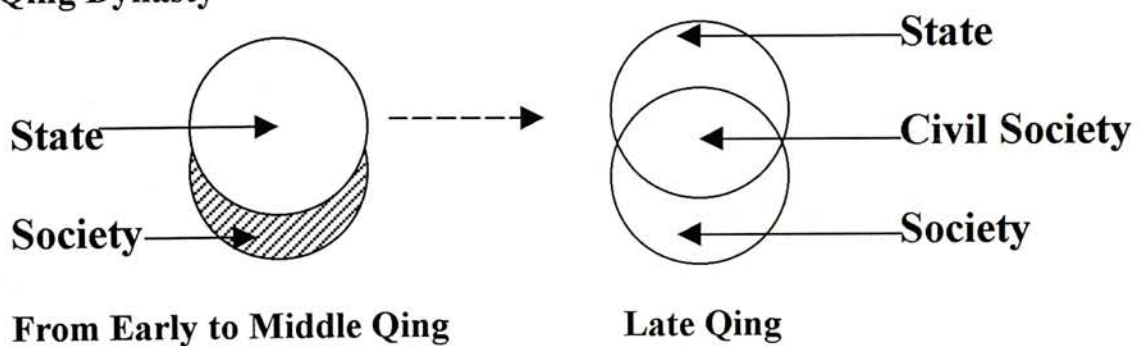
The idea of civil society, however, should be contextualized in China. Most significant, its aim is not primarily directed to go against the state and then

²⁰ Jude Howell (1995) "Civil Society", p. 81.

subsequently to supersede it, as the liberal conception and Eastern European experience suggest. Although we still concede civil society as an autonomous realm which is a growing social force vis-à-vis the state power, its formation was necessarily partly under the aegis of the state. Likewise, society is easily understood as an indispensable contributor to civil society. But we should be careful not to overrate its positive nature. Sometimes, the tyranny of society is as great as that of the state, because people take society for granted, ignoring it as a decisive component in the quality of civil society. Its autonomy should not only emphasize separation from the state, but should also discern the cage of society, for example the confinement of social organization to its members. Actually, civil society should not be conflated with society. The most striking point is that in the Chinese context the idea of civil society needs to be reconceptualized first in order to understand changing state-society relationships.

State-Society Relationships

Figure 3: Conceptual Diagram of Transformation of State-Society Relationships in the Qing Dynasty



In Figure 3, we clearly map out a contrast among state, society and civil society in the Qing dynasty which enables us to capture the transformation of state-society relationships. From the early to middle Qing, the realm of the state overwhelmingly invaded the realm of society. The former should be understood as a private realm which is specifically family-oriented. The latter, obviously, is an

official realm which can cause public realm to erode. Such erosion is what we usually talk about when we notice how the concept of the official and the public becomes indistinguishable in the Chinese tradition. Basically, such situations will be illustrated in chapter three where the state capability is shown to be strong enough to govern different areas. The case of Co-hong system adequately represented such a predominate role of the state over the merchants and their organization at that period of time. Correspondingly, little capacity was left for society (shaded). There was, however, a tradition of autonomous organizations for the merchants, such as the hang, hui-guan, and gong-suo. These organizations were so insignificant to the state that their autonomy was innocuous.

We realize that there was a tremendous change in the state-society relationship in the late Qing. The realm of state had gradually retreated from the realm of society. An intermediary realm emerged between the state and society. It was accurately identified as an emergence of an interpenetrated mode of civil society. Yet, why did this occur in the late Qing?

In the following, a matrix of conceptualization offers a theoretical understanding of the state-society relationships in China. Basically, it is divided into four different sections with state domination at one extreme and societal autonomy at the other extreme or vice versa. The direction and intensity of the two extremes will not be the main factor. Rather, we can observe four possibilities for characterizing the state-society relationships under this matrix. The first set is oppositional, signifying that both the state and society remain strong in position; both of them are able to acquire sufficient resources to make choices. Generally, from this dimension, we perceive that they do not need to be self-limiting and interdependent. Considering the Western precedent, it seems odd to claim that

emergence of civil society is still possible when the state and society are in opposition. Actually such a case points out, albeit resource allocation is a presumption of this matrix, a caveat that the type of state-society relationship should also be modulated by civil culture in a given society. As a democratic type of civil culture existed in the United States, for example, civil society could emerge in an oppositional situation in which the state and society were both strong.

The second set is anarchical, meaning that state domination turns weak whereas societal autonomy remains strong. Under such circumstances, the process of state-ification has gradually disappeared and has left much room for the development of an autonomous realm. Yet, society takes such an advantage to expand its sphere of influence without any self-limiting sense, namely the process of societalization. Thus, possibility of civil society is largely reduced given a constant political culture.

The third set is characterized as a type of submissive state-society relation. Putatively, state domination remains overwhelmingly strong. Likewise, without self-limiting sense, almost all the resources are used. In return, the autonomy of society is relatively stifled. The process of state-ification will turn out to preclude the possibility of civil society. These two categories, of course, are less likely to formulate civil society in whatever type due to a lopsided state-society relationship.

Last but not least, we strongly argue that emergence of civil society in ancient China was mostly possible in category four, an interpenetrated mode. In this regard, the state and society are positioned in weak domination and weak autonomy. They lack manoeuvres and are in need of each other as a complement. The state is weak in penetration, for instance in aspects of finance or social control, which are necessary to mobilize resources from society and simultaneously to leave room for

revitalizing its autonomy. Such state-limited penetration, even without whole-hearted willingness, becomes crucial to contribute to a balanced state-society relationship in China. It reveals that state moves to redeploy its role from a predominant position. Meanwhile, the growth of autonomy from society, though revitalizing, should not be rhetorical. Society must be self-limiting too, otherwise, we cannot rule out the possibility of state intervention in case of social disorder. In our discussion of the development of civil culture in China, we stress the development of a merchant culture which embraces the concept of zhongyong. This made merchants cultivate a cooperative view toward the state, not entirely submissive at one extreme or comprehensively independent at other extreme. Actually, such a self-limiting society is equally significant in forming and sustaining such a mode of civil society.

Figure 4: Matrix of State-Society Relationships

		state (domination)	
		strong	weak
society (autonomy)	strong	oppositional	anarchical
	weak	submissive	interpenetrated

(Formulated by author with reference to model of Migdal, 1988, p. 35)

Simply stated, it is fallacious and insufficient to confine the state-society relationship of ancient China to category one which is oppositional in nature with reference to Western experience. Such relation occurred in ancient China only when social forces instigated revolution or rebellion from state corruption. Their aim was to topple the state. As a rule, the Chinese state was posited in dominant hierarchy

over society in ancient history. The possibility of civil society in China in such a category is low because both sides acquire resources to outplay each other and Confucianism, as a cultural heritage, does not enable them to produce civil society based on an oppositional sense.

Category two and three, however, have existed in Chinese history. The former can be characterized as the period from 1912 to 1926 whereas the latter is confined to the period under the Nationalist regime from 1927-1949.²¹ In the former period, societal autonomy was stronger than the control of a vibrant state. In a period of warlordism, the central state was weak. There was a wide range of social actors to launch social and political movements, such as the May Fourth Movement in 1919.²² Under such circumstances, the state-society relationship can be called anarchical. In turn, what we highlight as the tyranny of society is easily discerned. Differently put, from 1927 onwards, the Nationalist regime attempted to strengthen its own hegemony through directing "a combination of repression and incorporation". All social organizations had to be registered under the department of Ministry of Society at different levels. The state-society relationship can be considered as "submissive" because society was subservient to the hegemony of the state and was left almost without any autonomy. Both these categories, then, are unfavorable to the emergence of civil society.

Instead, we argued that civil society will develop in ancient China in the fourth category. An interpenetrated mode of civil society emerges on the ground that the state and society possess a self-limiting character which is constituted under a weak position of state domination and society autonomy. Therefore, there is a realm

²¹ Gordon White, Jude Howell and Shang Xiaoyuan (1996) *In Search of Civil Society: Market Reform and Social Change in Contemporary China*, p. 17.

which appears to give autonomy to both without threatening either. As we will discuss, the interpenetrated mode of civil society identified could emerge in the late Qing, on the condition that there is the decline of state, the acceleration of commercialization and the development of merchant culture.

Justification of This Study

Having shown the Western experience to be so problematic, we should turn to Chinese history as a point of reference. Perry has clearly stated that "rather than search so energetically for parallels in European history, might it not be better to pay attention to China's own past?"²³ Accordingly, as Cohen has suggested, a Chinese centered approach "is intended to delineate an approach to recent Chinese history that strives to understand what is happening in that history in terms that are as free as possible of imported criteria of significance".²⁴

Taking the pre-reform (1949-1978) China as an example, all autonomous social forces were suppressed and replaced under the monolithic party-state institutions, such as the danwei system. Social organizations served as "Leninist transmission belts" to fulfill some functions both for the party-state and their own members. Then, it would be misleading for scholars to make use of the Western type of civil society to conceptualize and analyze the changes stimulated by the reform era after 1978. That is why we recommend that the concept of civil society should be reconceptualized and study should be contextualized in the Chinese past.

In this thesis, we basically argue for seeing the chamber of commerce as the

²² Ibid., p. 18.

²³ Elizabeth Perry (1994) "Trends in the Study of Chinese Politics: State-Society Relations", p. 709.

²⁴ P. A. Cohen (1984) *Discovering History in China*, p. 198.

emergence of an interpenetrated mode of civil society in the late Qing, rather than the Canton Seventy-two guilds. Theoretically, civil society should be understood as an ideal type, which is allowed to contain a spectrum of variations. It is not universally the same. As has been mentioned, there is a range of possibility in different state-society relationships. In our conception, such a mode of civil society identified in ancient China on the ground that state and society were self-limiting (both are positioned as weak in the Figure 4). It was a case where there was a retreat of the state from a predominant position and at the same time a revitalization of societal autonomy. As a corollary, the emergence of an autonomous realm was not threatened. The chamber of commerce, then, is favorably used to substantiate our reconceptualization of civil society in China. It is a merchant organization which was set up under a state directive and acted in relative autonomy.

The Seventy-two guilds are also conceptually close to the Western type of civil society, but should be placed differently in a Chinese context. The guilds were actually more autonomous from the state than the chamber, but despite their greater autonomy, we find them inadequate as examples of civil society. Autonomy is only one of the dimensions, albeit significant enough, of civil society. A complete conception of civil society should include the sense of 'publicness' which means immersion in the sphere of public affair. Of course, we are not saying that the guilds did not participate in public or even political affairs in the late Qing. There are common characteristics shared between the Western type and the Chinese type of civil society. Yet, it is the characteristic of cooperation with state which is culturally bounded in the Chinese context. Peculiarly, worth considering is the interplay of civil society with officialdom, which the chamber of commerce in the late Qing

reveals. Accordingly, we ensure that the guilds merely obtained autonomy from the state and little sense of publicness, remaining too remote to keep in touch with the state and thus becoming less influential. Such a case by no means offers any value-added point for our theoretical stimulation of civil society. Worse still, its equalization of Western and Chinese experience may also lead us astray.

Such a Western type of civil society, as reflected in the case of the guilds, is not a mainstream model in China. Like Huang, we think of civil society "in terms of a space intermediate between state and society in which both participated".²⁵ It well serves to reveal the interface between state and society. The chamber of commerce has its unique features. For example, it obtained formal authorization from the state and realized merchants' relative autonomy over jurisdictions, especially in relation to engaging in public participation which is not formally specified. The merchants of the chamber went beyond confinement to the private sphere. Only the chamber is a typical case for analyzing such an interaction of state and society in China.

Closely related, the merchants were selected as an object of analysis simply because they serve to show the state-merchant relationship over a long period of time. It is of particular interest to investigate how and why they could modify the imbalance in their relationship. They managed to realize their sense of relative autonomy from the state. Their organizations, like the chamber, and activities well evidence the maturity and consolidation of autonomy. The development of the state-merchant relationship in the late Qing was an embodiment of the development of the state-society relationship. The merchants, as the lowest social stratum in tradition, could ameliorate their relation with the state.

²⁵ Philip Huang (1993) "Public Sphere/Civil Society in China?: The Third Realm between State and Society", p.224.

Furthermore, we select Canton (Guangzhou) as the setting for the case study in the late Qing for two main reasons:

Firstly, we appreciate local studies in China.

Macro studies of a single variable or a limited set of variables seldom permit us to raise fundamental questions about presumed connections among different variables. Local studies, on the other hand, generally attempt to examine the total history of a given area, thus affording the opportunity of addressing in new ways the question of how different factors related to each other, rather than assuming that certain connections that obtained in one's own context must also have occurred in the other.²⁶

Such an orientation is not only good at saving resources, but also convenient in obtaining full projection through a small examination.

Secondly, of course, there have been many local studies carried out in the Chinese past, but all of them have concentrated on central China places, such as Suzhou, Shanghai, Hankou, Zhejiang and the like.²⁷ Little attention has been paid to Southern China, to Canton for example, which has been a prosperous coastal area from the past to the present. It was one of the earliest places opened for foreign residence since the Tang dynasty. Its economic development, in terms of foreign trade, was more rapid than that of Shanghai until the end of the early Qing. Under the official one-port-trade policy, Canton was the most prosperous place at that moment. We can find no other place as effective as Canton to demonstrate the predominately strong state capability of the Qing dynasty (See the case of Co-hong in chapter three). In other words, although importance of Canton as a commercial channel had gradually been weakened since 1842, it can still help us capture the transformation of state-society relation over the period of time. The decline of state,

²⁶ Philip Huang (1991) op. cit., p. 317.

²⁷ Suzhou: see Ma min and Zhu Ying (1993) *Chuantong yu jindai de erchong bianzou: wanqing suzhou Shanghai gean yanjiu*. Shanghai: see Lai Yiu-keung (1994) op. cit. Hankou: see William Rowe (1984) *Hankow: Commerce and Society in a Chinese City, 1796-1889*. Zhejiang: see Mary Rankin (1986) *Elite Activism and Political Transformation in China: Zhejiang Province, 1865-1911*. All these are historical local studies of China.

for example, becomes obvious when comparing and contrasting the merchants and their organizations, namely the Co-hong in the early Qing and the chamber of commerce in the late Qing. Likewise, Canton's deeply rooted setting of economic development and its exposure to foreign influence, undoubtedly, help us understand the acceleration of commercialization and the development of merchant culture. All these, as mentioned in the Figure 1, are the proposed variables for explaining the emergence of such mode of civil society. Despite that we cannot well substantiate all these variables in Canton, their explanatory power should not be negated. The choice of Canton also implies that existence of civil society to be discussed in this thesis is confined solely to urban areas.²⁸

A Methodological Note

This thesis will take a historical perspective to reconceptualize civil society to interpret the state-society relation meaningfully. Such a grand narrative focuses on "matters of conceptual reorientation and conceptual clarification" and attempts to highlight "the particulars of each individual case".²⁹ Having contextualized the concept in the Chinese past, we believe that the ethnocentrism and the teleological deduction brought about by the Western conception can be weeded out. Equally important, the deliberation of civil society in contemporary China can be grounded on such a legacy, but is not necessarily akin to Eastern Europe experience and Western assumptions.

²⁸ Martin K. Whyte (1992) "Urban China: A Civil Society in the Making", pp. 77-101. Also as Frolic argued, if there is an emergent civil society, it will appear in urban cities rather than in rural areas. Michael Frolic (1997) *op. cit.*, p. 64.

²⁹ Theda Skocpol (1984) "Emerging Agendas and Recurrent Strategies in Historical Sociology", p.369.

This thesis is based on a case study of Canton merchants and their organization in the late Qing. The study was based on primary source data, particularly the core chapter analyzing the chamber.

The newspaper *Xianggang Huazi Ribao* microfilmed in University of Hong Kong, recorded a lot of the daily news of Canton in the imperial period. By skimming and scanning, we try to cover eight years of news, from 1901-1908. The source is reliable because the newspaper was published in Hong Kong where it could be immune from the censorship of the Qing authority, notwithstanding its limitation to several columns. Also, *Zheng Guan-ying ji* (Collection of Zheng Guan-ying's Writing), edited by Xia Dongyua, contains a great deal of correspondence among the officials, merchants and their organizations. Zheng was one of the most consequential and advanced gentry-merchants in the late Qing. His correspondence is crucial to our analysis of the chamber of commerce in Canton. Thus, we take these two as the most effective primary sources for analysis.

Likewise, the well known magazine of socio-economic history, *Dongfang Zazhi* (Eastern Miscellany), available in Fung Ping Shan Chinese Library, University of Hong Kong, contains several articles, which are important to the thesis, such as an edict titled "Encouragement of Chamber and the General Regulations for its Establishment". An official newspaper, *Shangwu Guanbao* available at the Chinese University of Hong Kong, also serves as a supplementary source. All these primary sources serve as reliable basis for analysis.

Apart from these, we intended to go to the Zhongshan Library in Canton to search a scarce and invaluable newspaper, the *Guangdong qi-shi-er hang shang-bao* (the Seventy-two Guilds Commercial Daily News) published from 1906-1947. Unfortunately, only one day published within the period of the Qing dynasty was

available. It was difficult for us to make use of it for systematic analysis.

Other historical materials used in the thesis come from secondary sources, based on library research, and include a wide range of journals, books and conference papers. All these enrich the empirical analysis, as well as stimulate theoretical reflection, especially when there is a new perspective from which to organize and interpret the old materials. A heuristic picture of Chinese imperial socio-economic history can be obtained and a theoretical breakthrough can be attained too.

Chapter Outline

The next chapter is to serve dual purposes: conceptual clarification and literature review. We start by asking what the Western conception of civil society means and what its definition is. Based on such an understanding, we realize that idea of civil society is diverse in the West. The rebirth of civil society in Eastern Europe only reveals the domination of the liberal view over the contemporary discourse of civil society. Its primary obligation is to guard against the authoritarian state.

Instead of being preoccupied with such considerations, we argue that civil society should be reconceptualized in a Chinese configuration. It should be accepted as an autonomous realm extraneous but not antithetical to the state, as the liberal view assumes. Likewise, the tyranny of society should be discerned in order to assure the quality of civil society. A binary opposition in the West is replaced by a trinary conception in China.

Even so, as an ideal type, civil society will be elevated to an abstract level through drawing out shared characteristics between the West and China,

prominently autonomy and publicness. A step forward to make a differentiation between them reminds us of the culturally bounded characteristic of such a sub-type of civil society. In China, it is cooperation with the state. We identify no intention of the civic power to go against the Qing state. Civil society, then, should be conceptualized with an interpenetrated mode under the frame of the state-society relationship, as Figure 4 presented.

After clearly clarifying the theoretical issues of this thesis, we directly shift to address an empirical case which focuses on the merchants, their organizations and their interplay with the state in Canton from the early to late Qing.

In chapter three, we are eager to spell out how state capability was strong through a system of *lijia* and *baojia* and the civil service examination. The merchants were generally treated as an underprivileged class in the official conception. As demonstrated in the case of Co-hong system in Canton, the more the state benefited, the stricter the control over the hong merchants. The system was incapable of preventing the hong merchants from official raid.

Yet, owing to such inferiority, the merchants were motivated to found their organizations, namely the *hang*, *hui-guan* and *gong-suo*. Most of them were unimportant to the state, therefore minimizing the possibility that direct intervention would be as strong as the Co-hong system realized. On the whole, the merchants were subordinate to state power, albeit limited autonomy was identified a given jurisdiction. The state was said to stifle society in the early Qing. There was an imprint of a strong state vis-à-vis weak society gradually taking shape at that moment.

In contrast, the establishment of the Canton chamber of commerce in the late Qing which was actively propelled by the state shows conspicuous change in the

state-society relationship. Basically, the relative autonomy of the chamber merchants was exercised in tandem with legal protection and recognition. Such autonomy was institutionalized and consolidated. Particularly, through reading the constitution of the chamber, we can point out its election and decision making process, how finances were collected and what activities were participated in (see chapter five). Definitely, the emergence of such a type of civil organization helps to confirm the existence of civil society in the late Qing where the state-society relation is interpenetrated.

Then, we hypothetically suggest three independent variables to give an explanation to the emergence of such a mode of civil society, namely the decline of state, the acceleration of commercialization and the development of merchant culture in chapter six. The first denotes that incapability forces the state to be self-limiting and to revitalize social autonomy as a complement. The second pinpoints the redeploying role of the state in making society differentiated. Such social differentiation alludes to pluralistic values which may not be easily manipulated by the state. Apart from these, the last is an embodiment of the development of civil culture which is incorporated with the characteristics of autonomy, publicness and cooperation. We believe that they contributed to the emergence of an interpenetrated mode of civil society in the late Qing.

To conclude, from the Co-hong system of Canton in early period to the Canton chamber of commerce in late Qing, we dare to claim that the relative autonomy among the merchants was concretely actualized and continuously increased. The state was no longer able to exercise predominant control over the merchants' organization. The chamber could go beyond the stipulation bounded in its constitution, even participating in some public affairs. Even so, the official

initiative should not be neglected in the process of constituting such a civil arena,
consciously or not.

Chapter Two

Concept of Civil Society Revisited

Introduction

The concept of civil society, as widely known, is not only sophisticated and polemical because of its variant understandings and meanings,¹ but also troublesome because of its application in different contexts for analysis and its relation with other concepts, such as democracy.

Different scholars will easily be caught in a predicament because such a concept shares a large repertoire of philosophical vestiges in the Western tradition.² Their expressions of and deliberations for such concepts not only cannot come to a consensus, but also lead to conflict with each other. Basically, the Western tradition can be known as two opposing camps, namely the Liberal and the Marxist ones. As Kumar has correctly remarked, "if we wish to continue to use the concept of civil society, we must situate it in some definite tradition of use that gives it a place and a meaning".³ Seen from this light, the question of *what is civil society* is of fundamental importance to be asked theoretically; it seems to be difficult to sketch out all its elements unanimously.

¹ Translation of the term civil society in Chinese does reveal one facet of its ambiguity, namely *shimin shehui*, *gongmin shehui*, and *minjian shehui*. Different orientations are signified by employing each of them. see Wang Zhaoguang (1991) "Guanyu shimin shehui de jidian sikao", pp. 102-114, and Deng Zhenglai (1996) "Guojia yu shehui: Zhongguo shimin shehui yanjiu de yanjiu", pp. 171-188. In this thesis, we opt for 'minjian shehui' as a Chinese translation.

² To name just a few, see John Keane (1988) "Despotism and Democracy: The Origins and Development of the Distinction Between Civil Society and the State 1750-1850". pp. 35-71. Norberto Bobbio (1989) *Democracy and Dictatorship: The Nature and Limits of State Power*, pp. 22-43. Edward Shils (1991) "The Virtue of Civil Society", pp. 3-20. Adam B. Seligman (1992) *The Idea of Civil Society*, pp. 15-58. Chandhoke Neera (1995) *State and Civil Society: Explorations in Political Theory*, pp. 76-160. Delue also provided a comprehensive illustration. See Steven DeLue (1997) *Political Thinking, Political Theory and Civil Society*. For a classic work of civil society in philosophical-moral ambit: see Adam Ferguson (1980) *An Essay on the History of Civil Society*.

³ See Krishan Kumur (1993) "Civil Society: An Inquiry into the Usefulness of a Historical Term". p. 390.

A revival of such a concept was used to conceptualize the great metamorphosis in the communist bloc in Eastern Europe and China during 1989. Generally, scholars are eager to take an optimistic point of view toward the development of civil society. In particular, the success of the Eastern Europe, such as that of Solidarity in Poland against the communist regime, demonstrated a typical case of the victory of civil society. Forces of people managed to overthrow the totalitarian governance of state. An idea of "civil society against the state" or the "reemergence of civil society" was widely held by the dissents and scholars.⁴ The experience of Eastern Europe drove us to think of the June-fourth movement in 1989 as the schema of civil society against state. Different trajectories and different outcomes among the communist countries led to a critical reflection, especially to a query of the usefulness of such a conception of civil society for analysis and its power of generalization over the communist state-society relationship. David Strand sided with Andrew Walder to say that "it is tempting, but misleading, to characterize Beijing's popular rebellion as a movement by society against the state".⁵ An in-depth analysis of the June Fourth incident comes to a similar conclusion: the concept of civil society is still too general and further specification is necessary.⁶ An optimistic viewpoint, thus, dissipates gradually. Actually, the concept of civil society galvanized a wave of polemic in academic circles.⁷ The focus is mainly on whether application of such a liberal view to the non-western landscapes, specifically China,

⁴ See Andrew Arato (1981) "Civil Society Against The State: Poland 1980-81", 23-47. Z. A. Pelczynski (1988) "Solidarity and the Rebirth of Civil Society' in Poland, 1976-81", p. 361-380.

⁵ David Strand (1990) "Protest in Beijing: Civil Society and Public Sphere in China", p.12.

⁶ Craig J. Calhoun (1994) *Neither Gods nor Emperors: Students and the Struggle for Democracy in China*, pp. 199-200.

⁷ The most typical example was the symposium in *Modern China* journal in 1993. In Chinese circle, likewise, there were a large number of articles published in the *Ershiyi Shiji* in 1991 and the *Chinese Social Sciences Quarterly* in 1993 and 1994.

is appropriate. To recognize the difficulty faced by the concept itself in China as Chamberlain has stated, there are three kinds of reaction: "to alter the concept to fit the landscape; to look for changes in the landscape to fit the concept; or to drop the concept entirely".⁸

Such profound thinking is good for its further development. Those who prefer to overrule the concept of civil society will turn to conceptualize the landscape with their own analytic tools.⁹ Civil society proper, for them, not only contributes nothing to their understanding, but also theoretically generates a problematic issue.

Particularly when the concept works for an empirical analysis, generalization is superficial and no conclusive statement is conceded. It is incorporated in demystifying the transformation which took place in Poland. Yet, the case of Hungary alerts us that direct transplantation of the western product is not a proper means for understanding. Needless to say, the case of China is far more complicated than the case of Eastern Europe. It is no easy task to assert whether civil society already existed in contemporary China.¹⁰

⁸ Heath B. Chamberlain (1998) "Civil Society with Chinese Characteristics?", p. 69.

⁹ Huang proposes his own concept "third realm" instead of civil society for Chinese study. See Philip C.C. Huang (1993) "Public Sphere/ Civil Society in China: The Third Realm between State and Society", pp. 216-240. Ding puts an effort to reject the civil society versus state schema by the concept of institutional amphibiousness. See Ding X. L. (1994) "Institutional Amphibiousness and the Transition from Communism: The Case of China", pp. 239-318. Likewise, Lai prefers to use public sphere as a conceptual tool than the civil society in his thesis. See Lai Yiu-keung (1994) *The Search for Public Sphere in Modern China: The Case of Shanghai 1843-1914*. Walder strongly ostracizes the concept of civil society not only because there is "no clear agreed-upon definition", but also because its "debate about labels" misleads the discussion in a wrong direction. What he opts for is to shift from description to explanation of change. See Andrew G. Walder (1997) "Perspectives on State-Society Relations in Contemporary China: From Description to the Analysis of Change", pp. 16-17.

¹⁰ See David Strand (1990) op. cit., p. 12. David Kelly and He Baogang (1992) "Emergent Civil Society and the Intellectuals in China", p. 37. Craig Calhoun (1994) *Neither Gods nor Emperors: Students and the Struggle for Democracy in China*, p. 197.

Scholars who still have confidence in the concept of civil society will tend to look for changes in the landscape to fit the concept. They believe that the existence of civil society in contemporary ambience has undergone a long period of development. Through comparing the differences between past and present, some signs of changes can be identified, thus showing civil society in the making. For instance, the potential existence of civil society was at first recognized in Hungary in 1956 whereas repeatedly stated in Poland in different periods of time (from 1956, 1968, 1970 and 1976 to the formation of Solidarity in 1980).¹¹ As for China, the propellant of change was mainly attributed to the Deng era of economic reform from 1978 onwards.¹² A lot of research has been done to capture the different aspects of change which in turn redound to verify the existence of civil society or its resurgence in contemporary China.¹³

Finally, there is much effort taken to alter the concept to fit the landscape. Along with this line of reasoning, are scholarly work directed, on the one hand, to contextualizing the concept of civil society. In China, for instance, a search for civil society had been considered in the historical dimension.¹⁴ What was targeted was the

¹¹ See Janina, Frentzel-Zagorska (1990) "Civil Society in Poland and Hungary".

¹² Mayfair Yang Mei-hui (1989) "Between State and Society: The Construction of Corporateness in a Chinese Socialist Factory", pp. 31-60. Gordon White (1993b) *Riding the Tiger: The Politics of Economic Reform in Post-Mao China*, pp.198-232 and Gordon White, Jude Howell and Shang Xiaoyuan (1996) *In Search of Civil Society: Market Reform and Social Change in Contemporary China*, pp. 15-38.

¹³ The most attentive aspect of change lies in the fact that there was a kind of newly emerged association characterized with semi-official nature. See Gordon White (1993a) "Prospects for Civil Society in China: A Case Study of Xiaoshan City", pp. 63-87 and Gordon White, Jude Howell and Shang Xiaoyuan (1996) op. cit., pp. 98-127. A series of studies on university and trade unions in reform era is also available at Timothy Brook and Michael Frolic (1997) (eds.) *Civil Society in China*, pp. 99-123 and 124-148. Apart from these, Solinger had targeted on the changes in population mobility and the state as well as in entrepreneur and the state. See Dorothy Solinger (1991) *China's Transients of the State: A Form of Civil Society?* and (1992) "Urban Entrepreneurs and the State: The Merger of State and Society", pp. 121-141.

¹⁴ Scholars who proclaim re-emergence or resurgence of civil society in China are especially interested in this aspect. Martin K. Whyte (1991) "State and Society in the Mao Era", pp. 255-258.

civil society from a developmental trajectory so that "Chinese problems set in a Chinese context".¹⁵ To put it in another way, present problems of whether civil society is constituted in reform era can primarily be discussed with historical evidence. Traced back to the history, such discussion can be free from a burden embedded with vestiges of Western and Eastern Europe and can follow a Chinese story line.¹⁶ Equally important, on the other hand, much scholarly effort attempts to conceptualize civil society with a serviceable definition. Those scholars recognize that it is problematic to directly employ such a liberal view of "civil society versus state" into the Chinese arena. Yet, different from the above scholars, they do not replace the concept. Their aspiration is to flesh out their own conception rather than to stick to the old fashion.¹⁷

Conclusively, the first type of reaction to weed out the concept of civil society and to question its validity can simply be characterized as a philosophical-moral orientation. In their viewpoints, civil society, as a western product, is idealized by its philosophical tradition. In contrast, the second type can mainly be

David Strand (1993) "Civil Society and Public Sphere in Modern Chinese History", pp. 55-59. Fu Zheng-yuan (1993) *Autocratic Tradition and Chinese Politics*, pp. 161-169. Des Forges V. Roger (1997) "States, Societies, and Civil Societies in Chinese History", pp. 68-95.

¹⁵ P. A. Cohen (1984) *Discovering History in China*, p. 154.

¹⁶ There is no doubt that civil society employed to conceptualize historical episode leads to a series of countercurrent. Some scholars with reservation treat this application. See Philip A. Kuhn (1992) "Gongmin shehui yu tizhi de fazhan", pp. 77-84. Rowe T. William (1993) "The Problem of Civil Society in Late Imperial China", pp. 139-157.

¹⁷ Under White's formulation, a serviceable definition of civil society is divided into sociological and political conception. The former refers to intermediate associational realm whereas the latter sees "a particular set of institutionalized relationships between state and society based on the principles of citizenship, civil rights, representation, and the rule of law". See Gordon White (1996a) "The Dynamics of Civil Society in Post-Mao China", pp. 197-198. Also, as argued by Hann and Dunn, an "inclusive usage of civil society in which it is defined negatively, in opposition to the state, but positively in the context of the ideas and practices through which cooperation and trust are established in social life". See C. M. Hann and Elizabeth Dunn (1996) *Civil Society: Challenging Western Models*, pp. 21-22. Similarly, Frolic, after consideration of Chinese context, modulates civil society as "state-led civil society". See Michael Frolic (1997) "State-led Civil Society", pp. 46-67.

located in a historical-sociological orientation. The focus will be on looking for something which can be indicative of the changing state-society relationships and then of the emerging civil society to a certain extent. Probably, it will be criticized by the first tenet as too optimistic and simplistic to treat the concept. In fact, both of these reactions play down each other with an emphasis on one end but not on the others. Synthetically, as agreed by this thesis, the last type of reaction can strike a balance between the two, managing to take both the philosophical-moral orientation and the historical-sociological orientation into consideration.

Western Tradition ¹⁸

A Western definition of civil society is generally in a philosophical tone, taking pre-state and pre-social into consideration. The state-society relationship to be conceived by different philosophical facets can be drawn from two opposing camps, namely the Liberal tradition and the Marxist tradition. The former, as Giner concluded, states that

civil society in classical liberal thought was understood, therefore, not as a specific structure but rather as a state of civilization, a level of moral maturity, entailing tolerance and toleration, a sphere established for the realization of individual interests in terms of peaceful pursuit, mutual contract, privacy, and private rights and property.¹⁹

In contrast, the latter says that "civil society is the realm of class, inequality and exploitation, which forms the natural basis of the modern state".²⁰ Substantively, what we need to achieve is a diverse understanding of civil society within the

¹⁸ The western tradition could be traced back to Plato's and Aristotle's era but to be discussed in the following mainly focuses on the modern and contemporary sense, that was the 17th to 20th centuries. I confessed that it is beyond the limit of this part to embrace every philosophical idea into the discussion, such as Montesquieu, Rousseau, Kant, J. S. Mill and so forth. Their importance and contribution is widely recognized but the focus of this part will be on figuring out the main thesis of western conception of civil society only.

¹⁹ Giner Salvador (1985) "The Withering Away of Civil Society", p. 249.

Western tradition. The liberal view merely shows one interpretation in contemporary discourse.

Political Society and Civil Society

Generally, civil society is a synonym for political society under Hobbes' and Locke's conceptualization. From their standpoint, the term "civil"²¹ and "political" can be used interchangeably without any qualification. Both of the term is rather oriented to oppose the state of nature. For Hobbes, such nature is idealized as a 'warre of all against all' where nature is a pre-civil and pre-political condition.²² In his opinion, a solution is available only if human beings consent to surrender part of their liberty to a sovereign, which is a so-called '*Leviathan*'. The state, in this sense, is identified with civil society in Hobbes's proclamation.

For Locke, the conception of such state of nature is entirely different from that of Hobbes. It is no longer a situation of violence but is guided by a set of natural laws. It is pre-political but not pre-social at all.²³ Similar to Hobbes, the entry into civil society is a point where human beings depart from the state of nature. By doing so, they can obtain security and certainty of life through making a contract, acquiring more freedom than ever before. Conclusively, for Hobbes, as for Locke, civil society is a kind of "artifact" to be constructed to oppose the state of nature.²⁴ Its distinction with political society remains unclear at this stage. Actually, a way of

²⁰ Ibid., p. 251.

²¹ "Civil" has two senses: On the one hand, it refers to "formal equality" implied in "citizens living together in a community". On the other hand, it "suggests the authority of officials directly in charge of public affairs". This is the latter sense equated with "political". See Reinhard Bendix, John Bendix and Norman Furniss (1987) "Reflections on Modern Western States and Civil Societies", p. 11.

²² Chandhoke Neera (1995), op. cit. p. 80.

²³ Ibid., p. 81.

thinking held by the contractarians is that civil society is equivalent to the state (government) or political society under their formulation. Concern, especially for Locke, will be merely confined to the protection of the individual (citizen) against the intrusion of state (government). It is argued that the state can be dissolved when majority rule of citizen comes to a consensus. The scenario then follows that society, notwithstanding as an epiphenomenon, which is not dissolved has a right to establish a new government.²⁵ A sense of society versus state is gradually generated.

Economic Society and Civil Society

Different from the artifact conceived by the contractarians, the classical political economists, like Adam Ferguson and Adam Smith, believed that civil society evolves under a natural and progressive mode.²⁶ Basically, we can understand that civil society is "a space where individual meets in order to satisfy their own needs".²⁷ In his classic work *An Essay on the History of Civil Society*, Ferguson realized that civil society is a confirmation for the transition of human beings from a situation of savages to a civilized or polished society, from rudeness to civility.²⁸ The reasoning of such a conceptualization is reached by virtue of the emergence of commercial society or market where individualism and reason are thoroughly executed among people. Ferguson's concern and anxiety springs from a continuing division of labour along with the emergence of market, thus leading to

²⁴ Ibid.

²⁵ James Schmidt (1995) "Civil Society and Social Things: Setting the Boundaries of the Social Sciences", p. 905.

²⁶ Chandhoke Neera (1995), op. cit. p. 91.

²⁷ Ibid., p. 94.

²⁸ Adam Ferguson (1980) *An Essay on the History of Civil Society*, p. 1.

the corruption of public spiritedness among people. It turns out to be "diminished participation in coercion by a population of a polished society" and at the same time "legitimate coercion" monopolistically exercised by state.²⁹ Obviously, Ferguson's view on the boundary of civil society are still confounded. As John Keane said, "civil society is not yet perceived as a sphere of life distinct from the state - in Ferguson's view the two are, or should be, identical".³⁰ The evolution of civil society, even naturally, stemmed from a process of civilization in contrast with savage or barbarian nature.

Civil society, for Adam Smith, is also equated with civilized society.³¹ It pinpoints "a flourishing commercial life" and "well-developed systems of civil law".³² A central focus in relation to the development of civil society is prominently revealed by Smith's illustration: how to resolve the dilemmas revolved between pursuit of private or self interest arising from proliferation of individualism as well as reason and maintenance of collective or common good. His orientation is to situate civil society in an economic setting where the invisible hand (regulations of free market) performs its function, not only to let individuals meet their needs, but also to guide them to achieve common good. He optimistically held the conviction that the pursuit of self-interest in the market can promote capital growth of which, in turn, everyone can benefit to have a decent life.³³ Thus, the tension between the public and the private seems to be reconciled under Smith's formulation: a moral

²⁹ Ernest Gellner (1994) *Conditions of Liberty: Civil Society and Its Rivals*, p. 64.

³⁰ John Keane (1988) op. cit., p. 40.

³¹ Norberto Bobbio (1989) op. cit., p. 38.

³² James Schmidt (1995) op. cit., p. 923.

³³ Steven DeLue (1997), op. cit., pp. 22-23.

economy.³⁴

Alexis De Tocqueville directed his discussion of civil society with democracy. Civil society, for him, as a sphere of associational life of the individual is indispensable to maintaining democracy that makes the power of the state checked. A dilemma lies in the fact that the individual exercises a right of privacy and tends to be apolitical but such a performance will weaken the check and balance on state power, resulting in the endangerment of right of privacy.³⁵ In order to solve this dilemma, De Tocqueville realized that the individual should be free to join social and political associations which can protect their rights from state oppression. To bear in mind, however, the role of state is important to strengthen and perpetuate the forces of civil society in De Tocqueville's view.³⁶ Particularly, acting as a citizen, the individual should comply with obligation imposed by the state.

Paradoxes of Civil Society

Having understood the Liberal approach to the concept of civil society, we will shift to explicate the discourse of Hegel, Marx and Gramsci in the Marxist tradition. The meaning of civil society, for them, is entirely the reverse and begins to be recognized as a distinct entity. This tradition claims that the political economists are generally too optimistic to have harmony achieved by civil society and underestimate those negative aspects brought about by the market, such as exploitation.

One of the prominent contributions of Hegel on the concept civil society is

³⁴ Chandhoke Neera (1995), op. cit. p. 92.

³⁵ Ibid., 109.

³⁶ Heath B. Chamberlain (1993) "On the Search for Civil Society in China", p. 207.

widely recognized as distinctively separating it from state. As has been seen, the political sense is somehow equated with civil sense in the contractarian formulation, making a distinction between state and civil society impossible. The political economists can keep a distance between state and civil society but the latter has still not yet been constituted as a distinct sphere. Hegel's categorization, fundamentally, makes the relation between public and private more complicated than Smith assumed.

In Hegel's sense, civil society is absolutely not the ultimate development of an ethical life and is viewed negatively. His theorization is worthy of praise. Vertically, he conceived a tripartite framework for civil society situated in-between family and state. Horizontally, particularity and universality are a pair of principles used to demarcate a line within this framework. Relative to family, civil society tends to be universal to promote the common interest, for example in the market. Hence, he continued to formulate his "double opposition" thesis in which the state is claimed to be universal relative to civil society.³⁷ The former gains primacy while the latter, for him, is merely a process of transition toward the state³⁸ which is reconciliation between particularity and universality. Undoubtedly, Hegel ambitiously recognized the good life of human being under the aegis of state intervention.³⁹ Given that the destination of Smith's reconciliation is a moral economy, Hegel's thesis can be understood as an ethical state.

Basically, adaptation to and criticism for Hegel's theory is widely realized as

³⁷ It means: "to the familial sphere as something civil society transcends, and to the state, a nonminimal political sphere transcending civil society". David Kolb (1986) *The Critique of Pure Modernity: Hegel, Heidegger and After*, p. 23.

³⁸ Norberto Bobbio (1989) op. cit., p. 32.

³⁹ Giner Salvador (1985) op. cit., pp. 249-250.

a point of departure for Marx's theorization. As Pelczynski differentiated, there were three basic directions of Hegel pertinently questioned and overhauled by Marx. Except for the first differentiation of idealistic and metaphysical versus historical and materialistic standpoint, of specific importance for our concern is the second point:

While retaining the state/civil society distinction, Marx rejected the view that the state was an all-inclusive political community with a distinct ethical character, and denied its primacy in social and historical life.⁴⁰

The primacy of civil society seems to be restored in the hands of Marx by denying "any superiority, neutrality and universalism to a state".⁴¹ Reversibly, as an entity of superstructure, it should be subordinated under infrastructure (civil society). To argue for this, we then come to Pelczynski's third differentiation:

Marx decomposed the Hegelian civil society, which was a highly complex, structured concept, and reduced civil society virtually to the economic sphere of labour, production and exchange.⁴²

At this point, Marx's position is similar to Adam Smith's conceptualization of civil society. Yet, Marx discarded simplicity of the political economists by adopting Hegel's direction to paradoxes of civil society. The difference remains that Marx was so optimistic that these paradoxes can be overcome so long as they transcended the stage of capitalism.

Generally, civil society is synonymous with bourgeois society under Marx's understanding. His definition views that "civil society embraces the whole material intercourse of individuals within a definite stage of the development of productive

⁴⁰ Z. A. Pelczynski (1984) (ed.) *The State and Civil Society: Studies in Hegel's Political Philosophy*, p. 2.

⁴¹ Giner Salvador (1985) op. cit., p. 250.

⁴² Z. A. Pelczynski (1984) op. cit., p. 2.

forces".⁴³ The most consequential facet of Marx's concept of civil society rests with his paradoxical illustration, such as alienation, exploitation and inequality. Civil society, in this sense, signifies "a corruption of the natural bonds of humanity generating instrumental social relations".⁴⁴ The everyday life of human being is enslaved in civil society where incivility does appear. Of course, the way out, for Marx, is to transcend the imperfect capitalism through a revolution by the class of proletariat to civilize civil society.

Marx's narrative on the concept of civil society and its relation with state is prominently enriched by Gramsci's theorization in which Hegel's influence is also traceable. For Gramsci, civil society comes to be

a sphere where ideological apparatuses operate and whose task it is to exercise hegemony and through hegemony to obtain consensus.⁴⁵

It is something which "does not belong to the structural sphere, but to the superstructural sphere".⁴⁶ Indeed, Marx's concept of civil society is lopsided to capitalist reductionism or economic determinism, to leave the superstructure intact. Gramsci's reversal is to reemphasize the necessity of superstructure, particularly those informal institutions other than the formal ones, such as schools and the church. The hegemony in cultural and ideological framework exercised by these institutions is formidable. Seen from this light, Gramsci's emphasis on superstructure is different from Hegel's advocacy of an ethical state. Civil society is responsible for safeguarding the state in Gramsci's dimension. It becomes a tool of the state to

⁴³ James Schmidt (1995), op. cit., p. 926. Similar definition of Marx's civil society is pointed out by Giner Salvador (1985) op. cit., p. 251 and Alvin Gouldner (1980) "Civil Society in Capitalism and Socialism", p. 357.

⁴⁴ Chandhoke Neera (1995), op. cit. p. 140.

⁴⁵ Norberto Bobbio (1989) op. cit., p. 29.

⁴⁶ Norberto Bobbio (1988) "Gramsci and Concept of Civil Society", p. 82.

manipulate its citizen's lives. More critically, such kind of hegemony or domination is not necessarily confined to totalitarian states but to democratic states as well. For Gramsci, it cannot rule out the possibility that "hegemony and democracy can be in some definite ways compatible".⁴⁷ The solution advocated is Marx's sense of revolution but its scope will be protracted to embrace the cultural dimension, which is well known as a "war of position"⁴⁸ among different actors.

Western Definition of Civil Society

To conclude the above discussion, we can observe that the schema of civil society versus state is obviously attributed to the Liberal tradition. A sense of limiting the state can be captured especially from Locke's and De Tocqueville's efforts, even though civil society becomes a separate entity from state and society in the hands of Hegel. Significantly, such review of Western conceptions enables us to be aware that the schema of liberal view is just one of the ways of thinking about civil society in the West, despite the fact that it is dominant in the contemporary discourse. There are diverse understandings of civil society within the Western traditions.

Remarkably, Charles Taylor views that civil society "expressed a programme of building independent forms of social life from below, free from state tutelage".⁴⁹

Three different senses of civil society are illustrated as follows:

1. In a minimal sense, civil society exists where there are free associations, not under tutelage of state power.
2. In a stronger sense, civil society exists only where society as a whole can structure itself and coordinate its actions through such associations which are

⁴⁷ Giner Salvador (1985) op. cit., p. 253.

⁴⁸ Krishan Kumur (1993) op. cit., p. 383.

⁴⁹ See Charles Taylor (1990) "Modes of Civil Society". p. 95. Strictly speaking, he offered three different modes of civil society with the conditions that one was more refined than the prior was.

free of state tutelage.

3. As an alternative or supplement to the second sense, we can speak of civil society wherever the ensemble of associations can significantly determine or inflect the course of state policy.⁵⁰

More delicately, Mouzelis conceived that there are three conditions to be fulfilled by claiming a strong civil society:

1. the existence of rule of law conditions that effectively protect citizens from state arbitrariness.
2. the existence of strongly organized non-state interest groups, capable of checking eventual abuses of power by those who control the means of administration and coercion.
3. the existence of a balanced pluralism among civil society interests so that none can establish absolute dominance.⁵¹

It is obvious to us that a clear delineation of civil society against the state rests with structural sense. The role of the association is specifically important for embodying such civic power to check the state. Another underpinning is shared with the Western idea of civil society in the cultural and moral arena. Chasing for a decent and ethical life becomes a primal target for the task of civil society. The pursuit of private interest (particularism) and pursuit of common interest (universalism) can be reconciled at this stage. Bell claimed that "the demand for a return to civil society is the demand for a return to a manageable scale of social life".⁵² The concern of Walzer will also be: "what is the preferred setting, the most supportive environment, for the good life?"⁵³ The answer is the idea of civil society. Seligman concluded that "the core component of the classical idea of civil society as an ethical vision of social life".⁵⁴

The fact is that civil society existed a long time ago in the West without

⁵⁰ Ibid., p. 98.

⁵¹ Nicos Mouzelis (1995) "Modernity, Late Development and Civil Society", pp. 225-226.

⁵² Daniel Bell (1989) "American Exceptionalism: Revisited the Role of Civil Society", p. 56.

⁵³ Walzer Michael (1992) "The Civil Society Argument", p. 90.

being recognized it. An empirical and typical demonstration of such liberal conception of civil society is firstly available in the case of Poland.

Eastern Europe Tradition

Basically, the domination of the civil society versus state over the contemporary discourse clearly is revealed in the case of Solidarity in Poland. Both theorists have conceived and activists have advocated civil society in ways in which its mission was projected to go against the Soviet communist regime. The formation of the first non-communist government in Poland in 1989 signified as a triumph of civil society. However, a free election was held in Hungary in 1990, resulting not from existence of civil society but from an enlightened state. Such a fact releases us from concentrating too much on the case of Solidarity which largely embodied the schema.

Civil Society in Poland

The liberal conception of civil society is unravelled in the power struggle of Poland, particularly after the establishment of a worker's union - Solidarity in 1980.⁵⁵ Conceived as an autonomous and self-organized civil society, indeed, it set out to struggle with the posttotalitarian regime.⁵⁶

The strategy of transformation in the sense of civil society highlights "reform from below" which is "different from both reform attempts from within the parties

⁵⁴ Adam B. Seligman (1992) op. cit., p. 10.

⁵⁵ Before its establishment in 1980, as Pelczynski argued, there seems to be misleading to advocate the rebirth of civil society in Poland. The Gramscian sense of civil society has also made better sense since that period of time. See Z. A. Pelczynski (1988) "Solidarity and the Rebirth of Civil Society in Poland, 1976-81", pp. 368-369.

⁵⁶ Marcia A. Weigle and Jim Butterfield (1992) "Civil Society in Reforming Communist Regimes:

and revolutionary challenges from outside".⁵⁷ Michnik argued that "structural reform from below is the last hope for democratization" and Kuron put forward that "social self-management as the goal of reforms from below".⁵⁸ All of them realize that the democratic system is not a viable option in posttotalitarian context whereas social and political movement with multiple participation from below is a way-out. Their aim is to invoke the power unleashed to take a 'war of position' with the state.

The creation of public sphere, of course, is vital for promoting the process of democratization. It is one of the most significant contributions driven by Solidarity in 1980-81. The public sphere, in a cynical sense, is so important that "breaking the state monopoly of information and cultural expression made authentic social communication possible".⁵⁹ Much information was possessed under the name of Solidarity particularly in case of going underground when the government imposed martial law. Understood in this way, a "political public sphere", in a Habermasian sense, which pinpoints "a discursive formation of opinion" and "a public composed of the citizens of a state" was generated.⁶⁰

Although civil society in Poland enables us to have an understanding of how an autonomous sphere is worked out extraneous to the state, a schism occurred within Solidarity concerning its intent and direction for development. In other words, there was a question of what ways civil society should direct to the state. Some argued for depoliticization of Solidarity, which signifies a concentration on

The Logic of Emergence", pp. 2-3.

⁵⁷ Andrew Arato (1981) op. cit., p. 28.

⁵⁸ Ibid., p. 29.

⁵⁹ Janina, Frentzel-Zagorska (1990) op. cit., p. 769.

⁶⁰ Jürgen Habermas (1992) "Further Reflections on the Public Sphere", p. 446.

issues of civil society but a de-emphasis on activities of political society.⁶¹ A remark is good enough to advocate its stand: "Solidarity wanted to impose the democratization of the country's social and political life, and a loosening of the state's grip on society; it never sought to take over the state".⁶² Solidarity performed self-limitation. In practice, remaining non-political in nature was also favorable for Solidarity itself to minimize the possibility of Soviet intervention. Yet, the fact is that the leaders of Solidarity, on the whole, did not accept such a suggestion.⁶³ After 1989, not surprisingly, a scenario was so dramatic that "a leading part of the civil society against the state became a leading part of the state".⁶⁴ At this stage, the war of position as a postulation in the Gramscian concept of civil society was said to be achieved.

Yet, the second society of Hungary⁶⁵ can be seen as a great contrast to the Polish phenomenon. Given that Polish strategy was "adaptation through opposition", it then said that the adaptational components were stronger than the oppositional components in Hungary. The trajectory of Hungarian model can be attributed to an enlightened state which was an anomaly in regard to the civil society versus state schema.

⁶¹ The advocate of Wyszynski and Wojcicki is a case in point. See Z. A. Pelczynski (1988) op. cit., pp. 373-374 and Andrew Arato (1981) op. cit., pp. 34-35.

⁶² Touraine A., Dubet, F., Wiewiorka M. and Strzelecki J. (1983) *Solidarity: The Analysis of a Social Movement: Poland 1980-1981.*, p. 183.

⁶³ Z. A. Pelczynski (1988) op. cit., p. 374.

⁶⁴ Janina, Frentzel-Zagorska (1992) "Pattern of Transition from a One-party State to Democracy in Poland and Hungary", p. 51.

⁶⁵ It is preliminary stage of civil society conceptualized by Hankiss. See Janina, Frentzel-Zagorska (1990) op. cit., p. 766.

Chinese Tradition

State socialist countries in Eastern Europe departed from the Soviet regime to declare their independence in 1989 and at the same time there was the June Fourth movement in China. Such a drastic change in state-society relationship does provide a fertile basis for scholarly works. Civil society was one of the most eye-catching phases for deliberation and consideration. Unleashing a flow of social forces to gain an autonomous sphere, Solidarity in Poland easily signified the triumph of civil society. As already mentioned, however, the liberal view of civil society is still polemical to generalize the development of whole East Europe.

Likewise, there is no simplicity to the problem in China. At first sight, scholars remain exceedingly in thrall to the schema of civil society versus state, especially when discussing the June Fourth incidence.⁶⁶ Then a number of scholarly works argued against such simplicity and sanguineness with a question concerning whether the schema was a viable and opportune option to conceptualize what has and had happened in China. Responding to such debate, as mentioned in the very beginning, students of civil society have three roads towards further disenchantment. Although consenting unanimously that the concept of civil society is problematic, we are not prepared to drop it entirely or to set it as a man of straw for conceptual purposes. To put it in another way, we are also inclined to discard such optimism of looking for changes to fit the concept. As Walder's reservation has shown, such reform from within, no matter how slow, consequently leads to "common debates

⁶⁶ See Clemens Stubbe Ostergaard (1989) "Citizens, Groups and a Nascent Civil Society in China: Towards an Understanding of the 1989 Student Demonstrations", pp. 28-41. Lawrence R. Sullivan (1990) "The Emergence of Civil Society in China, Spring 1989", pp. 126-144. Thomas B. Gold (1990a) "Party-State versus Society in China", pp. 125-151 and (1990b) "The Resurgence of Civil Society in China", pp. 18-31. Barrett L. McCormick, Su Shaozhi and Xiao Xiaoming (1992) "The 1989 Democracy Movement: A Review of the Prospects for Civil Society in China", pp. 182-203. Martin K. Whyte (1992) "Urban China: A Civil Society in the Making", pp. 77-101.

about whether civil society has emerged, is emerging, or might emerge, and usually concluding with the claim that these are the seeds of future developments".⁶⁷ For him, there is no convincing argument put forward to demystify why such a dynamic galvanized by the reform necessarily and appropriately conceptualizes the concept of civil society. A similar warning has been made by Gu,

many China scholars call everything that is the outcome of a relaxation of state control, ingredient of a civil society, and then use their existence to explain the current social and political changes. Then, when they find their empirical data insufficient to support their conclusions, they tend to use various adjectives such as weak, incipient, emergent, nascent, soft, or embryonic to modify the concept of civil society.⁶⁸

Armed with such caution, the standpoint of the pros and cons about search for civil society in the contemporary context seems to us unconvincing and too early. Arguing for the concept of civil society as a useful analytic tool as well as a point of reference for understanding the changing state-society relationship in China, we insist on altering the concept to fit the landscape. Civil society should be contextualized with a primary emphasis on rejecting the schema of civil society versus state in Liberal tradition. Even though common characteristics of civil society are shared between the West and China, such as autonomy and publicness, the culturally bounded characteristics of the liberal view should be abandoned. Instead, there is culturally and historically bounded characteristic of civil society in China, namely cooperation. It is our intention to look Chinese imperial history to understanding the changing state-society relationship.

⁶⁷ Andrew G. Walder (1995) "The Quiet Revolution from Within: Economic Reform as a Source of Political Decline", p. 16.

⁶⁸ Gu Xin (1993/4) "A Civil Society and Public Sphere in Post-Mao China?: An Overview of Western Publications", p. 51.

Philosophical-moral Reflection in China

Having examined the validity and limitations of the civil society versus state schema amid a review of its Western origins and applications in state socialist countries in Eastern Europe, we present our description of civil society as an autonomous realm generated cooperatively in between the state and society. Accordingly, we reject the liberal schema, but do not necessarily reject civil society. In China, the form of civil society which developed and its process of formation are not familiar to students of Western experience. Such a realm is produced under the efforts of both the state and society in China. Several considerations, as follows, should be highlighted as a way of showing the striking differentiation between civil societies in Chinese and Western contexts.

One of the most core inquiries addresses the relationship the among state, society and civil society. The basic liberal schema goes wrong by conflating society with civil society and by setting it in opposition with the state. Deliberately, scholarly works are comfortably oriented to take the conception of binary opposition for granted. As Philip Huang has argued, however, "we need to break out of the old conceptual habits of postulating a simple binary opposition between state and society".⁶⁹ We instead postulate a trinary conception as having a third space situated in between state and society, making civil society a distinct category.

The conception of binary opposition is intended to set aside the role of state in the making of such an autonomous realm. Nonetheless, Ma has questioned "how realistic is this rejection of the state"?⁷⁰ The role of the state in the process of formation of such a realm should not be abandoned under the trinary conception. As

⁶⁹ Philip C. C. Huang (1993) *op. cit.*, p. 238.

stated clearly, such a realm gets involved in the "statemaking" effort; its nature is by no means against the state.⁷¹ The fact is that "some degree of penetration of the state's infrastructural power is essential to the good health of civil society".⁷² In order to bring the state back in, the most valuable suggestion is that the state's proper place as an explanatory component of social change should not be bypassed.⁷³ For Edward Shils, as for John Gary, one of the most important components for the operation of civil society rests with the rule of law codified by and maintained by the state.⁷⁴ The underlining intention is to revitalize the importance of state as a fulcrum to balance the rhetoric of society's force in a civil society thesis. It is also worthwhile to note the Chinese narrative stated by Walzer. A paradox of the civil society argument is that "only a democratic state can create a democratic civil society; only a democratic civil society can sustain a democratic state".⁷⁵ Is this a paradox for China? I will argue that if there is an emergence of civil society in the Chinese context, the basic prerequisite is an enlightened and self-limiting state. Attempting to push the state away entirely at one extreme or thinking of the state as omnipotent at the other extreme will result in a distorted picture of China.

Likewise, such a trinary conception spells out an insightful point of view where "if a given social group successfully resists the state but suppresses its

⁷⁰ Ma Shu-Yun (1994) "The Chinese Discourse on Civil Society", p. 191.

⁷¹ Philip C. C. Huang (1993) *op. cit.*, p.229.

⁷² Heath B. Chamberlain (1993) *op. cit.*, p. 208.

⁷³ Theda Skocpol (1985) "Bringing the State Back In: Strategies of Analysis in Current Research", pp. 27-28.

⁷⁴ See Gary John (1991) "Post-totalitarianism, Civil Society, and the Limits of Western Model", pp. 145-160. And Edward Shils (1991) *op. cit.*, pp. 3-20.

⁷⁵ Michael Walzer (1992) "The Civil Society Argument", p. 104.

members in the process, it cannot qualify as a component of civil society".⁷⁶ On the one hand, this means that autonomy from the state cannot suffice as a condition of civility. What needed is that:

Civil society must depend upon the ability to escape any particular cage; membership of autonomous groups needs to be both voluntary and overlapping if society is to become civil.⁷⁷

On the other hand, the conception draws our attention to a tyranny of society as dangerous as that of the state. To borrow a Habermasian word, a process of societalization is equally as destructive to public sphere of civil society as a process of state-ification. That is to say, "a well-functioning civil society provides refuge not only from arbitrary state action, but from social injustice as well".⁷⁸ Madsen's notion of "communities of memory" is vital for constituting "civility of civil society" for every individual in moral community.⁷⁹ Stated in another way, for Chamberlain, such a community can be understood as a civil society which is "bonded and empowered by its collective determination to resist, on the one hand, excessive constraints of the society and, on the other, excessive regulations by the state".⁸⁰ As Pye concluded, "in China the society was community oriented; individuals were expected to find their identities as a part of a group and to conform to the conventions of the collectivity".⁸¹ Civil society, therefore, discussed in such an ambit is reduced to the individual level and is focused on cultural-ethical understanding.

⁷⁶ Heath B. Chamberlain (1998) op. cit., p. 79.

⁷⁷ John A. Hall (1995) "In Search of Civil Society", p. 15.

⁷⁸ Heath B. Chamberlain (1994) "Coming to Terms with Civil Society", p. 117.

⁷⁹ Richard Madsen (1993) "The Public Sphere, Civil Society and Moral Community: A Research Agenda for Contemporary China Studies", pp. 192-194.

⁸⁰ Heath B. Chamberlain (1993) op. cit., p. 207.

By then such reconceptualization is conducive to avoiding "the potential pitfall of leading us into forced equations between the Western and Chinese experience".⁸² It enables us to be immune from the plight of "ethnocentrism".⁸³ By and large, the binary opposition is predicated with a bottom-up model, through struggle and society-oriented in nature. Contrarily, the trinary conception in the Chinese context is inclined to make a balance by incorporating a top-down model, negotiation and state-oriented in nature into analysis.

Historical-sociological Reflection in China

Discourse about civil society has become popular in China since the 1978 reform period. To remedy the turmoil caused by the late Chairman Mao, decentralization of state power was set in the agenda to revitalize the initiative of society. The state-society relation is perceived to have changed, easily generalized as the sprout of civil society. As previously mentioned, social changes in different aspects turn to an object of study. According to Gordon White, an embryonic civil society identified with a kind of intermediate organization emerged in the Xiaoshan study.⁸⁴ Even so, he proclaims that "in current circumstance, it is too early to talk about the emergence of civil society as an established fact".⁸⁵ Applications of civil society have been made as carefully as possible in contemporary China. Some of the scholars cast a gloomy view onto the development of civil society in the future due

⁸¹ Lucian Pye (1990) "China: Erratic State, Frustrated Society", p. 64.

⁸² Philip C. C. Huang (1991) "The Paradigmatic Crisis in Chinese Studies: Paradoxes in Social and Economic History", p. 333.

⁸³ William Rowe (1993) *op. cit.*, pp. 153-154.

⁸⁴ Gordon White (1993a) *op. cit.*, p. 86.

⁸⁵ Gordon White (1993b) *op. cit.*, p. 230.

to the fact that no support has been gained from the intellectuals in China.⁸⁶

Reflecting on whether there was a resurgence or reemergence of civil society, scholarly works are directed to take a historical perspective for the study of civil society in China. Through a study of local elite in Zhejiang, Mary Rankin develops the idea of public sphere to equate with the concept of 'gong' which refers to "the institutionalized, extrabureaucratic management of matters considered important by both the community and the state".⁸⁷ Such managerial growth is an indicative of "the devolution of power from the state center to the local and rural élites".⁸⁸ Another study in Hankow in the Qing Dynasty conducted by William Rowe⁸⁹ was widely accepted as a confirmation of the emergence of civil society. His study, arguing for the emergence of self-organized and autonomous organizations, such as commercial guilds and philanthropic associations, finds autonomy exercised independently of the state.⁹⁰ The gentry, merchants and gentry-merchants fostered a "participation mentality" in public management.⁹¹ In David Strand's research, the focus is extended to include the rise of professional associations (fatuan), which are described as a "combination of dependency and autonomy".⁹² In his sense, individuals (members) can employ these associations as a cocoon against control exercised by the state; they indicate a proliferation of civil society.

⁸⁶ See David Kelly and He Baogang (1992) op. cit., p. 37.

⁸⁷ Mary Rankin (1986) *Elite Activism and Political Transformation in China: Zhejiang Province, 1865-1911*, p. 15.

⁸⁸ Ibid., p. 21.

⁸⁹ William Rowe (1984) *Hankow: Commerce and Society in a Chinese City, 1796-1889*.

⁹⁰ William Rowe (1993) op. cit., pp. 147-148.

⁹¹ Ibid., p. 147.

⁹² David Strand (1993) op. cit., pp. 57-58.

Apart from these, some early studies of Sinologists analyzed a vivid picture of the social dynamic in late imperial China, though they did not spell out or make use of the term civil society or the public sphere as conceptual tools. Rhoads's study aims at capturing social changes in Canton during the period of 1895-1911. A process of politicization and commercialization in tandem with a consolidation of new social groups, namely the gentry-merchants in the public arena was remarkable in the late Qing.⁹³ A similar conclusion appears in Wellington Chan's study which mainly uses a statist perspective to capture the social dynamic in the Qing dynasty.⁹⁴ Following such a logic of thought, a number of studies concerning merchants (including gentry-merchants) and their organizations in the late Qing were done by some Chinese historians.⁹⁵ Encouragingly, their attempt is to make use of the concept of civil society and the public sphere in Chinese context.⁹⁶

On the whole, a rather autonomous and dynamic social life is outlined by the above studies. Martin Whyte believed that "a not well-institutionalized civil society" did emerge in the times of the waning of state power in the late Qing.⁹⁷ Siding with other scholars, he realized that the development of civil society suffocated under the rapid expansion of the state after 1949.⁹⁸ Unlike the optimistic conclusion expressed

⁹³ Edward Rhoads (1975) *China's Republican Revolution: The Case of Kwangtung, 1895-1913*, pp. 270-272.

⁹⁴ Wellington K. K. Chan (1977) *Merchants, Mandarins and Modern Enterprise in Late Ching China*.

⁹⁵ Ma min (1995) *Guanshang zhijian: shehui jubianzhong de jindai shenshang*. Yu Heping (1995) *Shanghai yu zhongguo zaoqi xiandaihua* and (1996) "Qingmo minchu jingji lunli de zibenzhuyihua yu jingji shetuan de fazhan", pp. 1-21.

⁹⁶ Ma min and Zhu Ying [1993] *Chuantong yu jindai de erchong bianzou: wanqing suzhou shanghai gean yanjiu*. Zhu Ying (1991a) "Qingmo xinxing shangren ji minjian shehui", pp. 37-44 and (1996) *Wanqing jingji zhengce yu gaige cuoshi*, pp. 239-257.

⁹⁷ Martin K. Whyte (1992) *op. cit.*, p. 82.

⁹⁸ For example, Mayfair Young recognized that civil society was engulfed by the socialist state which

in his earlier study of Hankow, his concluding remark about the root of civil society in imperial China is ambivalent because the concept itself is too value-laden.⁹⁹ However, we still hold the conviction that a search for civil society in the historical dimension is useful and valuable, especially in shedding light on the contemporary discussion in China, but only if the theoretical ambiguity is also clarified.

Concluding Remarks

A central criticism of civil society is that it is amorphous. There is no unanimous definition; a term which can refer to everything means nothing.¹⁰⁰ Hence, there are three different reactions towards the application of the concept, ranging from deserting it entirely to reformulating it in context. Actually, we think that it is not necessary to find a definition universally agreed upon. This is why the liberal schema is rejected as a viable alternative to correctly analyze the socio-economic changes of imperial and contemporary China.

The Western conception delivers a clear message, particularly of the importance of civil society for ascertaining ethical and civilized social life. The Liberal tradition and Marxist tradition showed us that, regardless of the dominance of the former, there was a schism within the Western conception.

The experience of Eastern Europe can further substantiate our line of argument that the differences between Poland and Hungary make the use of liberal schema of civil society as a universal lens questionable. Solidarity, as an embodiment of civil society in Poland, is properly understood in the perspective of

continuously aggrandized after 1949. See Mayfair Yang Mei-hui (1989) op. cit., pp. 35-36. Also, Fu Zheng-yuan (1993) *Autocratic Tradition and Chinese Politics*, pp. 161-169.

⁹⁹ William Rowe (1993) op. cit., pp. 153-154.

¹⁰⁰ Andrew G. Walder (1997) op. cit., p. 16.

a social movement in that a period of time. Its success in expelling the Soviet communist in 1989 brought about a dilemma as to whether Solidarity should become the governing party. The leader of Solidarity, as a result, opted for governance, making civil society merge with political society.

Rather succinctly and properly, the concept of civil society is treated as an ideal type is not necessarily synonymous with the best of all possible worlds as Max Weber formulated. It is usefully treated as a heuristic device with an emphasis on its function to make a "comparison with empirical reality in order to establish its divergences or similarities, to describe them with the most unambiguous concepts, and to understand and explain them causally".¹⁰¹ As White has also plainly argued,

it is important to introduce a distinction between civil society as an ideal-type concept which embodies the qualities of separation, autonomy, voluntary association in their pure form and real world of civil societies which embody these principles to varying degrees.¹⁰²

As such, an ideal type of civil society implies that some places are more civil than the others. Different types of civil society likely coexist in reality, and some of their features are particularly prominent under the ruler of ideal type. According to Giner, "no paradigmatic civil society exists in the real world, though some countries come closer to the ideal than others".¹⁰³

Along with such logic of argument, we are not just concerned with quantifying civil society, but rather with focusing on the quality of civil society. Several features are definitely and commonly shared among civil societies at an

¹⁰¹ George Ritzer (1992) *Sociological Theory*, p. 119.

¹⁰² Gordon White, Jude Howell and Shang Xiaoyuan (1996) op. cit., p. 6. Conceded with such conception, Chan proposes that 'an idea type of civil society is a structure of social organizations independent from the state and embedded in a participant culture'. See Chan Kin-man and Qiu Haixiong (1997) "Small Government, Big Society: Social Organizations and Civil Society in China", p. 4.

¹⁰³ Giner Salvador (1985) op. cit., p. 254.

abstract level, namely autonomy and publicness. Yet, we should be alert that some other features are modified differently in the process of forming civil society in different social settings and at different periods of time in a given place.¹⁰⁴ By then, it means that each sub-type of civil society would have culturally and historically bounded features in the real world. As we will elaborate in chapter five and six, the Chinese type of civil society is an interpenetrated mode which is characterized by "cooperation".

Bearing this in mind, we begin with debunking the dominant view of liberal schema held in the contemporary discourse of civil society. Its conception of the binary opposition between the state and civil society should not be universally applied. In China, the trinary conception of civil society can properly be modulated. We take this chance to rethink the role of state and society in the course of the development of civil society, particularly pointing to the differences as predicated in the schema. An interpenetrated mode of civil society is instituted under the frame of state-society relationship in the Chinese context. As the following chapters show, a study of the chamber of commerce in Canton in the late Qing serves as a concrete basis for rebuilding the Chinese conception of civil society.

¹⁰⁴ Wasserstrom and Liu criticize that the contemporary Chinese studies pay shrift attention the variations in civil societies and public spheres of differing cultures and time periods. See Wasserstrom Jeffrey and Liu Xintong (1995) "Students associations and mass movements", p. 375.

Chapter Three

State Overwhelmed Society: State-Merchants Relationship from Early to Middle Qing, 1644-1895

Introduction

In ancient China, state penetration seemed to be ubiquitous. The state-society relationship was so unbalanced that society was crowded out. It is understandable that state-making process was really mature at that time, exemplified by a systematic civil service system, ideological control through education with Legalistic ideas embedded in Confucianism, stern registration system of population and social control through different levels of government. Basically it is safe to describe the ancient Chinese history as an autocratic tradition.

Taking merchants into consideration could offer us a more nuanced view of how intense the state penetration was in the imperial Qing. Conventionally, merchants were ranked among the lowest strata in the agrarian regime under the order of Confucian ethics, and their social position was seen as that of a philistine or parasite by Legalists. Their occupation was also disparaged as "secondary or non-essential (mo-ye)".¹ Despite such inferiority and vilification of the merchants, the state really largely depended on the tax of merchants as revenue, for example the selling of certificates to salt merchants and the monopolizing of the collection of revenue from foreign trade by establishing the Co-hong system in Canton. Generally, irregular contribution from the merchants was not rare. In return, of course, they were awarded a degree or a government post, called "shang-jen chuan-

¹ Farming, undoubtedly, is the most important occupation, so-called "pen-yeh", corresponding to the merchants' one. See Yang Lien Sheng (1982) "Government Control of Urban Merchants in Traditional China", p. 28.

kuan" (Shang-ren-juan-guan).² Nevertheless, acquiring such kind of gentry-like status should not represent an improvement in the status of the merchants.

Against this background, this chapter mainly focuses on the early Qing (1644-1830's), in which the capacity of state is still said to be strong enough to co-opt the merchants with a prescribed form of institution, like the Co-hong system in Canton and on highlighting transformations that happened in middle period (1840's-1895). Under the autocratic tradition in the early Qing, we can assert that the autonomy of the merchants was deprived of any opportunity for proliferation. By co-optation, they were apparently subservient to state domination. Owing to their inferiority in the official conception, the merchants were bereft of any protection of their interests and rights from the state. Then they tended to strive for self-protection by establishing different kinds of guilds which were generally immune from official intervention. Even though the guilds of the merchants could show another facet of the state-merchants relationship, their immunity can largely be attributed to their unimportance. These guilds might reveal a quest for autonomy of the merchants, though presented in a simple organizational form and concerned merely with their own private interests. And so it was not until the middle to late Qing that the state-merchants relationship had begun to transform in a slow but constructive way.

Following such logic of argument, it is not difficult to come to the conclusion that state penetration was far-flung whereas society was stifled in the early Qing. The autonomy of the merchants remained narrow and limited. Such a state-merchants relationship, as a point of departure, is indicative of their relationship in the great change in the late Qing.

² Ibid., p. 32. In fact, this practice could be traced long back to the Han dynasty (Han-wu di). Before 1842, this practice was used to praise those merchants voluntarily contributed to local community in the times of natural disaster.

Autocratic Legacies in Qing Dynasty

In the feudal period of the Shang dynasty, the state-making process was by no means complete. Control over natural resources was still left to the "primary group" of society, such as kinship family.³ In the feudal period of the Western Chou, this view of state was gradually consummated, initially emphasizing the view of heavenly mandate and claiming that "all land under heaven belongs to the King, and all people on the shores are subjects of the King".⁴ The reclaiming the royal ownership of natural resources reveals that state power gradually extended to society. From the Qin and Han dynasty, centralization of power was an elementary strategy through which absolute power was concentrated in the hands of state. All their policies basically served to the formation of an autocratic tradition. Fu characterized them as follows:

(1) state imposition of an official ideology; (2) concentration of political power in the hands of a few persons, often an individual, without institutional constraints on the exercise of that power; (3) wide-ranging scope of state power over all aspects of social life, including the economy; (4) law as a tool of governance wielded by the ruler, who acts above legal constraints; (5) state domination over all social organization, with private individuals as subjects and possessions of the state.⁵

One of the most prominent policies was "a system of lijia and baojia" introduced in the pre-Qin period.⁶ It was an administrative means to be exhaustively adopted by the Qing government with very little modification.

Although the system was to greater and lesser degrees modified in different

³ Hsu Cho-yun (1994) "Changes in the Relationship between State and Society in Ancient China", pp. 27-34.

⁴ See Fu Zheng-yuan (1993) *Autocratic Tradition and Chinese Politics*, p. 17.

⁵ *Ibid.*, p. 2.

⁶ The Legalist Shang Yang (about B.C. 390-B.C. 338) who was the Prime Minister of warlord Qin in the Warring States period introduced this system. Since then, it was widely adopted by the following dynasties. Even after 1949, a similar system was still exercised for registration and policing of

dynasties, its functioning seemed to have no interruption. From the Han to the Ming dynasty, the functions of *lijia* and *baojia* were performed so similar as to be indistinguishable. The former was putatively regarded as a kind of household management for tax collection whereas the latter could flexibly range from mutual surveillance among people, to prevention of crime, to the inculcation of Confucian ideology to exercise of sacrifice.⁷ Indeed, it was an effective means for the rulers to organize and order their subjects. Understandably, these advantages are extremely significant and attractive for alien conquerors, for example, the Qing rulers, for their ability to prevent Han people from jeopardizing their ruling. In the Qing dynasty, the *lijia* system was used to facilitate tax collection through organized household registration.⁸ Yet, such a system gradually deteriorated and was finally repealed. Its residual function was undertaken by the *baojia* system, as a social control mechanism, to be essentially responsible for policing the people and preventing crime. Its organizational pattern was designed in such a way that 'ten households formed one *pai* headed by a *pai* leader (*paitou*), ten *pai* formed one *jia* headed by a *jia* leader, and ten *jia* formed one *bao* headed by a *bao* leader'.⁹ Under such stern hierarchy, basically, there was no room left for those who aimed at carrying out any activities intended to do a disservice to the dynasty. Evidently, several emperors reiterated its importance for maintaining dominant authority, such as Kangxi in 1708 and Qianlong in 1757.¹⁰ In comparison with prior dynasties, the system was highly

people. See, *ibid.*, pp. 85-93 and 221-226.

⁷ *Ibid.*, pp. 89-92.

⁸ *Qingdai Quanshi* (1995), p. 419.

⁹ Fu Zheng-yuan (1993) *op. cit.*, pp. 92-93.

¹⁰ *Qingdai Quanshi* (1995), pp. 424-425.

effective and widely institutionalized under the Qing modulation. This seems to suggest that this relatively strict control over society was penetrative. Of course, we should recognize that the exercise of state power was still much more smooth and effective through the *baojia* system in early (Kang-xi, Yong-zheng, Qian-long) period than through that of the ensuing period.

The autocratic legacy, likewise, revealed in a system of civil service examinations which was an entry for all those who were oriented to officialdom. It functioned well to control ideology in the Qing dynasty. Such a system had originally been conducted in the Sui dynasty and was formally institutionalized in the Tong dynasty. Since then, it was widely accepted as an overriding principle for the state to opt for the best talents. The practice of the civil service examination in the Qing fundamentally emulated the Ming's old type, for example, in terms of the format of composition, the so-called "eight-legged essay".¹¹ As for the content, basic textbooks were the Four Books and Five Classics of the Confucian tradition but there was some additional material stipulated in examination. In the Qing, emperor Kangxi's own writing, the so-called "Sacred Edict", had become required material for the civil service examination in 1700.¹²

Understood in this way, the Qing government was hegemonic in terms of domination over the civil service examination. Candidates who aspired to officialdom had no choice but to take the standardized text. Although the arrangement which embodied a set of objective criteria for assessment was better than the selection method by exercising subjective and moral standard used in the Han dynasty, such an ossified practice eventually debilitated the creativity of the

¹¹ Fu Zheng-yuan (1993) *op. cit.*, p. 97.

¹² *Ibid.*, pp. 100-101.

candidates. Moreover, the task was concerned with promoting the best talents to serve the dynasty, together with maintaining the ideological control over intellectuals and the co-option of the local elite into the government. A kind of political culture prevailed with a sense of dependence upon the state.¹³ The system enabled the Qing rulers, alien intruders, to consolidate their authority and redound stability.¹⁴

So far, the autocratic legacy, represented by the system of *lijia* and *baojia* and the civil service examination, had substantially been justified. These two were social and political institutions vital for the survival of the Qing dynasty. In the following, we will examine the merchants under the autocratic tradition, providing a more detailed illustration of how the state really overwhelmed society in the early Qing. The Co-hong system and the guilds represent different orientations of the merchants toward the state.

Merchants under Autocratic Tradition

The merchants were traditionally ranked the lowest among the four strata (*shi*, *nong*, *gong*, *shang* in Chinese). It was a basic direction of governance defined as 'to honor the essential occupation and to suppress the nonessential occupations' (*Chong-ben yi-mo*).¹⁵ Certainly, "nonessential" occupations directly referred to all types of business activities in which the rulers by no means encouraged whereas the essential one was farming in the traditional agrarian society. An anti-merchants

¹³ *Ibid.*, pp. 102-103.

¹⁴ Xiao Yishan (1972) *Qingdai Tongshi*, Vol. 1, p. 599. Xiao unveiled the conspiracy of imperial ruler.

¹⁵ Yang Lien Sheng (1982) *op. cit.*, pp. 32-33 and Tang Lixing (1997) *Shangren yu zhongguo jinshi shehui*, pp. 6-13.

policy was exhaustively implemented in the period of Emperor Han wu-ti. It imposed a profit tax (Suan min-qian) onto the merchants. More seriously, their property might all be confiscated if their fake ledgers were discovered by the authority, alerted by the commoners. Apart from this, some basic necessities were monopolized under state intervention, namely salt, iron and alcohol. Seen from these lights, the merchants were subject to prosecution, punishment and limitation on their business. After the Han dynasty, the anti-merchants policy basically remained unalterable. Not only were they not allowed to sit for the civil service examination, but also officials were strictly prohibited from engaging in commercial affairs.¹⁶ Not until there was a proliferation of commerce in the Tang and Song dynasty did the suppression of merchants seem to be relaxed.¹⁷ The establishment of an official mechanism, a so-called system of foreign trade management (Shi-bo-si) appeared in some coastal areas, such as Canton.¹⁸ The system would undertake all matters in relation to foreign traders, including their residence. In fact, the system could also be regarded as a kind of control imposed upon the merchants' activities. But, the classification of traditional business activities as nonessential no longer seemed valid from that time onward.

As Yang strongly asserted, the status of merchants in the two alien dynasties, Jin (1114-1234) and Yuan (1260-1368), was upgraded in the sense that their family members and ex-merchants were permitted to sit for the civil service examination.¹⁹

¹⁶ Tang Lixing (1997) op. cit., p. 9.

¹⁷ Yang Lien Sheng (1982) op. cit., p. 30.

¹⁸ Such system of Shi-bo-si was set up in Canton in 714 A. D., see Zhang Zhongli (1996) *Dongnan yanhai chengshi yu zhongguo jindaihua*, p. 230.

¹⁹ In his viewpoint, there was a kind of political emancipation for the merchants. See, *ibid.*, p. 31.

However, we think that governing period of these two dynasties was relatively transient, constituting no great and continual improvement in the status of merchants. Not surprisingly, regulations against the merchants still existed under the Ming. Merchants could still be regarded as an underprivileged group in society. For example, the first emperor of the Ming dynasty (Zhu Yuan-zhang) issued a mandate to restrain the merchants from wearing silk, only allowing farmers to do so.²⁰ In this regard, the autocratic tradition was exercised to an extreme that the lifestyle of the merchants was severely manipulated. Despite the fact that the social life of the merchants was restricted, commerce continually grew. More significant, the traditionally strict access to business activities was loosened. Many other social actors were able to participate in business.²¹ In the early Qing, the treatment of the merchants basically did not change from that of the previous dynasties. Under the legal code of Qing (Da-Qing-lu-li), the sections, concerning commerce, mainly provided for "an extensive system of controls based on the old idea of state monopoly and implemented by the principles of strict surveillance and collective responsibility".²²

Through the above general discussion of the merchants in ancient China, we can observe that their status can be seen to be the lowest mainly because of the traditional emphasis on the agrarian mode of production, and a concern for the stability and continuity of dynastic governance. Owing to capital accumulation through land encroachment and resource monopoly, the merchants were conceived

²⁰ Tang Lixing (1997) op. cit., pp. 9-10.

²¹ A Ming statute stipulated that officials below certain ranks were permitted to own businesses. See Wellington K.K. Chan (1977) *Merchants, Mandarins and Modern Enterprise in Late Ching China*, p. 20.

²² Jr. Dawson (1948) "Law and the Merchant in Traditional China: The Ching Code, Ta-Ching Lu-li, and Its Implications for the Merchant Class", p. 69.

of as adversely affecting social stability. Directly in face of the problem, the state lost no time in using whatever means to remedy the situation, such as a policy of intervention. Hence, as previously mentioned, some basic necessities were monopolized by the state rather than by the merchants. By so doing, state revenue could be increased whereas the negative influence of the merchants' monopoly could be minimized. Such a rationale explains why the merchants had long been completely unwelcome by the imperial dynasties. Actually, they were not a powerless group, especially in the local community. Their inferior status was ideologically established by imperial state by virtue of Legalistic ideas coated with Confucianism.

No policy or law protecting the merchants was formulated in dynasties before the Qing.²³ Challenged by such a predicament, the merchants necessarily tended to promote self-help and self-protection mainly in collective form, widely called hang (hong) or hang-hui (hong-hui), which had a long tradition in Chinese history.²⁴ Its name had been changed to hui-guan (hui-kuan) or gong-suo (kung-so) in the Ming and Qing period.²⁵ There was deliberation about whether the hang-hui or the hui-guan or gong-so was synonymous with the term "guild" in the West.²⁶ In

²³ Even in Qing, the emphasis on protecting merchants was taken into account after Sino-Japanese War in 1895. See Zhu Ying (1996) *Wanqing jingji zhengce yu gaige cuoshi*, pp. 1-7.

²⁴ Quan Hansheng offered a comprehensive explication of the history of hong from the Sui and Tang to the Song dynasties. See Quan Hansheng (1935) (1978) *Zhongguo hanghui zhidushi*, pp. 29-87.

²⁵ As Quan argued, such kind of hui-kuan had not primarily emerged in Ming dynasty while it had long been existed in the period of Southern Song. See, *ibid.*, p. 92. Apart from this, we would believe that it was a continuity of the development of hong. See Shigeshi Kato (1936) "On the Hang or Associations of Merchants in China", pp. 45-46. Yet, its mode of organization is more complicated than that of traditional hong. See Chen Baoliang (1996) *Zhongguo de she yu hui*, pp. 219-232 and Quan Hansheng (1935) (1978) *op. cit.*, pp. 92-120.

²⁶ As Shigeshi Kato stated, "the European and American scholars of Oriental studies like to regard the word hui-kuan as synonymous with the English word 'guild', but in my opinion the hui-kuan corresponds to the guild hall, and what corresponds to the guild is the hang". See Shigeshi Kato (1936) *op. cit.*, p. 79. Yet, as argued by Yang, 'the word hang in Chinese texts means more often

this thesis, we put aside such disputes to treat all these merchants' organizations as a form of guilds, especially the chamber of commerce in the late Qing. This is because, according to Morse's comparison, there is a major difference between the guilds of Europe and China in relation to the government. The former was closely and co-operatively related to local government while the latter frequently opposed the encroachments of officials.²⁷ Another difference is that the guilds of China were deprived of legal status²⁸ and their "protectionism" and "exclusiveness" was weaker than that of their European counterparts.²⁹ For the sake of avoiding unnecessary confusion and polemic, we had better use their own denomination or, if necessary, collectively call them merchants' organizations.

Mostly, merchants' organizations tended to keep a distance from the Qing dynasty with "a high degree of control over their own occupations", except for monopolistic organizations, like the salt industry and the system of Co-hong over foreign trade.³⁰ Of course, these merchants could enjoy benefits generated from the monopoly but simultaneously were severely exploited by the officials. In the following, firstly, it is of particular interest to take the Co-hong system as an example to illustrate the type of monopolistic organization, directly to reveal state capability and its domination over merchant activities. Hence, there is less likelihood that the autonomy of the merchants could have taken shape under the period of state

"trade" than "guild". Yang Lien Sheng (1982) op. cit., p. 36.

²⁷ Morse Ballou Hosea (1976) *The Guilds of China: With an Account of the Gild Merchant or Co-Hong of Canton*, pp. 5-6.

²⁸ Ibid., p. 27 and Joseph Fewsmith (1983) "From Guilds to Interest Group: The Transformation of Public and Private in Late Qing China", p. 232.

²⁹ Tang Lixing (1997) op. cit., pp. 107-108 and Liu Kwang-Ching (1988) "Chinese Merchant Guilds: An Historical Inquiry", p. 209.

³⁰ Joseph Fewsmith (1983) op. cit., pp. 230-231.

co-optation in the early Qing. Yet, an analysis of transformation among the merchants' organizations, including hang-hui, hui-guan, gong-so, enables us to understand a limited sense of autonomy which constituted another facet of the state-merchants relationship.

Co-hong System: Representation of State-Merchants Relationship

Foreign trade had long existed since the Tang and Song dynasties, and Canton was one of the most important and popular places for an interaction with foreigners. As early as the Tang dynasty, a system of foreign trade management (Shi-bo-si) was established in Canton in 714. According to forecast from Zhang, the area of their residence (Fan-fang) was about three hundred and thirty acres (two thousand in Chinese unit) in Canton in the Tang period, in comparison with only twenty-one acres (one hundred and twenty six in Chinese unit) in the Qing period.³¹ In a period of the Southern Song, Quanzhou surpassed Canton to become the largest nation-wide trade center but Canton regained its primacy in the Ming dynasty.³² As Li described, the frequency of exchanges between local residents and foreign traders was unprecedentedly high in the early Ming.³³ Yet, a policy of embargo was executed mainly because of the encroachment of Japanese raiders in the Jia-jing period. From that time, no one was allowed to trade with the foreigners, except those merchants who obtained a permit from the authority. Under such circumstances, the system of Shi-bo-si which was primarily responsible for tax collection became dilapidated. So, a kind of broker (Ya-hang) was reestablished in Canton as a

³¹ Zhang Zhongli (1996) op. cit., pp. 237-238.

³² Ibid., pp. 230-231.

³³ Li Longqian (1985) "Mingdai Guangdong duiwai maoyi jiqidui shehui jingji de yingxiang", p. 290.

replacement.³⁴ This system was composed of official (*guan-ya*) and private (*si-ya*) types.³⁵ As middlemen, the merchants stood surety for both buyers and sellers, targeting a completion of transactions. In return, a huge commission was remunerated for such practice. Basically, these merchants had to get a license (*Ya-tie*) from the officials for authorization.³⁶ There was a quota set on such licenses, and several merchants who could enjoy this privilege had a monopoly on foreign trade. The system of brokerage was continuously adopted in the early Qing and could be seen as the precursor of the Canton Thirteen Firms (*Shi-san hang*).³⁷

In the early Qing, there were five prohibitions of trade (*Haijin*) imposed, including in 1655, 1656, 1665, 1672 and 1675). As Xia argued, the policy was by no means directed to exclude Western traders but aimed at extinguishing anti-Qing supporters in Taiwan.³⁸ After the accomplishment of such a task, the prohibition was relaxed in 1684. In the following year, there were four custom departments established in coastal areas, namely the Canton Hoppo's Custom in Guangdong, Song-jiang Hoppo's Custom in Jiang-su, Ningpo (Ningbo) Hoppo's Custom in Zhejiang and Quanzhou Hoppo's Custom in Fu-jian.³⁹ In so doing, the intention was to regulate the foreign trade under an official hand. The Hoppo, as a Commissioner of Customs in the port, was a direct appointment with plenipotentiary power

³⁴ Such *ya-hang* was originally subsumed under the system of *Shi-bo-si* in early Ming. But it became an independent official system to regulate trade from *Jia-jing* period onwards. *Ibid.*, p. 303.

³⁵ Zhang Wenqin (1985) "Ming-Qing Guangzhou zhongxi maoyi yu zhongguo jindai maiban de qiyuan", p. 315.

³⁶ McElderry Andrea (1992) "Guarantors and Guarantees in Qing Government-Business Relations", p. 120.

³⁷ Li Longqian (1985) *op. cit.*, p. 305.

³⁸ Xia Xiurui (1992) "Qingdai qianqi de haiwai maoyi zhengce", p. 1160.

³⁹ Huang Qichen (1992) "Qingdai qianqi Guangdong duiwai maoyi de fazhan", p. 1150.

delegated from the central government, thereby basically independent from influence of the provincial officials.⁴⁰ Depicted by Morse, the functions of this post can be divided into three aspects:

He had to collect the moderate sum at which his office was assessed for customs duty, and to maintain the numerous staff by which it was collected; he had to collect further and much larger sums with which to gratify the court and ministers at Peking (Beijing), and to placate the high officials in whose jurisdiction his work lay; and he had to collect still further sums with which reimburse himself the amount his appointment had cost, to buy a peaceful retirement, and to leave himself the fortune for the acquirement of which he had taken office.⁴¹

As can be seen, except for the duty of tax collection, the rest of his functions were an informal exaction. The bribery reached to the most senior officials in the central government.

In addition, although one of the duties of the Hoppo was designed to regulate the foreign trades, an unwritten regulation stipulated that foreigners were to be denied direct access to the Chinese officials. That is why a system of Thirteen Firms was set up in Canton in Kang-xi (1686) period.⁴² A group of merchants was co-opted by the authority to communicate and trade with the foreigners. In Canton Custom, there were roughly thirteen firms nominated to be eligible. Actually, the number of 'thirteen' became typified for a sense of monopoly rather than the exact number of firms assumed. The Qing government stipulated that all foreign traders were prohibited from trading with other merchants, except for these firms' merchants who acted as middlemen to facilitate the exchange. The merchants of these Thirteen Firms were also known as official merchants (Guan-shang).

In order to strengthen their loyalty, obedience, effectiveness and peculiar

⁴⁰ Cheong Weng Eang (1997) *The Hong Merchants of Canton: Chinese Merchants in Sino-Western Trade*, p. 196.

⁴¹ Morse Ballou Hosea (1976) *op. cit.*, p. 79.

⁴² *Guangzhou jiansh* (1995), p. 183.

status toward the dynasty, the merchants of the Thirteen Firms were formally chartered to set up the Co-hong in Canton in 1720. For the merchants, as Morse mentioned, the system of Co-hong was "purported to be an organization of the merchants themselves", thereby a collectivity for articulating and protecting their own interests in foreign trade.⁴³ However, evidence shows that the officials spurred the formation of the system. Compatible with a strict official control over foreign trade, the Co-hong, we believe, primarily acted as an intermediary channel to deal with foreign traders. Seen from this light, the system of Co-hong was semi-official in nature, responsible for helping the Hoppo to collect the formal business tax. The status of the Co-hong merchants in Canton became far more monopolized in the field of foreign trade after 1757, mainly because the Qing ruler exercised an one-port-trade (Yi-kou-tong-shang) policy.⁴⁴ The new stipulation reduced the number of ports from four to one. The other three customs were closed down, and only the Canton Custom was kept open. Foreign traders were only allowed to trade in this prescribed port with prescribed merchants.

For the merchants of the Co-hong system in Canton, the closure of the other ports helped to further intensify their monopoly in foreign trade. Their rewards would be increased with an enlargement of trade volume. Surprisingly, however, the record demonstrates that among these hong merchants bankruptcy was not rare. Why did this occur? The answer is related primarily to the administrative duties carried out by the hong merchants in exchange for the monopoly, such as tax farming. The Hoppo, as previously mentioned, was in charge of Customs for tax collection. As a semi-official agent, the Co-hong necessarily complied with the

⁴³ Morse Ballou Hosea (1976) *op. cit.*, pp. 74-75.

⁴⁴ *Guangzhou jiansh* (1995), p. 183.

demands made by the Hoppo. Then the informal duty of the Hoppo, the fulfillment of exaction by officials in Beijing, was largely shifted to the hong merchants. As a result, "the greater the pressure applied to the Hoppo by Peking (Beijing), the more insistent were that official's demands on the merchants".⁴⁵ Such unreasonable exploitation was one of the major factors which made the hong merchants vulnerable to bankruptcy. For instance, one of the regulations for the Co-hong was that the 'hong merchants must not be in debt to foreigners'.⁴⁶ A 'Consoo Fund' had been used as a trading fund to settle the foreign debts for the hong merchants since 1790. Yet, it eventually became an excuse for official extortion, including birthday presents for the Emperor and the Hoppo (200,000 taels), presents for officials at Beijing (5,400 taels) and so forth.⁴⁷ Apart from these irregular and voluntary contributions, records also show that the hong merchants were often the scapegoat for illegal practices, and were fined for staggering amount of money.⁴⁸ Under the heavy hand rule, the Co-hong system was incapable of serving as a collectivity of the merchants for articulation and protection of their interests. Rather, the Qing government successfully took advantage of the system to indirectly govern the foreign trades, and further, to systematically exploit the merchants.

Apart from this, merchant bankruptcy occurred because some hong merchants were unable to overcome their own financial problems. This was only an occasional problem for the merchants before 1740, and the amount involved was

⁴⁵ Jr. Dawson (1948) op. cit., p. 78.

⁴⁶ Morse Ballou Hosea (1976) op. cit., p. 81.

⁴⁷ Jr. Dawson (1948) op. cit., p. 81.

⁴⁸ In 1785, hong merchants were fined 120000 taels because they were alleged to involve in an escape of a Chinese Christian from sheriffs. Ibid., p. 80.

usually not too large to be repaid. Yet, the situation became worse, and heavy debt was incurred. As Cheong has noted:

Throughout the 1740s not a single leading merchant failed, but there were four failures in the 1750s, one of some consequence, eleven between 1767 and 1780, together with dozens of shopkeepers and finally, a further twelve in 1780-1790. Moreover, the size of debts rose from minor defaults in the 1720s and 1730s to Beau Khequa's 60,000 taels in 1758, to over 1,000,000 taels in Yngshaw's and Coqua's cases in 1780 and finally, to at least 1,850,000 taels in Shykinqua's failure in 1795.⁴⁹

The financial problem revealed that trade skills among these hong merchants were still immature. As time went by, the hong merchants became consummate in handling financial straits incurred from foreign buyers (mainly the East India Company), up-country suppliers and the imperial state.

From the viewpoint of foreign traders, the hong merchants were regarded as 'King's Merchants' or 'security merchants'.⁵⁰ When a foreign supercargo came to Canton, it was first arranged with one security merchant whose responsibility laid in buying and selling. The foreign trader had to sell all the goods to, and buy the necessities from, such as silk or tea, this merchant. Manifestly, the foreign trader was situated passively because the price was set only by this security merchant. In the meantime, it was also incumbent upon the merchant to monitor the foreigners with reference to the regulations set by the Custom. A list of these regulations is explicated by Morse and some are as follows:

1. Women must not be brought to the factories; nor could guns, spears, or other arms.
2. Foreign traders must not engage Chinese servants.
3. Foreigners must not present petitions; if they have anything to represent, it must be done through the Hong merchants.
4. Foreigners must not remain at Canton out of season, but, their goods sold and their ships laden, must return home or go to Macao.⁵¹

⁴⁹ Cheong Weng Eang (1997) *op. cit.*, p. 286. Beau Khequa, Ynggshaw, Coqua and Shykinqua were the some of the merchants in debt in Co-hong in Canton. A list of table of hong merchants is available in Cheong, p. 258.

⁵⁰ *Ibid.*, p. 30 and 92.

⁵¹ Morse Ballou Hosea (1976) *op. cit.*, pp. 81-82.

It is not difficult to imagine that these arrangements would trigger widespread disagreement from the foreigners mainly on the ground that their activities in China were strictly confined within a limited jurisdiction. Their demand obviously was free trade, including where they could trade and with whom. They always intended to bypass the prescribed port and to obtain direct free trade to the hinterland.

Evidently, the Co-hong system and one-port-trade policy were successful in terms of either the tax amount of Canton Custom or the total number of foreign ships in Canton. From 1740-1834, the index showed that income from the tax on foreign trade increased five times. The average tax income per year in 1740-1744 was 297531.16 taels while it increased to 1518102.32 taels in 1830-1834.⁵² As for the number of foreign ships, the index of the rate of increase was also five times, from 1749-1838. There were 194 ships in 1749-1759 whereas there were 1101 ships in 1803-1838.⁵³ Both figures indicate the importance of Canton in the foreign trade by way of the state intervention. Undoubtedly, as the sole port for trade, it had an absolute advantage. Even though the system had been occasionally dissolved, for example, by the Viceroy in 1771 because of a large number of bankruptcies among the Co-hong merchants.⁵⁴ The system was not formally abolished until the Treaty of Nanking was signed, opening four more ports in 1842.⁵⁵

⁵² Dai He (1992) "Qingdai yuehaiguan shuishou shulun", p. 1128.

⁵³ *Guangzhou jiansh* (1995), p. 189.

⁵⁴ Morse Ballou Hosea (1976) *op. cit.*, p. 77.

⁵⁵ The fifth article of the Treaty of Nanking stated that "the government of China having compelled British merchants trading at Canton to deal exclusively with certain Chinese merchants called Hong merchants (Co-hong), who had been licensed by the Chinese government for that purpose, the Emperor of China agrees to abolish that practice in future at all ports where British merchants may reside, and to permit them to carry on their mercantile transactions with whatever persons they

The above discussion shows that state capability was strong enough to uphold the Co-hong system which was used not only to organize foreign trade in Canton, but also to manipulate the merchants for the purpose of communication and exploitation. One can ascertain that the merchants were submissive to the state at that period of time. The state overwhelmed society. Although we can outline a picture of autonomy in the guilds in the following, like hang-hui and gong-suo, such organizational life of the merchants by no means signifies a counter-balance for the lopsided state-society relationship as the case of Co-hong suggested. Rather, their insignificance to the Qing authority is the main reason for their autonomy.

Guilds of Merchants: A Long Haul

Broadly speaking, hang or hang-hui, hui-guan, gong-suo and chamber of commerce all are embraced within the precinct of the guild. Yet, for the moment, we will leave the chamber of commerce behind and focus on the rest. All these merchants' organizations were founded through a bottom-up approach which signifies that their emergence can be attributed to virtual needs, a desideratum of the merchants, such as self-protection and entire detachment from state manipulation. This shows the determination of the merchants to fight for own interests, although their interests were not collective.

Hang could be seen as the most primitive collective form of organized interest of the merchants.⁵⁶ It was simply organized as "streets of the same trade",

please". Ibid., p. 92.

⁵⁶ History of hong or hong-hui could traced back to Tang and Song dynasty. See Shigeshi Kato (1936) op. cit., p. 46-59. Broadly, the hui-guan and guan-so which firstly appeared in Ming dynasty could be subsumed under the hong or hong-hui. Quan Hansheng (1935) (1978) op. cit., p. 92

ranged from a great variety of trades and were different predominantly in size.⁵⁷ It is generally alleged that there were one hundred and twenty hang(s) recorded in literature. Although we lack evidence of the exact number, it is certain there were a large number of hang(s) in that period of time.⁵⁸

Each hang had its own leadership, namely "hang-shou" in the Tang or 'hang-lao' in the Song dynasty.⁵⁹ The responsibilities of the post were twofold.⁶⁰ For one thing, he had to conduct the business of his hang, including the investigation of corruption. Also, more important, he had to bargain with the officials in defence of the hang's interest. A typical case was the introduction of tax in money terms (mian-hang-qian) put forward by Xu Zhong-zheng, a hang-lao of a pork and mutton hang (rou-hang) in the Song period.⁶¹ Initially, an informal obligation for hang (hang-yi) was ordered to supply the necessity to the state. According to Xu's suggestion, all hangs then paid a stipulated monthly amount of "mian-hang-qian" instead of supplying the goods directly. The officials had to buy their needs at market price from the hang.⁶² Such arrangement was more beneficial to the hang merchants than the original practice.

Starting in the Ming dynasty, hui-guan, literally a clubhouse, which pinpointed geographical origin were formally set up.⁶³ There were three types of the

⁵⁷ Shigeshi Kato (1936) op. cit., p. 46 and 51.

⁵⁸ Ibid., p. 58.

⁵⁹ Quan Hansheng (1935) (1978) op. cit., p. 64.

⁶⁰ Ibid., pp. 64-65.

⁶¹ Ibid., p. 69.

⁶² Shigeshi Kato (1936) op. cit., p. 62.

⁶³ Generally, the common view held that the hui-guan originated from Jia-jing period, 1560. See He Bingdi (1966) "Zhongguo huiguan shilun", p. 13. Actually, occupational basis is not seriously considered as an entry requirement of the hui-guan. It is

hui-guan identified for different purposes.⁶⁴ One served the officials, the gentry and candidates of the civil service examination from the same native place, also termed as "shi-guan".⁶⁵ Another was a mix of the official-gentry and the merchants, while the last was germane to the merchants and constituted nearly ninety percent of the total number of hui-guan(s), except in Beijing.⁶⁶ In Canton, for example, around twenty-five hui-guan(s) were recorded to represent "many provinces and several prefectures".⁶⁷ Likewise, the Canton merchants set up many hui-guan(s) elsewhere, such as the "Ling-nan hui-guan" in Suzhou in the Wan-li period.⁶⁸ The Guangdong hui-guan, more extensively, was set up in Beijing, Suzhou and Shanghai in the early Qing.⁶⁹ One of the most important functions to be performed by the hui-guan was religious sacrifice. Apart from this, welfare was also offered but was confined to only the members of the hui-guan. Structurally, managerial skill was an advance for the hui-guan because their leadership was changed regularly, for example, on a yearly basis (zhi-nian) and a monthly basis (zhi-yue). There were also some posts specified for management, such as director (dong-shi) and premier (zong-li).⁷⁰ Obviously enough, their sophisticated structure reflected a sense of maturity in merchants' organizations, even though by and large their interest were still narrow

mainly used to serve and protect those who are far from their native place.

⁶⁴ Tang Lixing (1997) op. cit., p. 92.

⁶⁵ Chen Baoliang (1996) op. cit., p. 220.

⁶⁶ Tang Lixing (1997) op. cit., pp. 92-93.

⁶⁷ Edward J. M. Rhoads (1974) "Merchant Associations in Canton, 1895-1911", p. 103.

⁶⁸ Chen Baoliang (1996) op. cit., p. 221.

⁶⁹ Chuan Shengshou (1992) "Ming-Qing shidai de Beijing, Suzhou, Shanghai shi Guangdong huiguan", p. 789.

⁷⁰ *Ibid.*, p. 230.

and particularistic.⁷¹

In the early Qing, gong-suo appeared to become the dominant form of merchants' organization. In fact, it had a high level of similarity with the hui-guan, except that the gong-suo tended to be occupation oriented, especially "Tong-ye gong-suo".⁷² Similar to the hang-hui in this vein, the gong-suo stressed the regulations (hang-gui) which all their merchants had to follow.⁷³ A checklist of the gong-suo was available in He's work, particularly the most well known "Cantonese guild" (Guang-zhao gong-suo) which was reconstructed in Shanghai in 1872.⁷⁴

Prominently, the gong-suo performed as more than a meeting place for the merchants. There was a target for the provision of welfare service and relief work. As early as in the Kang-xi, Yong-zheng and Qian-long periods, many charitable activities were carried out in the name of the gong-suo.⁷⁵ The fact is this that kind of charity became far more indispensable by the middle Qing because of internal turmoil and the many foreign wars. The state was incapable of offering sufficient support for the sufferers. As a remedy, a kind of charitable hall (Shan-tang) was organized by the local community. For instance, the "Ai-yu shan-tang" was constructed by a group of merchants in 1871 in Canton. After 1895, the development of the charitable halls was more institutionalized and prosperous than that of its heyday. In 1900 in Canton, eight more charitable halls joined to form the "Nine

⁷¹ Wellington K.K. Chan (1975) "Merchant Organizations in Late Imperial China: Pattern of Change and Development", p. 28.

⁷² As mentioned by He, the gong-so which had its geographical nature made no big difference from the hui-guan. See He Bingdi (1966) op. cit., p. 42. Yet, the gong-so, relatively speaking, de-emphasized the geographical request. Instead, occupational nature was concerned.

⁷³ Tang Lixing (1997) op. cit., pp. 106-107.

⁷⁴ He Bingdi (1966) op. cit., pp. 48-50.

⁷⁵ Chen Baoliang (1996) op. cit., pp. 188-189.

Great Charitable Halls" (Jiu-da shan-tang).⁷⁶

On the whole, the hang or hang-hui and gong-suo were mainly occupational-based merchants' organizations whereas the hui-guan was a geographical-based type. Moreover, the organizational type of the merchants was much more complicated and mature. In the late Qing, for example, the emergence of "Canton Seventy-two Guilds" (Guangdong Qi-shi-er hang hang-hui) in 1899 could be regarded as the mature form of the hang-hui's development. The Canton Seventy-two Guilds were literally composed of seventy-two hang-hui(s) on voluntary basis. Japanese scholars usually termed it a composite guild (ji-cheng hang-hui).⁷⁷ The system of the hang-hui had developed beyond being based solely on occupation.

Concluding Remarks

It is high time to recapitulate the relationship between the state and the merchants, in association with our thesis about the state-society relationship in the early period of Qing dynasty. Undeniably, there was a prolonged autocratic tradition in terms of the system of lijia and baojia, the system of civil service examination, the suppression of merchant status by the Confucian ideal and the mode of trade management. The system of the lijia and baojia, as a kind of social control, had a satisfactory effectiveness in relation to stability of the Qing dynasty. The system of the civil service examination, as a kind of ideological control, was also viable in the sense that political culture with an emphasis on a dependence upon the state was constituted. Seen from these two aspects, we ensure that state capability still claimed to be predominately strong and highly centralized in that period of time. The

⁷⁶ Wellington K.K. Chan (1975) op. cit., p. 33.

⁷⁷ Tang Lixing (1997) op. cit., p. 287.

penetration of state power was vividly displayed.

In addition, a more profound understanding can be grasped through a micro-level investigation. Traditionally, disparagement of the merchants was carried over by the Qing rulers. Merchants were ruled with a heavy hand. Commercial activities, likewise, were treated with a pervasive intervention, for example, in the field of foreign trade. In the early Qing, Custom was widely established in four coastal ports and strictly governed by officials, the Hoppo. The Co-hong system, which was a creature of the state rather than an independent organization of the merchants, acted as an intermediary institution for trade management. Ensnared in such a semi-official web, the hong merchants were forcibly obedient to the directives of the state. The Co-hong system by no means articulated and protected the interests of its own merchants. As a whole, the system "became an official institution in which selected merchants participated instead of being a mercantile organization which received official recognition".⁷⁸ The hong merchants became bureaucratized. Under such a trajectory, they were likely to be co-opted by the officials, submissive to the state without any sense of autonomy.

In comparison with Canton chamber of commerce, a semi-official organization as well, established in 1905, the Co-hong system did not enhance state-merchants relationship. In the next chapters, we will focus on how the relative autonomy of the merchants was institutionalized and then exercised in such an organization. From the Co-hong to the chamber, we recognize that their autonomy increased to an extent that they were no longer subordinate to the officials within certain jurisdictions.

⁷⁸ Cheong Weng Eang (1997) *op. cit.*, p. 287.

While the guilds revealed a facet of autonomous life of the merchants over different periods of time, they mainly demonstrate the marginal status of the merchants in the conception of the officials. These merchants' organizations could be regarded as a type of popular organization which was an important component of civil society in the Western tradition. Yet, as we reiterated in the chapter one, such a notion of civil society is not compatible with the Chinese context. These merchants' organizations could acquire autonomy mainly because of their inconsequentiality to the state. That is to say, these organizations had no involvement with state interest and their existence did no harm to social stability. Accordingly, all of them were incapable of capturing the de facto state-merchants relationship in ancient China. Of course, such type of popular organizations should not be treated as the mainstream to understand our proposed interpenetrated mode of civil society in China.

Drawing heavily upon the above illustration, we can observe that the penetration of the state power was pervasive until the end of the early Qing. The case of the Co-hong system not only revealed its strong capability, but also indicated how submissive the merchants were at that period of time. Such an unbalanced state-merchants relationship can substantiate our view of how the state overwhelmed society. Definitely, we understand that it is not the emergence of our interpenetrated mode of civil society in the Chinese context. So far, state penetration was so profound and pervasive that a weak and self-limiting position of state was impossible. Such a mode of civil society could not be actualized with reference to conditions set out in the Figure 4. In the next two chapters, we will shift to drawing attention to the merchants' organizations in Canton in the late Qing, particularly to the chamber of commerce which will provide us a case for analyzing the realization of the relative autonomy of the merchants. This analysis enables us to believe the

creation of such mode of civil society at that period of time.

Chapter Four

General Background of Merchants' Organizations at Canton in the Late Qing, 1896-1911

Introduction

In regard to economic affairs, the mentality of official control had not been given up. From 1896 onwards, another wave of reform was launched. One of the official reform acts conceived the introduction of an independent and professional institution to promote commercial activities and to improve the state-merchants relationship. First presented by Zhang Zhi-dong in 1895 and strongly supported by many other officials, the Bureau of Commercial Affairs (Shang-wu ju) was established in 1896.¹ It seemed to mark the official determination to promote commerce and protect merchants' rights. Unfortunately, not only did the local officials think it ridiculous, but the merchants rejected it entirely. For instance, the Bureau set up in Canton was closed down by the Governor-general in 1902 because it was seen as useless. When it prepared to reopen in 1904, the merchants boycotted it. Seen from this light, the Bureau of Commercial Affairs failed to be responsible for improving communication and the relationship between the state and the merchants. An influential official, Sheng Xuan-huai, squarely recognized in 1902 that such an official institution had many limitations.² The merchants, of course, "would have preferred a body that was more nearly representative of their own rather than the government's interests".³

Even though they were alarmed by the failure of the Bureau and the request

¹ See Wellington K. K. Chan (1977) *Merchants, Mandarins and Modern Enterprise in Late Ching China*, pp. 199-200.

² Zhu Ying (1996) *Wanqing jingji zhengce yu gaige cuoshi*, p. 183.

³ Edward Rhoads (1974) "Merchant Associations in Canton, 1895-1911", p. 105.

from the merchants, the officials did not reconsider. In 1903, the Ministry of Commerce (Shang-bu) was formally founded to organize all matters of commerce at the provincial level, promising easy access to the merchants. An official newspaper, namely Commercial Gazette (Shangwu guanbao), aimed at handling commercial information and statistics for the merchants and their organizations. It came as a surprise that such a newspaper was no longer an official mouthpiece but a voice for merchant interests to a certain extent. However, the line of attack and opposition came from the provincial levels where local officials treated such an arrangement as a kind of inappropriate central intrusion.⁴ Indeed, there were great strides made, in comparison with the previous bureau, concerning the guarantee of merchants' rights and interests. As will be illuminated later in detail, the Ministry upheld the establishment of the chamber of commerce, which should be regarded as a semi-official type of merchants' organization. We can observe that such an organization was capable of fulfilling the aspiration for modulating the relationship between the state and the merchants and to a certain extent consolidating their rights and interests on the basis of written regulations.

As the previous chapter highlighted, we recognize the tradition of such popular types of merchants' organizations, like hang, hang-hui, hui-guan and gong-suo, which had great autonomy from the state. In Canton, the emergence of Seventy-two Guilds in 1899 represented the mature form of such type of merchants' organizations. Even so, its unimportance to the state made us alert to its limited use for thinking about the state-merchants relationship in the Chinese context. More serious, the civil society then constituted and understood was close to the Western type. In contrast, although the chamber was much more constrained in terms of

⁴ Wellington K. K. Chan (1977) *op. cit.*, p. 209.

autonomy of activities, voluntariness of membership and spontaneity of establishment, it enabled us to capture the transformation of the state-merchants relationship in the Chinese context, which is vital in order to form an interpenetrated mode of civil society. In this chapter, we prepare to outline the background of the merchants' organizations in Canton in the late Qing, introducing the two types.

Popular Type of Merchants' Organization

The Canton Seventy-two Guilds as a composite guild basically was a landmark of improvement for the old type of merchants' organizations, which were characterized with geographical and occupational attributes.⁵ This meant, for the former, that the rule restricting membership necessarily to a certain limited locality as in the hui-guan, was phased out. Likewise, as for the latter, restricting membership to a certain occupation, as gong-suo showed, was inappropriate, especially in pursuit of an articulation of their common interests and rights and under the condition of keen competition in the late Qing. Therefore, such a new mode of organization was spontaneously established in response to the changing commercial situation. The guilds were essential to the survival of the merchants because of the lack of official support.

Indeed, at the very beginning, the guilds of Canton were required to group together to hold responsibility for the collection of commercial tax (Lijin) which was an extortion from Gang-yi, a Grand Secretary.⁶ Afterwards, co-operation among the guilds did not end, even though the entanglement of Lijin was over. The situation

⁵ Actually, information about such guilds is staggeringly limited. We can merely grasp all it up from studies of merchants' organizations.

⁶ Edward Rhoads (1975) *China's Republican Revolution: The Case of Kwangtung, 1895-1913*, pp.

was the background for emergence of the collective merchants' organization in 1899.

As Rhoads mentioned,

like the guilds themselves, it had grown up spontaneously and without formal authorization from the government. It was an organization of, by and for the merchants. And like the guilds again, it was tolerated by the officials but had no formal standing with them.⁷

From such a passage, we can realize that establishment of the Seventy-two Guilds was so spontaneous that it obtained no prior approval from the authority concerned. It came as a surprise that the Qing officials, who had not yet given up their mentality of control, tolerated such a practice. Without formal standing, at the same time, it was difficult, if not impossible, for such a merchants' organization to break through the barrier between the merchants and the state and to articulate their interests and rights in a manner which might receive official recognition.

In an aspect of membership, the Seventy-two Guilds were a collective representation of almost all the merchants' organizations, including the traditional hang-hui, gong-suo and hui-guan, in Canton. Representatives of these organizations automatically and voluntarily became the members of the Guilds. The number of seventy-two is a common approximation. Generally, the exact number should be far greater than the indicator. In comparison with the chamber that will be introduced in the following, members of such guilds were predominantly merchants, whereas gentry-merchants were dominant in the chamber.⁸

The Seventy-two Guilds were recognized as "a powerful voice in local affairs on behalf of Canton merchants".⁹ Particularly, there was a newspaper issued

36-37.

⁷ Edward Rhoads (1974) op. cit., p. 106.

⁸ The term gentry-merchants will be explicated in detail in the chapter six.

⁹ Wellington K. K. Chan (1977) op. cit., p. 215.

by the Guilds, namely the Canton Seventy-two Guilds Commercial Daily News (Guangdong Qi-shi-er Hang Shang-bao) which could fulfill such a task. The newspaper consciously confined itself to the economic realm, such as promoting the dissemination of commercial knowledge and so forth. Reports on political and military issues were cautiously reprinted from other newspapers.¹⁰ Such a strategy could rule out the possibility of trouble making and avoid the anger of the officials. Yet, there was no guarantee of certain success for the strategy. The Canton Seventy-two Guilds Commercial Daily News printed a story about the official prohibition of publication for Canton's Voice newspaper (Yue-sheng bao), for reprinting an article from other newspapers.¹¹

Generally, the content of the Canton Seventy-two Guilds Commercial Daily News was commercially oriented. It was structured in a wide variety of advertisements on the cover page. Comments and news shared only about two out of the total number of eight pages. Thus, for the merchants, such a newspaper provided much market information to facilitate their commercial activities. Also, the representatives of such composite guilds took advantage of settling the commercial affairs, such as disputes among the guilds.

Apart from these private matters, the Seventy-two Guilds which co-operated with the Canton General Chamber of Commerce and the merchant-related organizations, such as the Canton Nine Great Charitable Halls, engaged in a number of public or even political affairs. Remarkably, the action of the Anti-American boycott and the reclamation of railway in 1905 could demonstrate their collective

¹⁰ Roswell S. Britton (1966) *The Chinese Periodical Press, 1800-1912*, p. 125.

¹¹ *Guangdong Qishier Hang Shangbao*, 2nd June 1912, p. 4.

capability.¹²

From these activities, we can observe that autonomy among the Canton merchants was fully actualized through organizing the Seventy-two Guilds. More important, the actions of such guilds went beyond the boundary of their self-interest and extended to public affairs. This extension was an advance beyond the outlook of the traditional merchants' organizations, including hang-hui, hui-guan and gong-suo. No doubt, the thesis of civil society necessarily embraced such an orientation. Yet, we repeatedly emphasize that the autonomy of such guilds from the state completely rested with their relative unimportance in the eyes of the state; they were not a threat to social stability and had no involvement in state interests. Thus, as mentioned above, their existence had no official authorization, and correspondingly they had no formal standing at all. We then recognize that the state-merchants relationship, as the Guilds revealed, was incomprehensive in the Chinese context. Understood in this way, such civil society, albeit closely related to the Western type, could not accurately be explained with the state-society relationship in China, let alone its sophistication in the conceptual level as presented in the chapter two. Instead, we should shift to the chamber of commerce which on the one hand is more representative of the state-merchants relationship, and on the other is vital to an understanding of the interpenetrated mode of civil society in Chinese context.

Semi-official Type of Merchants' Organization

The state showed initiative in encouraging the establishment of chambers of

¹² Details of these activities participated by the merchants' and merchant-related organizations will be presented in next chapter.

commerce in different localities.¹³ Although classified as a kind of semi-official organization simply because of its organizational structure and its relations with the state, the chamber served as a cocoon for the merchants in which they could articulate their rights and interests and complain against unfair treatment.

The Canton General Chamber of Commerce was built upon the Canton Seventy-two Guilds. At the very beginning, the chamber business was settled by the merchants in the Seventy-two Guilds, who then notified the Ministry of Commerce for formal approval. In some localities, such as Shanghai, the general chamber quickly formed, just after the edict was issued in 1904. However, in Canton, though commerce was as prosperous as in Shanghai, the general chamber did not emerge as late as July 1905.¹⁴

As mentioned above, the merchants voluntarily organized to form the Canton Seventy-two Guilds in 1899 long before the officials encouraged setting up the chamber. They were free in such guilds, which were independent of official intervention. From the viewpoint of the Canton merchants, the chamber seemed to be redundant. As Zheng Guan-ying realized, "the merchants were suspicious of a centralized and government-backed association that might threaten their own independence".¹⁵ The edict formally endorsed its establishment in November 1903. An informal letter was also available to the general-governor in May 1904.¹⁶ At that period of time, the Shanghai and Beijing general chambers had already been founded. Yet, according to the news in 24th April 1905, there was no consensus

¹³ Xu Dingxin (1986) "Zhongguo shanghai yanjiu zongshu", p. 83.

¹⁴ Wellington K. K. Chan (1977) op. cit., p. 221.

¹⁵ Ibid., p. 220.

¹⁶ *Xianggang Huazi Ribao*, 4th May 1904.

among the Canton merchants, and the general-governor was forced to urge them once again.¹⁷ The Canton chamber was finally opened in response to a repeated push by the officials.

An edict in 1903 stipulated that the chamber of commerce should be established in different localities in order to enhance the existing barrier not only between the state and the merchants, but also among the merchants themselves.¹⁸ Simply put, it could facilitate the success of a warfare of commerce (Shang-zhan) against foreign competitors and then attain wealth and strength for the state. The last was the most important expectation of the Qing officials for the chamber. For the merchants, however, the chamber provided an opportunity to articulate their rights and interests through more direct and formal access to the state than before.

Although we had mentioned that merchants' self-organizations, such as hang-hui, hui-guan and gong-suo, were well developed much earlier, these organizations were entirely unable to articulate rights and interests to the authority simply because they were unimportant. In the edict, the role of the state was redeployed. There were twenty-six clauses in the General Guidelines of the Chamber (Shang-hui jian-ming zhang-cheng) issued by the Ministry of Commerce and outlined for reference only.¹⁹ Each locality had its commercial specialty in terms of openness and prosperity. It was also allowed to have discretionary power in constituting its own chamber's regulations. In Canton, there were twenty-four articles drafted in preparation of the establishment of the chamber. Generally speaking, the draft was to be finalized after circulating to the Ministry.

¹⁷ *Xianggang Huazi Ribao*, 24th April 1905.

¹⁸ *Dongfang Zazhi* (1904) Vol. 1, No. 1, Shang-wu, p. 1.

¹⁹ See *Dongfang Zazhi* (1904) Vol. 1, No. 1, Shang-wu, pp. 4-11.

Clause four of the General Guidelines, for example, stated that the general chamber of commerce was allowed to operate with managerial positions, including a president and a vice-president whereas its branch was in charge with a vice-president only. Election of these posts in the chamber was left to local directors (Hui-dong) who were also openly elected by the merchants. Finally, the Ministry's endorsement would circulate for approval.²⁰ Thus, the edict really represented a state initiative to establish clear relation with the merchants. Much autonomy was given to the merchants, or precisely, to the gentry-merchants for discussion and decision making in detail.

By and large, the functions of the chamber were systematically summarized as follows:

- 1) seeking improvements in commercial matters; 2) finding out conditions of trade, compiling statistical surveys, and reporting them each year to the ministry for reference; 3) sponsoring commercial exhibitions and running commercial and technical schools; 4) protecting merchants by notifying the ministry of any grievances inflicted by the local authorities; and 5) presenting merchant opinions to the local and central government authorities.²¹

Indeed, we can capture that the chamber was oriented to some practical issues, such as compiling statistical surveys, sponsoring commercial exhibitions and running technical schools, which could help the merchants in the competitive market and facilitate the officials in making policy related to commercial development. At the same time, the chamber improved communications between the merchants and the officials in various aspects. For instance, the merchants could spell out grievances and opinions whereas the officials could consult the merchants' responses to a new commercial policy.²²

²⁰ Ibid., p. 5.

²¹ Wellington K. K. Chan (1977) op. cit., p. 217.

²² The detail of the chamber will be explicated in the next chapter.

Properly articulated, the chamber of commerce was strongly official from its origin. But seen comparatively, as Sheng Xuan-huai did, the new chamber was regarded as a newly formed private organization as opposed to the Bureau of Commercial Affairs (Shang-wu ju).²³ It was optimistically thought of 'the first time in Chinese history that the government had recognized the legitimacy of a private sphere distinct from and outside the scope of the state'.²⁴ The chamber could obtain status of a legal person (Fa-ren). Such confirmation signified that it had formal standing and bargaining power with the officials. Actually, we argued that the chamber should be classified as a type of semi-official organization. Bounded by such nature, obviously, we can understand that many of their activities were restricted to a limited arena. Perhaps, the chamber can be seen as an arena of struggle between the merchants and the officials. We wondered whether it was an outlet of the merchant autonomy, or a tool of the official manipulation and control. No doubt, merchants were skeptical of its utility for their representation, particularly the Canton merchants of the Seventy-two Guilds. In the next chapter, we will explore the question, examining how the relative autonomy of the merchants was actualized within or even beyond the institutional constraints of the Canton chamber.

Concluding Remarks

The Canton Seventy-two Guilds, as a popular type, was set up independently by the merchants long before the Canton General Chamber was created by official initiative. Therefore, we believe that such a composite guild was completely capable

²³ Joseph Fewsmith (1983) "From Guilds to Interest Group: The Transformation of Public and Private in Late Qing China", p. 243.

²⁴ *Ibid.*, pp. 243-244.

of representing a strong sense of merchant autonomy from the state. The limitation of the guilds, however, was its strength; it had no formal standing or authorization. The opinions and suggestions of the merchants could not reach the official concerned through such guilds. Under such circumstances, their autonomy cannot reveal the accurate relationship of the state-merchants in China.

Even though the Canton General Chamber was not founded until 1905, under the incessant urge from the Ministry of Commerce, its relative autonomy was good at revealing the merchants' capacity. Zheng Guan-ying who became vice-president of the chamber later apparently understood that the merchants were skeptical of such semi-official organization, and many saw it as an intervention. Evidently, the Canton Seventy-two Guilds existed and its members were active in communal affairs even after the chamber was established.²⁵ In this regard, of course, the merchants were relatively less autonomous in the chamber than in the guilds. Yet, the chamber succeeded in redeveloping the state-merchants relationship, the absence of which was a weakness of the guilds. So far, a message was clearly sent that sticking to the official or popular organizations as a resolution of state-merchants problems was futile. Indeed, there was a need for the merchants themselves to play a role. Meanwhile, the role of Qing officials was redeployed to provide related law and regulation only.

As shown in the next chapter, we will attentively discuss the realization of the relative autonomy of the merchants in the Canton General Chamber. The merchants actively participated in public affairs in the name of the chamber, thus embodying the maximum of their autonomy. Then we can substantiate our presumption that an interpenetrated mode of civil society in the late Qing emerged

²⁵ The chamber did not replace the guilds. See Edward Rhoads (1975) *op. cit.*, p. 80.

when the relative autonomy of the merchants went beyond constraint of the chamber, a semi-official type of merchants' organization. This meant that the chamber could subtly reflect the state-merchants relationship and that it represented an improvement. Significantly, the chamber becomes the benchmark of our study of civil society in the Chinese context.

Chapter Five

Analysis of Canton General Chamber of Commerce: Realization of Merchants' Autonomy?

Introduction

After generally reviewing the background of the Canton Seventy-two Guilds and the Canton General Chamber of Commerce, we go into a detailed illustration of merchants' autonomy in the latter. In the preceding chapter, a comparison between the two told us that their degree of autonomy was dramatically different. Merchants' activities, of course, are subject to the nature of their organizations. The chamber, as a semi-official type of merchants' organization, was legally endorsed as a formal channel for official communication, whereas the guilds, as a popular type of merchants' organization, existed without any authorization. The former, as we assumed and realized later, was restricted to commercial affairs clearly specified in its written rules and regulations. The chamber's merchants (or more precisely its gentry-merchants) were basically bereft of any recognized opportunity to participate in activities beyond the jurisdiction of commerce. The latter, however, was established spontaneously and membership was voluntary. There were no substantive rules and regulations to abide by.

Following such a line of comparison, we believe that the guilds' merchants were much more autonomous than the chamber's. Having recognized their differences, we appreciate the extraordinary performance of the merchants in the chamber when examining their election and decision making procedures, their finance and their activities. In particular, their participation in public affairs in the name of the chamber was an organizational breakthrough. The relative autonomy of the chamber makes it more helpful in explicating the state-merchants relationship in China than the sheer autonomy of the guilds. We argue that only the chamber can

substantiate our study of an interpenetrated mode of civil society in the Chinese context.

The following analysis of the Canton chamber relies on a letter quoted from a book, namely the Collection of Zheng Guan-ying's Writing (*Zheng Guan-ying ji* in Chinese).¹ According to the editor's note, the book is a collection of several of Zheng Guan-ying's works, which include the latest version of the Warnings to a Prosperous Age (*Sheng-shi wei-yan* in Chinese) published in 1921.² Actually, this version, in spite of its having the same name, was independent of the previous ones, because it contains a great deal of his correspondence on the basis of systematic categorization.³ The letter is a drafted version of the General Regulations of Chamber Establishment written on behalf of the chamber by Zheng who became its first vice-president in 1905.⁴ From this piece of regulation, we can at least learn an aspect of what *should have been* (prescriptive) done by the chamber's merchants. Some other materials will be used to supplement an aspect of what *was* (descriptive) achieved.

The relative autonomy of the chamber's merchants is a viable indicator of the dynamic of the state-merchants relationship. We can also make sense of such autonomy of the chamber merchants as the emergence of an interpenetrated mode of civil society where the state and society participated cooperatively.

¹ We will directly translate articles of the General Regulations, if necessary, for illustration. The whole Chinese version is available at appendix one of this thesis. Or see *Zheng Guan-ying ji*, p. 593-596.

² According to the statistic by Xia, there were so many versions for this book published from 1894-1900. See the appendix in Xia Dongyuan (1995) *Zheng Guan-ying*, pp. 353-357.

³ *Ibid.*, p. 357.

⁴ In another letter to the official, we observe that there was a finalized version of the General Regulations, refining to sixteen articles merely. See *Zheng Guan-ying ji*, p. 598-601.

Autonomy over Election and Decision Making Process

Just after the endorsement of the General Guidelines of the Chamber, different commercial centers, such as Beijing and Shanghai, quickly responded by setting up their own chambers in 1904. As previously mentioned, there was an disagreement among the Canton guilds' merchants as to whether the chamber was necessary. As a result, the opening of the chamber was postponed to 1905, especially after repeated urging by the officials resulted in merchant consensus.

In the process of bargaining, Zheng Guan-ying, an influential gentry-merchant at that time, led the discussion. With his semi-official background, he was chiefly responsible for organizing the establishment of the General Chamber of Commerce in Canton. On behalf of the chamber, he drafted twenty-four articles of the General Regulations which outlined the particulars of the chamber, such as its electoral method, its financial arrangement, its aims and objectives and so forth. A finalized version, containing sixteen regulations, was submitted to the Ministry of Commerce for approval through the governor-general, Cen Gong-bao.

In regard to election of the chamber's leader, article four of the regulations clearly stated:

4) The chamber should be composed of a president (Zong-li), a vice-president (Xie-li) and fifty local directors (Hui-dong). Abided by the article four and five of the General Guidelines of the Chamber from the Ministry, all these posts should be openly elected after discussion. Different from other localities, commercial affairs of Canton are particularly prosperous and it is the first time to have the chamber. Therefore, a post, called resident manager (Zuo-ban), is tentatively established which will be elected openly by the Seventy-two Guilds. Seven managers should be selected to the office for shifted duty. Subsequently, the record should be submitted to the superior who will notify the Ministry for reference. (*Zheng, p. 593*)

According to this article, the merchants had autonomy over the election of the chamber's leader. The representatives of the Seventy-two Guilds openly elected the local directors. These directors were then responsible for electing the president and vice-president. The merchants were fully represented by their representatives.

As can be seen in the article, there was a clear intention to protect the election from official intervention. The result only had to be submitted to the Ministry for reference. In reality, we know from the newspaper that there were only a few local directors in Canton chamber at the initial stage, a great discrepancy from the official stipulation of fifty.⁵ Even worse, we cannot rule out the possibility of direct intervention when the decisions clashed with official views.⁶

Apart from this, there is a clear delineation of the decision-making power to make amendments to the General Regulations. Article fourteen stated that:

14) Proper rights of the president and vice-president of the chamber: Should it be beneficial to the commerce, the president, vice-president and the directors have rights to amend the General Regulations. Yet, such an amendment should firstly be not contrary to the laws of commerce and secondly must be agreed on by over half of members of Board of directors. If such conditions are met, all members of the chamber must to comply with the amendment. (*Zheng*, p. 594)

It is true that such procedure could embody a certain sense of merchant autonomy in which the right of making amendments to the chamber's constitution was left in their hands. Such an article reveals that the role of the officials should be played down while the role of the law should be correspondingly emphasized. For the merchants, such a transformation was a good starting point where the chamber's constitution was upheld lawfully. Their autonomy, hence, was also guaranteed with an open and just procedure.

However, the chamber merchants were not completely autonomous. As revealed in the General Regulations, they clearly acted under constraint. An article stipulated that the types of merchants elected to the Board of Chamber should be in

⁵ *Xianggang Huazi Ribao*, 25th January, 1905.

⁶ There was not the case of chamber in Canton, despite of the fact that it really occurred elsewhere. In Jiangsu province, for instance, the merchants applied for setting up branch of the chamber but its General Regulations failed to be approved by the Ministry. The local merchants then privately elected their president before any modification from the official was made. Consequently, the Ministry was angry at such action and the elected president was dismissed in 1906. See Zhu Ying (1987) "Qingmo shanghai Guandu-shangban de xingzhi yu tedian", p. 139.

accordance with the criteria of the General Guidelines promulgated by the Ministry of Commerce. At this point, the officials exerted a wide range of controls over the qualifications of candidates among the chamber's posts.

In article five of the General Regulations, a message was sent:

5) Regulations about openly elected posts, namely the president, vice-president, resident managers and local directors, should comply with article six of the General Guidelines. Knowledge, status and prestige of the candidates must meet qualification. Those who are unqualified cannot be elected to the post. For the sake of justice, the appointment of the staff should be left to the president, vice-president, resident managers and local directors to decide openly. (*Zheng, p. 593*)

The local directors of the chamber congregated in Guangren charitable hall (shantang) and made decision about employing staff, such as accounting clerks. Its method of selection strictly followed the arrangement of article five. Those candidates who got the most votes would be employed.⁷

From clause six of the General Guidelines, however, we can discern a set of limitations for the candidates.

Those openly elected local directors should be compatible with the knowledge, status, quality and prestige to be listed out as follows: firstly, they must have remarkable knowledge in the innovation of commerce, regardless of entanglement in lawsuits. Secondly, they must have status to be the employer or manager of powerful firms and has a great volume of trade in each year. Thirdly, good quality referring to those who must have been in business for at least five years and be at least thirty. Fourthly, high prestige referring to those who must be highly respected by merchants.⁸

Essentially, these criteria, as a kind of quality assurance, were turned into an entry barrier, which excluded those who were interested in chamber's affairs from participating in the Board. As a consequence, those who were heads or managers of big corporations were eligible for membership of the Board. Ordinary merchants, of course, were denied any opportunity to be elected. For example, fifty-one out the

⁷ *Xianggang Huazi Ribao*, 31st May, 1905.

⁸ See appendix two for the Chinese version. *Dongfang Zazhi* (1904) Vol. 1, No. 1, Shang-wu, p. 5.

fifty-seven members of the Board were identified as "eminent merchants" (Tou-mian shangren in Chinese) in the newly elected Canton Chamber of Commerce in 1907.⁹ Seen from this light, we can understand why the Canton Seventy-two Guilds still existed even after the chamber of commerce began operating. The guilds, obviously, represented the merchants, especially the petty merchants, whose interests and rights were not fully articulated in the chamber.¹⁰ The former was a pure form of merchants' organization, whereas the latter was more precisely a gentry-merchant organization.

Furthermore, the autonomy of merchants should be examined in respect to rules about discussing affairs. In the General Regulations, this aspect was not discussed in great detail. The only article which mentioned it was twenty-two.

22) Rules of discussing affairs for the chamber should abide by clause nine to twelve of the General Guidelines from the Ministry. Also, they must follow the number eighty-six to eighty-eight, ninety to ninety-seven and ninety-nine of the Corporate Rules for operation. (*Zheng*, p. 596)

That is to say, the details of the rules about discussing affairs were entirely subject to the several clauses of the General Guidelines. Some of its consequential procedures can be summarized as follows.¹¹

First of all, the local directors, who were elected publicly by the merchants were versed in commercial affairs. They were to congregate with the president and vice-president every week for a discussion of the current commercial situation. Such a practice was intended to correct misunderstandings and mistakes. When an issue was significant to commerce, the president was to convene an urgent meeting with

⁹ Xu Dingxin (1983) "Jin zhongguo shanghui suyuan". p. 87-89.

¹⁰ This opinion is shared with Qiu jie. See Qiu jie (1983b) "Xinhaigeming, shiqi de yueshang zizhahui". p. 375.

¹¹ See the appendix two for the Chinese version. *Dongfang Zazhi* (1904) Vol. 1, No. 1, Shang-wu, pp. 6-7.

the Board of the chamber in order to come to a public and viable solution.

Secondly, the president automatically became the chair of the meeting, and more than half of the directors had to attend. If a suggestion was raised, it had to be at least seconded by one other person present. Objectors had a chance to read out their whole argument. Their scripts would be brought to the public (the Board) discussion and the results were recorded for reporting.

Thirdly, if the directors were discovered to be engaged in malpractice, the merchants could report to the chamber. The president could then come up with a decision for their dismissal from the Board. And if the case was really serious, it should be reported to the Ministry and the offenders could be liable to a penalty in accordance with laws.

Finally, the president was assigned with commercially oriented duties. On the basis of merchants' interests, he was to promote commerce actively. Yet, all his decisions had to be discussed with the Board of the chamber. If the president started to behave like a dictator, the directors or the merchants were allowed to report to the Ministry for investigation and examination.

Among these four aspects, the first two were directed to explaining how affairs were to be discussed. Its procedure was surprising open and just, almost democratic. Under such an arrangement, the Board could make decisions legitimate. The last two, obviously, were intended to check the power of the directors and the president of the chamber, in order to make them much more accountable to the members. The only thing these four aspects shared was that the Ministry implicitly withheld the final say from the chamber.

So far, what we can determine is that the chamber's merchants did enjoy a certain autonomy over the electoral process of the Board and the amendment of its

constitution. A guarantee of autonomy could be confirmed at least in written form in the General Regulations. Apparently, the role of the officials was restricted to that of a gatekeeper. Yet, their control over the quality of candidates still was a confinement of the autonomous sphere of the merchants.

As for discussing affairs, a clear stipulation in the regulations enabled the Board of the chamber to exercise a given sense of autonomy. The president and the directors of the Board were definitely given rights and obligations in the process of discussion. Basically, the Ministry, which governed the final decision about the investigation, examination and punishment, checked their power. Thus, in the practice of election, the chamber's merchants could enjoy relative autonomy in the sense that the official manipulation was minimized but still highly effective.

Autonomy over Finance

Another aspect of the realization of merchant autonomy rests upon the financial arrangement of the Canton Chamber of Commerce. It is important because its source of income can indicate the extent to which the chamber was subject to official influence. Of course, we also realize that state subsidy did not necessarily imply intervention of another kind. Nevertheless, financial independence of the chamber could signify a minimal possibility of official intervention and could strengthen our confidence in the merchant autonomy. Actually, the main source of income for the chamber was not the state subsidy but the membership fee. This fee was not fixed and was different from place to place. Every chamber would levy an amount on its members in accordance with its own situation. The practice of the Shanghai and Suzhou General Chamber of Commerce is a conspicuous example. Actually, the fee in these two wealthy areas was high. Each representative from a

firm or guild had to pay three hundred taels. Payment would double when another representative was added.¹²

Comparatively, instead of paying a fixed membership fee, the Canton General Chamber adopted another method, as written in article nine of the General Regulations. The merchants were required to pay a deposit, which was refundable when they left the chamber. The interest generated was used to support the expenditures of the chamber. Moreover, such deposits were set quite low (eleven dollars) relative to the fees of the above two chambers. We think that, as mentioned in previous chapter, because the merchants subscribed to the chamber in fewer numbers, such a low fee necessary as a selling points. According to the report from the *Xianggang Huazi Ribao*, for the time being, there were twenty-one guilds with eight thousand more units (hui-fen) to be ensured.¹³

9) The source of income for the chamber is used to comply with the principle of merchant-donations and merchant-run (Shang-juan shang-ban). No one is allowed to extract money from the chamber. The registration fee should also be exempted. Each unit of contribution (hui-fen) is worth eleven dollars. On the basis of their size of capital formation and volume of business, different commercial firms are free to make contributions. The chamber will make use of the interest generated from the deposits to support its operation. All gain is reserved for members' use. In a case when some decide to leave, their deposit will be refunded in full. (*Zheng, p. 594*)

More important, such an article explained how the financial independence of the chamber was achieved. At the very beginning, the concept of 'merchant-donations and merchant-run' was clearly spelled out. No one could extract money from the chamber. In particular, the chamber seemed to make a promise to its members that the officials would not be given the right to interfere with the chamber's finances. This was highly important for the chamber because of its semi-official status. By so doing, the members could cease being anxious about the

¹² Zhu Ying (1987) op. cit., p.142.

¹³ *Xianggang Huazi Ribao*, 12nd January, 1905.

financial arrangement of the chamber since its management was their exclusive right. Also, the usage of all gains benefited the members (merchants) only.

10) The collected fee can be deposited in different firms to gain interest, or can be divided into several portions and deposited into big firms for interest generation, or part of it can use to purchase furniture for the general chamber and to publish the commercial newspaper. All the members must be congregated to make these decisions. (*Zheng, p. 594*)

In detail, article ten further explicates how and in what ways the income of the chamber should be distributed. Its orientation was to make use of the interests commercially, such as through the publication of a commercial newspaper. The practice was aimed at benefiting commerce and at serving all the members. Also, it is repeatedly declared that such financial arrangements must be collectively decided upon, thereby ensuring that no one could embezzle the money for private use.

11) For those who make the deposit are regarded as members of the chamber. All welfare will be equally shared by the members. In case of a conflict between two parties, the chamber will act as mediator. Even if one of them has made the deposit while the other has not, the chamber will mediate with due procedure. (*Zheng, p. 594*)

Article eleven states that as members of the chamber, the merchants would equally enjoy its welfare. More significant, as will be mentioned in detail in the following, the chamber acted as an independent body to mediate conflicts between its members. Even if one party was not a member, the chamber would still mediate the dispute fairly.

Apart from these stipulations, the account of the chamber was also openly declared. Every member was able to review it. Article nineteen mentions that:

19) The chamber will hang the balance sheet, which contains the credit and debit on a monthly basis, on the door. Members can review it with justice and trust. The yearly total will be published in a handbook, called *Zheng-xin lu* (in Chinese), dispatched to firms for examination. (*Zheng, p. 595*)

Actually, such opening of the account for examination could on the one hand strength the confidence of the members in the chamber, while on the other, it could eliminate any reason for the officials to interfere with the chamber's finance. Thus,

no justification of intervention was accepted.

The financial independence did represent the realization of merchants' autonomy. In particular, we observe that the principle of the chamber as "merchant-donations and merchant-run" was well guaranteed in the above regulations. More favorable, we do not find that there was another article in the General Regulations limiting such autonomy. Thus the only possibility for official interference was the rejection of the whole article when it was sent to the Ministry for circulation and reference. For the Canton General Chamber of Commerce, such an outcome never occurred so far. Yet, it did happen to the Yang-shan branch of the chamber in Lianzhou of Guangdong in 1906.¹⁴ The Ministry ordered the Yang-shan chamber to delete such a statement of being "merchant-donations and merchant-run" from its Regulations. Even so, the financial autonomy of the chamber's merchants basically remained. Obviously, in comparison with the regulations concerning the election and decision making process, we recognize that the regulations concerning the finance of the chamber were more protective of autonomy of the merchants.

Autonomy over Activities

Last but not the least, the activities of the chamber are the most important and complicated aspect of the merchants' autonomy. The General Regulations explicate the functions of the chamber. Yet, at the same time, it set boundaries to the sphere of the chamber. Simply put, the regulations confined the chamber to the commercial arena. As is stated in article thirteen:

13) The chamber should take the promotion of commercial activities as an obligation. If cases do not affect commercial rights, no involvement of chamber will be allowed. If cases are incompatible with the aims and

¹⁴ Zhu Ying (1987) *op. cit.*, p. 140.

objectives of the chamber or beyond its capability, both should not be allowed to continue until after being publicly discussed. (*Zheng, p. 594*)

The Qing government, of course, wanted the merchant autonomy to be restricted to commerce. The merchants were not allowed to have engagement in any other areas, especially the political one. Therefore, in the above article, the chamber was careful to direct its aims and objectives primarily to commercial development. By regulation, there was to no participation in affairs unrelated to such a directive. The only possibility was that the members might endorse involvement in taqn unrelated affair after public discussion.

Not surprisingly, there was a legal document titled "General Chamber of Commerce and its branches with the local yamen" written by the Ministry. Its last item of stipulation was that:

Given that the president or the vice-president encounters public or personal affairs extraneous to commerce, they are prohibited from abusing the name of the chamber and are not allowed to use its stamp. They are merely endorsed to act in their personal capacity, not as representatives of the chamber.¹⁵

As this clause indicates, the merchants were given economic rights but not political rights through the chamber. In the following, we will pay much heed to the functions of the chamber as stipulated in the General Regulations. At this point, the autonomy of the chamber's merchants was obviously confined to their private affairs. Its limitation on activities is easily identified.

Nevertheless, equally important, we also realize that the chamber did touch upon communal or public affairs, even though it was in cooperation with other merchants' or merchant-related organizations. Undeniably, such a practice directly went beyond the stipulation of the General Regulations. Orientation of the merchants sublimated from taking the private affairs to largely taking care of the

¹⁵ See appendix three for the Chinese version in *Shangwu guanbao* (1908) No. 6, p. 19.

public affairs. This was an indicator of the maximum extent of their relative autonomy.

Functions of the Chamber

Simply, the functions of the chamber contained two facets, namely the protection of the merchants and the encouragement of commerce. The former refers to the function to protect the merchants from all unnecessary interference and to enforce their rights. The latter refers to the function to encourage development of commerce through various channels, such as by advocating commercial education, the publication of a commercial newspaper, and the improvement of the state-merchants relationship.

In regard to protecting the merchants, article six stated that:

6) When the chamber encounters disputes between local and foreign merchants, the handling procedure should be objective, abiding by clause sixteen of the General Guidelines, with reference to western laws. (*Zheng, p. 593*)

Clause sixteen of the General Guidelines stipulated that:

When local and foreign merchants come into conflict, the chamber should order both parties to dispatch their own adjudicators. If this is unsuccessful, the adjudicators of the two parties should elect an eminent person to adjudicate the dispute. Also, given that a dispute has been settled unjustly by the local officials or the consulate, those who are indignant at such sentence can ask the chamber for an appeal. In serious cases, president of the chamber should notify the Ministry of Commerce and Foreign Ministry.¹⁶

Hence, we observe that the chamber had been given a great deal of discretion in handling merchant disputes. Especially important, when merchants voiced grievances, the chamber was legally allowed to undertake the case for investigation. Such power of adjudication was largely left to the chamber and its merchants.

The chamber also tried to protect its members from official tyranny. In a

¹⁶ See the appendix two for the Chinese version. *Dongfang Zazhi* (1904) Vol. 1, No. 1, Shang-wu, pp. 7-8.

letter to the president and vice-president of the Canton general chamber of commerce, Zheng argued that:

With reference to the Regulations of General Chamber of Shanghai, there is a petition to the local officials to make the merchants involved in a pecuniary case immune from detention, while waiting for further examination. Our merchants are represented by the Canton General Chamber, which petitions to the Ministry of Agriculture, Industry and Commerce (Nong-gong-shang bu) and then notifies the superior. A rescript is issued to allow different localities to emulate the method of the Shanghai chamber. This can relieve the difficulty of merchants and assuage the suffering of people.
(partly cited from *Zheng*, p. 399)¹⁷

He suggested following the rule of the Shanghai general chamber, eliminating the detention of the merchants who were merely involved in a pecuniary dispute. Those merchants should just stay home and wait for the verdict.

At the very beginning, officials who were not versed in commerce took full responsibility for judging these cases in local yamen. They not only made use of such chances for extortion, but also left some of these lawsuits pending a long period of time. Some merchants appealed to the chamber for help. It, in turn, participated in handling the commercial lawsuits. Basically, though it was outside of the jurisdiction provided by the General Regulations, the effectiveness of the chamber in producing a resolution resulted in recognition from the Ministry of Commerce.¹⁸

Likewise, the idea of protecting the merchants was clearly revealed in article fifteen.

15) The chamber aims at the promotion of commercial interests. But so much resistance have been encountered because of the unpopularity of commerce in the community. As such, when encouraging craft, it would be adversely suppressed by guilds' rule (*hang-gui*); innovations of new style would be indicated to exploit the old type; automation for timber-cutting and mining would be vilified as destruction of *feng-shui*; the use of female workers in the workplace would be libeled malpractice; the simulation for foreign style would be maligned as tax evasion; and merchants are alleged to have bullied populace in their hometown. The chamber has tried its best to handle this. It is requested that the superior or the Ministry of Commerce should take immediate action to protect the merchants. (*Zheng*, p. 594-595)

¹⁷ Its Chinese version is available in appendix four.

¹⁸ Zhu Ying (1987) *op. cit.*, pp. 143-144.

In our view, some of the above cases served as excuses for obstructing the improvement of commerce or for attacking the merchants. Only the chamber could serve as a cocoon for development of the merchant interests. Through it, official protection was extended.

Another important function of the chamber was to encourage and support the development of commerce. At that period of time, the main competitors were the western merchants who were technically advanced, economically aggressive and institutionally sophisticated. An idea of commercial warfare (*shang-zhan*), widely advocated by Zheng Guan-ying, was popularly recognized as significant, particularly for the officials. This is because the success of such warfare was directly linked to the strength and wealth of the nation. In other words, it was a matter of survival for the Qing dynasty. In reality, its success was based on the promotion of commerce and the major obstacle was the improper state-merchant relationship. The Qing government had long been entangled in the problem. Therefore, the encouragement of commercial development became a far more important task for the chamber than the protection of the merchants.

In article sixteen, a clear statement for such attempt was found.

16) Obstacles to a beneficial state-merchant relationship have long existed. Most important is to develop communication between the chamber and the state. Those who have a specific channel in the chamber should make the state-merchant communication smoother. On the top, this would help advertise the official ideas and at the same time would also facilitate to the expression of hidden grievances from the bottom. The format of communication between the two should be simplified to emphasize fact over style. In the case of important matters which need to be kept on file, the formal style will still apply. By so doing, a lot of time will be saved. Even for contact between the merchants and the officials, the custom of the Ministry of Commerce should be followed, only casual attire is acceptable. All unnecessary rituals should be exempted. If there is an important event, the president and the vice-president are allowed to have face-to-face contact with the superior to make appeals. So doing, the state-merchant relationship will no longer be obstructive. (*Zheng, p. 595*)

Strikingly, the officials began to accept a fairly equal status with the

merchants, and were willing to enhance their unbalanced relationship. Some of the formalities were abandoned. Also, the gentry-merchants who spearheaded the chamber were fully responsible for communication because of their specific background and the channels open to them for getting close to the officials. This relationship was part of the reason why the Ministry strictly monitors the qualifications of candidates in the General Guidelines. Their quality, undoubtedly, was important to the chamber as a medium for ameliorating the state-merchant relationship.

Indeed, in face of western competition, the merchants had to have a quick market response to make business brisk. Likewise, the authority concerned had to adjust its policy and strategy swiftly. So conventionally, there was no achievement to the obstacles between the officials and the merchants. As favorably depicted in the passage, the officials could make full use of the chamber to consult with, and notify the merchants and advocate official policy whereas the merchants could take advantage of the chamber to express their own views to the top. As a consequence, such an exchange of ideas would minimize the conflicts between the two and even facilitate the successful implementation of policy.

Substantively, some of the functions of the chamber were explicated in article seven.

7) After the chamber operates, it is responsible for communicating with other ports, for investigating the commercial situation, for studying how to compete with foreign products and how to overcome loopholes, for setting up a bank to issue banknotes and for advocating different kinds of enterprises to regain interests and rights. (*Zheng, p. 593*)

From the passage, we realize that one of the main objectives of the chamber grounded in how making self-improvement in commercial competitions became viable. It was responsible for overhauling Chinese commerce and for planting a blow to foreign commerce. In so doing, the merchants enthusiastically hoped to

undermine the monopoly of the West and to restore their lost rights. Their ideas were compatible with what Zheng expressively promoted, a heuristic idea, commercial warfare.

In addition, the functions of the chamber were strengthened by the provisions of article eight:

8) The chamber should prepare to publish a commercial newspaper, to set up a commercial school for the innovation of commercial knowledge, and secondarily to start a craft workshop and to hold a product exhibition. Only when the funds are raised, will these activities be held on schedule. Report to the superior should also be prepared. (Zheng, p. 593-594)

Education was one of the primary concerns of the chamber. "The opening up of commercial and industrial knowledge" (kai-shang-zhi in Chinese) was the slogan.¹⁹ That is to say, there was an urgent need to modernize and enlighten the minds of the merchants. An attempt was made to nurture them by simultaneously weeding out their narrow-minded practices and inculcating new ideas. Hence, the merchants could widen their horizons, particularly their consciousness of innovation. In reality, the Canton chamber published the Chamber of Commerce News (Zongshanghui bao) in 1905.²⁰ In a letter to the governor-general, Cen Gong-bao, Zheng roughly described the structure of the newspaper.

The first priority of the newspaper is to record official information in detail, secondarily to record the affairs of the world, and news of the province and finally to investigate information of local and foreign products, and cover commercial situations of the world, such as agriculture, railways and mines, electricity and chemistry and engine. This commercial information to be posted will benefit the market and enlighten people's minds. It will become one of the forces for the official encouragement of commerce. (partly cited from Zheng, p. 611)²¹

More important, such a wave of merchant publication of commercial

¹⁹ Wellington K. K. Chan (1977) *Merchants, Mandarins and Modern Enterprise in Late Ching China*. p. 231.

²⁰ Edward Rhoads (1974) "Merchant Associations in Canton, 1895-1911", p. 107.

²¹ Its Chinese version is available in appendix five.

newspapers, especially in the late Qing, was capable of providing a space for activity extraneous to the officials and galvanizing public concern about public affairs. As Rhoads remarked, "the press continued to reflect the growth of popular interest in public affairs. In Canton the number of daily newspapers practically doubled again, from eight in 1905 to fourteen in 1907".²² Generally, the commercial newspaper served as a place where public opinion was formed and expressed.

The functions of the Canton chamber were clearly outlined in the General Regulations. For its protective purpose, the chamber was entitled to handle disputes between the Chinese and foreign merchants. More striking, for the first time the chamber acquired the authority to resolve the lawsuits among the merchants, instead of the yamen. Zheng Guan-ying articulately expressed great concern for the independent legal status of the chambers. Supervising the local and internal affairs of the chambers was not a proper role for the officials.²³

In an aspect of giving encouragement, the chamber could simplify the unnecessary formalities of communication between the officials and the merchants. Such an improvement in the state-merchant relationship helped the commercial development. It was one of the most important and successful roles played by the chamber. Moreover, there was a list of objectives for the chamber in order to outwit the competitors in commercial warfare, namely studying commerce, and doing product research. And lastly, the chamber published a commercial newspaper and founded commercial schools as a way of enlightening the merchants.

Generally, the functions of the chamber could be said to be successfully exercised. Yet, all of them were confined to the sphere of the private affairs and self-

²² Edward Rhoads (1975) *China's Republican Revolution: The Case of Kwangtung, 1895-1913*, p. 83.

²³ Wellington K. K. Chan (1977) *op. cit.*, p. 231.

interest of the merchants. As stated in article thirteen, if any case was not related or obstructive to rights of commerce, no involvement was allowed. By regulation, the chamber was prohibited from participating in anything outside of its commercial jurisdiction.

Participation in Public Affairs

The semi-official nature of the chamber enslaved its merchants in a limited sphere of activity. Despite the fact that the principle of the "merchant-donations and merchant-run" was acted out in the General Regulations, it did not mean that the merchants could do everything according to their free will. Accordingly, in order to dispose of such organizational limitations, the chamber's merchants needed to make alliances with other merchants' organizations, making their affiliations overlap. Conspicuous examples were the "Canton Seventy-two Guilds" (Guangzhou Qi-shi-er hang hang-hui), the "Nine Great Charitable Halls" (Jiu-da shan-tang).²⁴ On the one hand, of course, such a practice went beyond the regulations of the chamber. The merchants touched upon something which was not institutionally justified. On the other hand, the practice reflected a desideratum of the chamber's merchants about autonomy. A high degree of voluntariness and spontaneity could be identified. They were by no means satisfied with the chamber merely as a medium for bridging the state-merchant relationship or strategically as a mechanism for the officials to manage the commerce and the merchants orderly, as the Co-hong system in the period of the early Qing had.

²⁴ Name of these charitable organizations are Runshen shanshe in 1869, Aiyu shantang in 1871, Guangren shantang in 1890, Guangji yiyuan in 1892, Fangbian yiyuan in 1894, Chongzheng shantang in 1896, Shushan shantang in 1897, Mingshan shantang in 1898, and Huixing shanyuan in 1900 Qiu jie (1983b) "Xinhaigeming shiqi de yueshang zizhihui", p. 378 and Michael Tsin (1997) "Imagining Society in Early Twentieth-Century China", p. 229.

As will be shown, the chamber formed an ad hoc and task-oriented alignment on some occasions, the anti-American boycott in 1905 and the event of railroad protection in 1911 for example. Seen from this light, the concern of the merchants ranged from self-interest, to public (communal) affairs, and to political (national) undertakings. Such an alliance constituted a sense of public opinion which the officials had to take into serious consideration in the course of decision making. We believe that they became one of the most powerful societal forces in the late Qing. Yet, it is misleading to think that they took chances to go against the state. In reality, they were not inclined to overthrow the dynasty simply because of their predisposition to stability.

The anti-American boycott was attributed to the bullying of overseas Chinese labours, including the limitations placed on their immigration to America. Early in 1894, the Exclusion Treaty (Xianjin huagong baohu huamin tiaoyue in Chinese) had already been signed with Sino-American agreement. All the unfair clauses were to be renewed with the Qing government in 1904, despite public desire for the annulment of such a treaty.²⁵

As early as 1903, representatives of the Chinese clubhouse (Zhonghua hui-guan) in San Francisco strategically appealed to the Qing government to refuse to renew the treaty. When the American side continued to exert diplomatic pressure, the clubhouse turned to seek help from the Shanghai General Chamber in 1905.²⁶

Consequently, the boycott of American goods occurred first in Shanghai and spread swiftly to other provinces. The response in Canton was one of the most long lasting and fervent simply because a large number of overseas labours were

²⁵ Edward Rhoads (1975) op. cit., pp. 83-84.

Cantonese.²⁷ The Canton Seventy-two Guilds, the Nine Great Charitable Halls and the Canton General Chamber of Commerce unanimously supported the announcement. More important, these merchants' organizations aligned themselves to form "the Society to Oppose the Treaty" (Ju-yue hui in Chinese) and lead the anti-American boycott. Zheng Guan-ying, the vice-president of the chamber, was elected to be the vice-chairman of the Society. A wide variety of goods were boycotted, including oil, tobacco, and flour.²⁸ Also, a public comment about the incident appeared in the *Xianggang Huazi Ribao*, a Hong Kong newspaper. Its author used the pseudonym "no fright" (basically fake name for anonymity) to argue against the defence of American ambassador concerning the discriminatory policy.²⁹ The society published the "Oppose the Treaty News" (Ju-yue bao in Chinese), highlighting "the progress reports and the first-hand accounts of anti-Chinese discrimination in the United States".³⁰

Not surprisingly, such a boycott made the American side angry and forced the Qing government, which had given tacit consent to the boycotters at the outset, to suppress them. Despite the fact that the general-governor, Cen Gong-bao, was sympathetic to such activities, he had to take some actions to pacify the discontent on American side. For example, an order was issued to stop the publication of the *Oppose the Treaty News*. On the whole, however, no draconian measures were adopted to suppress the activities of the Society. The general-governor still

²⁶ *Guangzhou jianshi* (1995), p. 336.

²⁷ *Zheng Guan-ying ji*, pp. 546-548.

²⁸ Edward Rhoads (1975) op. cit., p. 85.

²⁹ *Xianggang Huazi Ribao*, 25th May, 1905.

³⁰ Edward Rhoads (1975) op. cit., p. 86.

maintained that there were no laws in China to force the merchants to buy the goods of a particular country.³¹ Thus, we understand that the boycott died down gradually after 1906 not because of the official suppression, but because of an internal breakdown among the merchants. Some of them secretly signed an agreement with the American merchants without any authorization from the Society. In a letter to the Society, Zheng Guan-ying stated squarely that such an unauthorized agreement was antithetical to beliefs of the Society, thereby finding it difficult to have recognition from all the participants.³²

In the meantime, the merchants became distracted from the boycott by the issue of rights recovery for the Canton-Hankou Railway. Early in 1898 and 1900, Sheng Xuan-huai contracted out the establishment of the railway to the China Development company (He-xing gongsi in Chinese), which was American owned, had greater management skills and more capital.³³ Yet, the company could not fulfill the contract due to insufficient fund raising during the Spanish-American War. As a result, the company sold around two thirds of the stock to a Belgian bank. Such a practice was defined as a violation of the contract.³⁴

No doubt, subsequently, such a violation galvanized the opposition from the merchants. Their aim was the nullification of contract and a struggle for the railway (Fei-yue zheng-lu in Chinese). At the end, they managed to gain control over the railway from the American company in September, 1905.³⁵

³¹ *Ibid.*, p. 89.

³² *Zheng Guan-ying ji*, p. 548.

³³ Wellington K. K. Chan (1977) *op. cit.*, p. 131.

³⁴ *Guangzhou jianshi* (1995), p. 338.

³⁵ *Ibid.*

After redeeming the railway, they faced the challenge of whether its management belonged to the officials or to them. The governor-general, Cen Gongbao, engaged in a heated debate with the representatives of Canton gentry, the merchants and gentry-merchants, such as Liang Qing-gui and Li Guo-lian. The official side inclined to state control over the railway, even though it recognized the equal power of the private. Such a mode of practice was similar to the framework of officials' and merchants joint management (Guan-shang he-ban in Chinese) which had been proved a failure.³⁶ According to the merchants, the railway should be merchant run (shang-ban) or the "min-ban" or "min-ying" (people's run). A clash between the sides seemed unavoidable. Liang and Li were wanted. Liang managed to escape to Hong Kong with somebody's help, but unfortunately Li was put under arrest.³⁷

Li's imprisonment, however, led to a widespread protest against official arbitration from all walks of life. The "Canton Seventy-two Guilds", the "Nine Great Charitable Halls" and the Canton General Chamber of Commerce once again aligned to form the Canton-Hankou Railway Company which petitioned to Beijing for the "shang-ban" status.³⁸ At the end, the governor-general, Cen Gongbao, granted their request.³⁹ The rights of management went into merchants' hands. The company issued stocks to raise a huge sum of capital for establishing the railway. Zheng Guan-ying was elected to be chief manager (Zong-ban) of the company, because he was one of the most well established gentry-merchants at that time,

³⁶ The official idea to collect fund to set up and to manage the railway was criticized by public comment. See *Xianggang Huazi Ribao*, 10th August, 1905.

³⁷ *Guangzhou jianshi* (1995), p. 339.

³⁸ Wellington K. K. Chan (1977) *op. cit.*, p. 136.

³⁹ *Zheng Guan-ying ji*, p. 667.

particularly experienced in communicating with the officials. The responsibilities of the company were clearly outlined in sixteen rules by the founders, namely the Seventy-two Guilds, the Nine Charitable Halls and the General Chamber.⁴⁰ Moreover, according to one of the Zheng's letters, the annual account of the company was openly announced.⁴¹ All the income and expenditures were itemized. Such an account was submitted for official examination so it could be verified that there was no embezzlement. Zheng also sadly said that owing to unending conflicts and movement, there was no long-term task to be worked out.

In 1911, the Qing government arbitrarily initiated a policy concerning the nationalization of railways. This was mainly because almost all the shang-ban railways ended in failure. There was not a mile of railway established, such as in Hunan and Hubei. Relatively speaking, the situation seemed better to the Canton railway which was estimated to have sixty-six miles.⁴² Even worse, malpractice, mismanagement and embezzlement kept construction costs continuously increasing. Undeniably, the Canton Seventy-two Guilds, the Nine Great Charitable Halls and the Canton General Chamber of Commerce unanimously opposed the arrangement of nationalization and still strove for merchants' control. As usual, these organizations organized to form Railway Protection Society (Bao-lu hui in Chinese) in Hong Kong because of strict prohibition in Canton. Yet, the Society did not work well to mobilize mass support on account that compensation granted in Canton was relatively higher than that in the other provinces. Understandably, some of the

⁴⁰ The sixteen clauses were available in *Zheng Guan-ying ji*, pp. 667-670.

⁴¹ *Ibid.*, pp. 735-736.

⁴² Edward Rhoads (1975) *op. cit.*, p. 207.

Canton merchants accepted the terms of compensation from the authority.⁴³ This obviously makes the Society weaker in mobilization.

Having looked at the two incidents in Canton, we understand that the chamber had genuine autonomy over activities, ranging from the sphere of private affairs to the sphere of public affairs. An alignment of the chamber's merchants with other merchants' organizations could let them go through the narrow cage of the chamber. By making affiliations overlapping, they were autonomous not only from the officials, but also from their own organizational stockade.

Concluding Remarks

Necessity is the mother of invention. The Qing authority was in need of wealth and strength in her late period. The chamber, was at least, partly a product of such considerations. For the authority, the improvement of the relationship between the officials and the merchants was the first and foremost function of the chamber. It was mainly used to facilitate the success of commercial warfare and made commerce and the merchants orderly. In turn, the chamber was critical to the wealth and strength and was further linked to the survival of the nation. Understood in this way, the setting up of the chamber was a strategic arrangement of the state.

Despite this official initiative, the chamber was characterized only as semi-official. It was recognized that the official manipulation had not been altered from the system of Co-hong in the early Qing to the arrangement of the chamber in the late period. The difference for them was that the former was a successful case of manipulation whereas the latter was a failure due to changing of state capability in the different periods of time. Moreover, by experience, the authority understood that

⁴³ *Ibid.*, p. 208.

a sheer official directive would make any reform futile under conditions. As a result, the semi-official designation of the chamber represented an official attempt to revitalize the initiative of society.

For the merchants, however, the chamber somehow signified emancipation from the traditional sense of suppression and disparagement. Their class rose from the bottom stratum to the top among the four classes.⁴⁴ More significant, the institutional protection of their rights and interests was guaranteed. Truly, having gradually shifted from a mentality of control to granting limited autonomy, the officials tried to lessen their undesirable intervention in order to leave room for the merchants. Such relative autonomy was as critical to the merchants as to the development of commerce. As Rhoads remarkably stated, "the organization of the chambers of commerce gave the merchants a sense of self-esteem and independence that they traditionally had lacked. Thus, the merchants of Canton in 1905 demanded the abolition of all the humiliating formalities that previously had marked their relations with the officials and the gentry."⁴⁵

The composite guild and the chamber of commerce enabled the merchants to transcend the private realm which was constituted as geographical and occupational barrier. Also, by making membership overlapping they were able to prevent the merchants from their own organizational oppression. They were free to have affiliations which engaged in different activities, ranging from self-interested affairs, to public issues and political affairs, such as the anti-American boycott, the exclusion of treaty and the struggle for the rights to the railway. It is recognized that

⁴⁴ Ye Heping (1996) "Qingmo minchu jingji lunli de zibenzhuyihua yu jingji shetuan de fazhan"., p. 11-12.

⁴⁵ Edward Rhoads (1975) op. cit., p. 82.

the merchants underwent a process of politicization in the late Qing.

However, we should not overstate the autonomy of the merchants, in spite of the fact that the officials consciously minimized their role in the chamber. Still, when the merchants went beyond the limits of the chamber, punishment by the authorities might followed. In reality, the decisions made by the merchants about the chamber were to go directly to the Ministry of Commerce for reference.

In the aspect of election and decision making process, seemingly, official intervention in the election of the chamber's leader, namely the president and vice-president, was minimal. Much room was left to the Board for a public election. Only the qualification of candidates was outlined by the Ministry in detail as a quality assurance. Those who were ineligible could not be elected; otherwise, the Ministry abolished the authorization. So, there was a realization of autonomy in a limited sense. There was limited simply because the results of the election were necessarily sent to the Ministry for approval. Cases of disapproval were scarce but recorded.

The chamber was entitled to have financial independence. By regulations, such financial autonomy was one of the most realistic and guaranteed aspects of the three. The source of income was fully subsidized through merchants' donation and the account of the chamber was open yearly to every member for examination. The chamber was overwhelmingly accountable to the merchants. Basically, there was no need or excuse for the officials to intervene in the chamber's finance.

Eventually, there was a clear delineation of the activities of the chamber, mainly the protection and promotion of commerce. Legally, the chamber could extend its influence to the jurisdiction which was not properly defined in the General Regulations. It was said that an autonomous sphere was gained for protecting the merchants from official tyranny. Moreover, the stipulation of the chamber in the

commercial promotion was fully covered. As a crux of the problem, the barrier in the state-merchant relationship could be minimized. Unnecessary formalities for communication were discarded. Also, in order to guarantee the success of commercial warfare, the chamber started to explore commercial research. Equally critical, the chamber was to enlighten the minds of the merchants and widen their knowledge base, for example, through publication of the Chamber of Commerce News.

Nevertheless, the chamber was restricted to the economic realm. No engagement in other affairs was institutionally allowed. It was the semi-official nature that made the chamber's merchants enslaved, especially in comparison with popular nature of the Seventy-two Guilds. They were only interested in private affairs through the chamber's regulations. That is to say, when they participated in the public affairs which were not justified under stipulation of the chamber, we recognize that it was an extension of their relative autonomy.

So far as we elucidated, the chamber was a product of official initiative as well as the merchants' participation. It was, as we argued in this thesis, an embodiment of the emergence of an interpenetrated mode of civil society. The resource of society could be raised as a complement for the inadequacy of the state. In parallel, the autonomy of society was also activated. They took a chance to consolidate their autonomous realm. The state-society relationship was interpenetrated to the extent that an autonomous realm and civic power emerged. The emergence of such civil society is evident in the Chinese historical context. Such realm and civic power, however, did not go against the Qing state or suppress society in the other way round.

In the next chapter, we try to offer some hypothetical explanations for its

emergence. Basically, the focus will be on the political, economic and cultural dynamic in the Chinese historical context. Through such examination, we find it not difficult to understand why civil society appears in an interpenetrated mode which is closely knitted state interests together.

Chapter Six

Discussion of Political-Economic-Cultural Dynamic: An Explanation for Rise of Interpenetrated Mode of Civil Society in Canton in the Late Qing, 1896-1911

Introduction

After exploring the relative autonomy of the merchants in the chamber of commerce in Canton, we then move on to proposing three different hypotheses to explain the rise of an interpenetrated mode of civil society in the late Qing. As mentioned in the chapter one, these hypotheses are the decline of state, the acceleration of commercialization and the development of a merchant culture. Once again, we assert that such an explanation is meant to be suggestive; we hope these hypotheses will spur intellectual exploration. Attention should be paid to how these factors subtly affected the emergence of civil society in the Chinese context. It is not our intention to find wholly agreed-upon variables. The limitations of the variables should be pointed out, especially in relation to the Canton context. At the same time, it is recognized that some other variables, consequential or not, may still remain unexplored in our discussion.

In comparison with the officials of the previous period of time, the officials of the late Qing somehow lost their sense of disparagement toward the merchants, but they still consistently held a mentality of control. This is simply because of the long-lasting autocratic tradition of the Qing dynasty, despite the fact that its foundation had been gradually unsustainable since the end of the Opium War in the 1840s. State capability began to attenuate, a development prominently revealing in the loss of the monopoly in foreign trade. The centrality of Canton, as a unique place for foreign commercial activity before 1840, was gradually waning not only in terms

of trade volume, but also in tandem with the rise of other ports.¹ Meanwhile, when talking about the decline of the state, we should qualify that it was not a strategy of the Qing rulers. Indeed, the rhythm of intervention did not change; it just became less effective. State capability weakened, making the statement of omniscient and omnipotent state no longer sound and valid.

Simply, our line of argument explores how the decline of the state contributes to the emergence of an autonomous realm. We should not, however, overemphasize the Opium War, notwithstanding the decline of the state after 1842. As Cohen mentioned, "Chinese society, like American, has had its own set of inaugurations and retirements, to many of which the Opium War did not speak in ways that were significant".² The Opium War is only a turning point. It is in such a context that the decline of the state will be regarded as a continuing rather than a once-and-for-all process. Accordingly, the state needed to invoke the initiative of society, particularly in the provision of resources. The autonomy of society must be unleashed. Under such circumstances, the relationship between state and society is transformed with a primary emphasis on the emergence of such a mode of civil society. The state, it seems, has no choice but to undergo such a transformation. In other words, the state should be self-limiting in order not to destroy the development of the initiative of society, which is critical to the state's survival. Consider, for example, the case of "government supervision and merchant management" (Guan-du shang-ban in Chinese). Not only can it be used to discern the state-merchant relationship, but it is also a reference point for us to comprehend the establishment of the chamber.

¹ Zhang Zhongli (1996) "Dongnan yanhai chengshi yu zhongguo jindaihua", pp. 232-236.

² P. A. Cohen (1984) *Discovering History in China*, p. 195.

Meanwhile, the acceleration of commercialization is assumed as another vital aspect. Economic society, we argue, is indispensable for a civil society, mainly because it changes the relationship between the state and the economy and even dedicates resources to the society. This means that the market should play an important role in the retreat of the state. Nonetheless, we should not over-emphasize any exclusivity between the two. Instead, state intervention was still needed to make market smooth, simply by providing certain kind of laws and regulations which made the idea of mercantilism popular in the late Qing. Obviously, such a process of commercialization accelerated partly due to the redeployment of the role of the state.

In fact, commercialization also leads to social differentiation. As we know, commercial activity was increasingly important, leading to a realignment of the social stratification among the four classes. Apart from the rise of the merchant class from the bottom, the class of gentry-merchants had also consolidated their power. They were specifically active and influential in political, economic and social arenas in the late imperial period. When society becomes pluralistic, it is favorable for the development of civil society because of the breakdown of monolithic manipulation.

Eventually, we are interested in studying the development of civil culture, especially how it is constituted and what it is composed of. In this thesis, such civil culture is revealed in the development of merchant culture. It is a process to show the influence of Confucianism and imported Western ideas. We notice three major characteristics of merchant culture. Firstly, publicness refers to concerns of popular rights (*min-quan* in Chinese) of citizens. Secondly, autonomy denotes their participation in public and political affairs. And finally, cooperation implies their attitude toward the government. Through pondering the ideas of Zheng Guan-ying, a

prominent gentry-merchant and of Liang Qi-chao, an influential political thinker in the late Qing, we can concretely capture the essence of the merchant culture.

Decline of State

The decline of the state can be seen in various ways. Militarily, the Qing government was incapable of protecting the local communities from devastation from both internal and external turmoil, such as in the period of the Opium War (1839-1842), the Taiping Rebellion (1851-1864) and the Second Anglo-Chinese War (1856-1860). Indeed, these events thoroughly unveiled the impotence of state and were signs how much jeopardy it was in. The last resort for the local community was self-help, mainly the setting up of local self-organized militia to defend against the intrusion of aliens.

Financially, defeat in the wars made the Qing government incur huge debts to foreign nations. Owing to her financial depletion, the Qing government assisted to the local provinces rarely. In case of an emergency, such as a natural disaster, people relied primarily on self-help. The local officials could only depend on the tariff collected from commodity circulation, the Lijin, in the times of the Taiping Rebellion.³

Apparently, the military weakness and financial strait seemed to push the dynasty to the brink of collapse. In view of handling the crisis, the state was then forced to initiate a series of reforms from 1850 onwards, which were intended to strengthen its own capability. In effect, the reforms, whether political or economic, were not carried out thoroughly. Some of them left much to be desired, such as the Self-Strengthening Movement in the 1860s. Some of them were instituted too late to

³ Xiao Yishan (1972) *Qingdai Tongshi*, p. 1524.

be effective, such as constitutionalism in the 1900s. Among them, the case of "government supervision and merchant management" (Guan-du shang-ban in Chinese) are of particular interest to us. It can help us understand the dynamic between the decline of the state and the rising autonomy of the merchants and shows us how society's initiative is raised. And its failure shows how the state failed to be self-limiting. Only then could the establishment of the chamber in the 1900s suffice to demonstrate the self-limiting character of the state. At that moment, the autonomous realm of the chamber was identified and exercised extraneous to the state but not against it. Moreover, the case of the chamber shows how it positively facilitated the social administration of the state. Its establishment accorded with the interests of the state.

The framework of the government supervision and merchant management newly emerged in the 1870s, as a product of the Self-Strengthening Reform. Li Hong-zhang and Zhang Zhi-dong initiated it, albeit in slightly different ways. It meant an official-led operation together with the supplementary role of the merchants.

Deliberately, the framework aimed at promoting both the merchants and the officials to contribute a lump sum of capital to run a business, with a clear stipulation of the rights and obligations of both sides.⁴ Its intention should be understood as an attempt by the officials to extract capital from the merchants so as to compensate for their own insufficiency. Properly articulated, it was divided into two parts as the term predicated. While the officials were to give support and protection, the merchants were responsible for managing the business. Basically, the

⁴ Zhang Yufa (1988) "Qingmo minchu de guandushangban gongye", p. 35.

supervisory and managerial jurisdictions were manifestly delimited.

Li's idea was actualized in an operation of the China Merchants' Steam Navigation Company (Lun-chuan zhao-shang-ju in Chinese) in 1872, the Kaiping Mining Company (Kaiping mei-kuang in Chinese) in 1877, and the Shanghai Cotton Cloth Mill (Shanghai ji-qi zhi-bu ju in Chinese) in 1878. Basically, he could comply with his principle by which the merchant-managers were reserved with sufficient autonomy to run these businesses.⁵

However, the malpractice of the officials actually not only ruined the business, but also, more seriously, undermined the framework.⁶ The Kaiping Mining Company was a case in point. After the death of Tang Jing-xing in 1892, his successor, Zhang Yan-mou, who had a strong bureaucratic background (a bannerman bureaucrat), became the manager. Undoubtedly, the ex-manager, Tong Jing-xing with his close relationship with the governor-general Li Hong-zhang could be regarded merely as a quasi-official while Zhang was a naked official in the eyes of the merchants.⁷ In airing differences, it did not require much imagination to realize that the merchants disliked and spurned such a tendency toward bureaucratization, which upset the balance between government supervision (Guan-du) and merchant management (Shang-ban). Perhaps a more compelling reason for the opposition was that the merchants feared that the practices of red tape and exploitation from the officials would become more intense, as in the case of Co-hong's administration in Canton. Their fate was bankruptcy at the end. Obviously,

⁵ Wellington K.K. Chan (1977) *Merchants, Mandarins and Modern Enterprise in Late Ching China*. p. 72.

⁶ The fact is that share of the merchants was constantly embezzled by the officials in various ways, such as taking public fund into their own pocket. As a result, the merchants largely withdrew their own shares. Zhang Yufa (1988) op. cit., p. 41.

⁷ Wellington K.K. Chan (1977) op. cit., p. 75.

what the merchants needed was protection, encouragement and sponsorship from the official side rather than manipulation and exploitation.⁸

Zhang's idea paved for the way of another type of relation between the state and the merchants, namely official and merchant joint management (Guan-shang he-ban in Chinese). Different from Li's mode, in view of encouraging the initiative of the merchants, Zheng attempted to make use of state funds to produce a profitable atmosphere. The merchants were allowed to participate through buying shares from industry. It could be termed as "officials promoting industry on behalf of the merchants" (Guan-wei shang-chang in Chinese).⁹ Representative of such an idea were the Hupei Cotton Cloth Mill (Hubei zhibu guanji in Chinese) introduced in 1899 and the Hupei Cotton Spinning Mill (Hubei fangsha guanji in Chinese) proposed in 1894. These two originally were state-owned (Guan-ban) enterprises, which began to draw private investments since 1894.¹⁰ At that time, his slogan was changed to pinpoint "an operation in which merchants are invited to assist the officials" (Zhao-shang zhu-guan in Chinese), gradually supplanting the Guan-du shang-ban by the Guan-shang he-ban. No wonder, then, that the purpose was to assuage the anxiety of the merchants concerning investment in these enterprises.

Seen from the view of inducing merchant capital, there was no big difference of aim between the Guan-du shang-ban and the Guan-shang he-ban. Cooperative relation, predicated by the latter term as an equal share of importance between the merchants and the officials, was completely an illusion. Intense official intervention persisted to make the merchants constantly subordinate and vulnerable to losing

⁸ Ibid.

⁹ Ibid., p. 94.

¹⁰ Zhang Yufa (1988) *op. cit.*, p. 36.

their investment. In reacting against such a phoney, the merchants were poised to make a complaint.

Pleading that any official interference would eventually lead to total official control, they asked for a reaffirmation by the government that it would only extend protection, leaving public management to the merchants.¹¹

As a result, owing to failure in inducing the participation of the merchants, part of the enterprises were restored to the state. Yet, some of them were left to the merchants alone in operation and were termed people's run (Min-ban or Min-ying) enterprises.¹² This seems to be a victory for the merchants in effect that the state was forced to make a concession. The establishment of Canton-Hankou Railway Company in 1906 was a conspicuous example. Only then did the merchant gain autonomy without any direct intervention by the state.

Conclusively, the official mentality of control over economic affairs had never been given up but its capability, especially in the administrative and financial aspect, became weak. A typical case is that even relatively open-minded reformers, such as Li Hong-zhang and Zhang Zhi-dong, could not do away with such a mentality. Therefore, the way out was to attract private capital from the merchants. That was the rationale behind the framework of Guan-du shang-ban and Guan-shang he-ban. In such a description the dominant role of state was not explicitly dismissed at all. A cooperative relations between the state and the merchants were more apparent than real. The framework was gradually susceptible to a process of bureaucratization, thereby suffocating the limited managerial capacity of the merchants.

Its failure revealed that the merchants could defy the manipulation imposed

¹¹ Wellington K.K. Chan (1977) *op. cit.*, p. 100.

¹² Zhang Yufa (1989) "Qingmo minchu de min-ying gongye", p. 317.

by the state. Particularly when compared with the framework with the Co-hong system in the early Qing, we find it not difficult to discover the decline of the state. Earlier state capability was so strong that the merchants were subservient and their Co-hong organizations were manipulated to deal with foreign trade under official guidance. This current case, however, shows that the officials were unable to squeeze the merchants at will despite of the fact that the mentality of control was unchanged. Under the state incapability, the merchants were no longer subservient but the adjustment of the state-merchant relationship was not yet complete in the framework of government supervision and merchant management.

Following such logic, we can understand that the introduction of the chamber of commerce is a sign for the limited-state penetration in order to make room for the revitalization of society's initiative. It is really a landmark for the advance of the state-merchant relationship. Through such a retreat, the merchants could enjoy more autonomy within the institutional base.

We try to argue that the limited-state penetration, that is the decline of the state in Chinese context, is one of the most important factors in the emergence of an interpenetrated mode of civil society in the late Qing, even though the self-limiting character is a result of the inadequacy of the state. Actually, such a development by no means appears abruptly. From the discussion of the Co-hong in the early Qing, the Guan-du shang-ban in the middle, to the chamber of commerce in the late Qing, we can concretely capture a gradual transformation of the state-merchant relationship. The state had clearly shifted from a dominant to a self-limiting position, and correspondingly the merchants had adjusted from being subservient to being articulate. According to Figure 4, the interpenetrated mode of civil society is

cultivated when there is weak domination by the state. Such a weak state conceptually means limited-state penetration and is empirically revealed in the decline of state in terms of its capability to manipulate in the Chinese context. On the other hand, of course, a weak autonomy of society is required. In our sense, it meant that the self-limiting nature of social actors which will be illuminated under the development of civil culture in China.

Yet, as we admit, the reach of the state will have different meanings to different localities. So will the decline of the state. As to whether civil society existed in ancient China as a whole, no concrete answer is swiftly available, because the decline of the state affected different localities differently. The thesis of civil society cannot be claimed at a national level, but can only be discussed at the level of provinces and counties. We estimate that the decline of the state was significant and prominent in Canton, which was far from the central authority. In the previous chapter, we showed that the resistance of the Canton merchants appeared during the establishment of the chamber. The Shanghai chamber was established much faster and earlier than the one in Canton. We believe that this delay can be attributed to their distance from the state rather than to other factors, like their conditions of prosperity or prior preparation for the establishment.

So far, the discussion of the government supervision and merchant management has successfully demonstrated the decline of state capability in some localities, especially for Shanghai and Hupei. We expect that it will also happen to Canton though further research is needed to substantiate the hypothesis.¹³

¹³ In this regard, line of study for the case of government supervision and merchant management (Guan-du shang-ban) is viable. According to appendix from Zhang, we know that there are three companies operated under such framework, such as factory of water supply in 1906, company of electricity supply in 1908 and company of leather in 1909. The decline of state in Canton can well be understood if detail of the three companies is grasped. See Zhang Yufa (1988) *op. cit.*, p. 65-66.

Acceleration of Commercialization

Apart from the decline of state, we hypothesize that the acceleration of commercialization contributed to the emergence of civil society in ancient China. It came to culmination in the late Qing, especially under tremendous support from the state.¹⁴ That can be seen from a rapid growth of the idea of mercantilism. Only with this development did the existence of economic society become effective in benefiting the civil society through redeploing the role of state and activating the role of market.

In the meantime, such commercialization directly facilitated social differentiation, in respect to the activation of the gentry-merchants in the late Qing.¹⁵ It had long been recognized that delimitation between scholars and merchants had become ambiguous since the Ming dynasty.¹⁶ Of great importance is that the breakdown of the traditional social stratification among the four classes was further conducive to such differentiation. In the late Qing, the dynamic among the officials, merchants and gentry-merchants created a pluralistic sense of values. It revealed that the state was no longer capable of upholding her monolithic manipulation particularly when the gentry-merchants consolidated their influence. They led different kinds of social activities and participated in public affairs partly through the name of the chamber. Thus, we believe that commercialization created a

¹⁴ It is a great contrast with the period of early Qing. At that time, development of commercialization is self-nurtured. There was no supportive role played by the state in any extent. See Mabel Lee (1972) "Wanqing de zhongshang zhuyi", p. 211.

¹⁵ Zhu Ying highlighted that there is a newly emerged type of merchants in the late Qing. See Zhu Ying (1991) "Qingmo xinxing shengren ji minjian shehui", pp. 37-44.

¹⁶ In ancient China, as we understand, scholars were used to sit for the civil service examination, ultimately possessing identity of official. Then, we called these scholars as gentry (shen-shi).

pluralistic ambience which was beneficial to the emergence of civil society in the late Qing.

Such social differentiation is partly related to the development of civil culture as mentioned in the following part. Now, we are first concerned with the economic society and then how the class of gentry-merchants was formed and their pluralistic views were represented, namely through a brief review of the life history of Zheng Guan-ying.

The officials had gradually recognized the vitality of commerce until the period of Self-Strengthening Reform in the 1860s. While reformers still held the conviction that agriculture was the primary basis for the wealth of the nation, they did not entirely neglect the importance of the development of commerce.¹⁷ Until 1870s Li Hong-zhang and Zhang Zhi-dong became the leaders of the reform who focused on formulating commerce as a policy agenda. As mentioned above, they engaged in a framework of government supervision and merchant management (Guan-du shang-ban). Despite of the fact that such a framework remained too remote to be an improvement of the state-merchant relationship, we did recognize that it turned over a new leaf for the history of Chinese commerce, especially for official participation. After the Sino-Japanese War in 1895 and the Boxer Uprising in 1900, the development of commerce became a far more important strategy for the survival of the nation. An idea of mercantilism sprang up rapidly. In 1903, the Ministry of Commerce (Shang-bu in Chinese) was established to show the determination of the state to promote and protect commerce.¹⁸ In 1904, for example, a decree was issued for the endorsement of the chamber of commerce which was

¹⁷ Mabel Lee (1972), *op. cit.*, p. 212.

¹⁸ Wellington K.K. Chan (1977) *op. cit.*, p. 25.

under the guidance of the Ministry.¹⁹ Also, in the same year, the Qing government promulgated the first and foremost commercial law, called the Commercial Code of Qing (Qinding daqing shanglu in Chinese), which represented a lawful form of protection of the merchants.²⁰ Other laws of commercial protection and facilitation were constituted, such as a company law in 1903 as well as a bankruptcy law in 1906.²¹ More remarkable, the Qing government enforced a policy for praising the merchants, thereby pushing the idea of mercantilism to the culmination and representing the culmination of commercialization.

We can realize how the state redeployed its role to become complementary, making the process of commercialization smooth and swift. Through enacting a series of laws to protect the merchants and facilitate commerce, the state, as mentioned above, became self-limiting to revitalize society's resources. Such an idea of mercantilism eventually became state policy.²² The market, instead of the state, came to foster economic momentum.

In the conceptual ideas we have developed in Figure 1, we think of the development of economic society which is associated with the emergence of civil society, mainly through giving the latter resources and delineating a clear line with the state. According to our investigation, such an economic society was activated, by virtue of the acceleration of commercialization which was specified as a rise of mercantilism in the late Qing.

In addition, we also note that society became differentiated with an emphasis

¹⁹ *Dongfang Zazhi* (1904) Vol. 1, No. 1, pp. 1-2.

²⁰ Zhu Ying (1991) op. cit., p. 39.

²¹ Mabel Lee (1972) op. cit., p. 219.

²² *Ibid.*

on activation of the gentry-merchants. Among them, Zheng Guan-ying (1842-1923) who was a Canton comprador in China, was a pioneer in introducing advanced ideas regarding commercial development. Their existence clearly represented the upholding of pluralistic values and their emergence, of course, was not an accidental episode.

In fact, the integration between the gentry class and merchant class had over a long process produced the gentry-merchants class. Generally, the gentry-merchants referred to those gentry who engaged in commercial activities and those merchants who acquired official (at least the "Sheng-yuan" in Chinese) identity.²³ Their number and influence became prominent after the end of the Sino-Japanese War. Certainly, a pure form of the gentry or the merchants remained, but here we are focusing on the gentry-merchants.

For the merchants, the identity as gentry was bought from the Qing authority through a practice of contribution (Juan-na in Chinese).²⁴ This meant that the merchants often contributed a lump sum of money to the state, for example, in case of a natural disaster, in exchange for a privileged title. "Shang-ren-juan-kuan" (in Chinese) was a usual practice in the early Qing and its frequency and intensity became amazing throughout the middle and the late period. Their contributions turned out to be indispensable for the state due to the financial burdens incurred by military expenses and treaty compensation. In return, some of the merchants were also in need of the gentry identity mainly to upgrade their social status. Apparently, this practice was related to the lowest ranking of the merchants in the traditional

²³ In this thesis, by gentry-merchants it is to be understood that their merchant identity outweighs their gentry identity. They acquire the gentry identity, which is made apparent than real, in order for protection and convenience only. It was a usual practice of the merchants in the Qing dynasty.

²⁴ Li Dajia (1993) "Shanghai shangren de zhengzhi yishi he zhengzhi canyu", p. 182.

social stratum. Some merchants practically conceived of becoming gentry as a protection of self and family.²⁵ By so doing, they could guard against undesirable intervention from the local officials and could facilitate their commercial prospects.

For the gentry, their engagement in commercial affairs was rationalized when such inconsiderable occupation had been recognized as a fulfillment of a human basic need. People, especially in economically well-developed areas, gradually changed their perceptions about the respect of agriculture and the discouragement of commerce.²⁶ More significant, Confucians had changed their traditional views toward commerce by reinstating its importance in pursuit of knowledge and comprehension.²⁷ In reality, there had been a gradual trend in which the scholars gave up their Confucian career to engage in commercial affairs since the Ming dynasty. Shortly after 1895, as mentioned above, mercantilism formally became a directive of the Qing government. Commerce had been designed as a means of making the state wealthy and strong. Such moves encouraged those who had already obtained their official titles joined the business field immediately.²⁸ The downfall of the civil service examination in 1905 had a catalytic effect in the entry of the gentry in commerce. They understood that an official career was no longer a unique outlet whereas another career path was being paved in front of them. Hence, a number of gentry-merchants increased steadily.

As they were different from the gentry and the merchants, the emergence of

²⁵ Ma min (1995) *Guanshang zhijian: shehui jubianzhong de jindai shenshang*, pp. 84-85.

²⁶ Zhang Zhongmin (1996) *Qian jindai zhongguo shehui de shangren ziben yu shehui zai shengchan*, pp. 264-266.

²⁷ Yu Yingshi (1993) "Zhongguo jinshi zongjiao lunli yu shangren jingshen", pp. 343-344.

²⁸ Ma min (1995) *op. cit.*, p. 86.

the gentry-merchants represented a pluralistic orientation. A typical example of this orientation can be seen in a comprador gentry-merchant, Zheng Guan-ying, who was one of the leading figures in the late Qing.²⁹ Owing to his failure in the civil service examination at an his early age, he was forced to choose commerce as a career path. Just like other merchants, he adopted an official title through the practice of contribution (Juan-na) in 1896 and 1870. Also, he had been further awarded in 1879 by virtue of his dedication and donation in the relief of natural disasters.³⁰ By that time, his background as a gentry-merchant was recognized.

His ideas, as will be discussed in the following part, were advanced among his contemporaries. More significant, his ideas had a far-reaching effect, not just on the gentry-merchants and merchants, but even on the Qing government ultimately. As we explained in the previous chapters, in Canton, the interests of the gentry-merchants were basically articulated through the General Chamber of Commerce in contrast with the interests of merchants which were represented exclusively by the Canton Seventy-two Guilds. Despite this divergence, they could cooperate with each other in the face of a national crises. For instance, Zheng undertook the leading role in a series of public activities in the late Qing, such as during the anti-American Boycott in 1905 and the movement of right recovery on the Canton-Hankou Railway. The chamber and the guilds jointly formed the China Development Company undertaking the construction of the railway. On the basis of his official status, Zheng was elected chief manager of the company. In regard to the affairs of the railway, they struggled not only with the foreigners for reclaiming the rights, but

²⁹ According to Ma min, there were three different types of gentry-merchants, namely intellectual type, comprador type and official type. *Ibid.*, pp. 109-147. We opt for the comprador Zheng, not because this type has something more special than that of the others, but because activities of gentry-merchants could comprehensively be understood through Zheng's case.

³⁰ Xia Dongyuan (1995) *Zheng Guan-ying*, pp. 360-363.

also negotiated with the state for status of people's run and acted against its nationalization. So far, as we noted, the gentry-merchants could signify the social differentiation in the late Qing, in the sense of upholding the principle of pluralistic values with the merchants and against the government and the foreigners.

Conclusively, the acceleration of commercialization, as an embodiment of the development of the economic society which affirmed the role of the market and redeployed the role of state, was effectively dedicated to the emergence of civil society in the late Qing. On the one hand, commercialization explained the redeployment of its role, in the process of making a clear delineation with the market. A series of commercial laws were enacted for the protection and facilitation of commercial affairs as well as the recognition of the importance of merchants. That explains why mercantilism came to culmination particularly in the late Qing. On the other hand, commercialization led to the rapid growth of the gentry-merchants whose influence was said to be remarkable. Their consolidation represented the growth of pluralistic values which made social differentiation sound. With their emergence, we believe that favourable conditions for civil society were produced.

Even so, we should not over-emphasize the role of the state in the process of commercialization and at the same time under-emphasize the efforts of the social actors, such as the merchants and the gentry-merchants. This is because the state began to show genuine concern for commerce late after 1900 in response to the serious crisis. No doubt, such an adjustment was compatible with its primary interest: the survival of dynasty. Following such logic, the effect of commercialization is nothing but a spin-off. For the government, it seems to be

unintended at all. However, for the merchants, the pace of commercialization produces a sphere for public discussion and participation. Drawing upon the western precedent as Habermas suggested, there is the likelihood that a public sphere (in close association with the formation of civil society) would subsequently be formed in the late Qing under such circumstances. Public affairs would enter the discourse of the merchants.

Development of Merchant Culture

In order to discuss the development of civil culture in the late Qing, we pay much attention to the development of merchant culture in response to effect of Confucianism and the importation of Western ideas. Three characteristics are outlined: publicness, autonomy and cooperation. Ideas from Zheng and Liang will serve as points of reference to concretely comprehend the civil culture in a Chinese context.

At first, the merchant ethic can be understood as a vestige of the Confucian ethic. Conspicuously, a Confucian emphasis on the features of industry and frugality was immersed in the merchant mind, in spite of the fact that some of the merchants occasionally indulged in luxury.³¹ Also, the virtues of trust and honesty which are the core values of Confucian ethics were profoundly important to the merchants.³² Accordingly, it seems to be difficult to deny that merchant ethics were largely subject to the influence of Confucian ethics. Of particular significance is that merchant ethics represent an integration of the two extremes in Confucianism, so-

³¹ Yu Yingshi (1993) *op. cit.*, pp. 377-379.

³² Yu Yingshi particularly criticizes the misunderstanding of Weber which shows the Chinese merchants as bereft of the two virtues. See, *Ibid.*, p. 380.

called righteousness (yi) and profit (li).³³

Various schools of interpretation rose and fell, terms often carried different meanings at different times, and different groups in society interpreted Confucianism in divergent ways. Indeed, at least by the late imperial period, elements of the Confucian tradition began to be accepted as a general moral code or as received wisdom. Confucian thought and merchant practice, therefore, were not incompatible.³⁴

From the excerpt, we realize that the merchant ethic is a vivid example of the new interpretation of Confucianism. That is to say, business activity is rationalized and then the merchants' ideal in the pursuit of profit is justified. The Confucian thinkers no longer negate both of them. It had long been a term "logos of business" (gu-dao) which emphasized something meaningful for commerce other than moneymaking, since the period of Ming.³⁵

As far as we know, the concept of "zhongyong" in Confucianism was also enshrined in the merchant culture as a mode of orientation. By definition in Chinese, "zhongyong is first and foremost a tendency to strike an optimal balance between two extremes. Sticking to the middle, it seeks to avoid being too much and too little".³⁶ Making sense of it, Chinese merchants developed a sense of balance. In other words, they understood that too much is as unfavourable as too little.

We are also concerned with the influence of imported ideas into the merchant culture, especially the importation of a sense of popular rights (min-quan) of the citizen, freedom and the like. Conventionally, Chinese merchants were alienated from issue of politics. They devoted their time and effort solely to their

³³ Zhang Zhongmin (1996) op. cit., p. 277.

³⁴ Richard J. Lufrano (1997) *Honorable Merchants: Commerce and Self-Cultivation in Late Imperial China*, p. 4.

³⁵ Yu Yingshi (1993) op. cit., p. 380.

³⁶ Chan Hoi-man (et. al) (1998) "How Confucian are Chinese Today?: Construction of an Ideal Type and Its Application to Three Chinese Communities", p. 12.

business. As we stated, they were eager to acquire the identity of gentry mainly for the sake of their business, not due to a conscious recognition of and urge for political rights. Basically, politics were not a part of the merchant culture, in spite of the fact that many merchants had contacted the Western culture in the coastal ports since the Ming dynasty. Therefore, we think that the merchant culture was not integrated with the Western culture in respect to political ideas until the period of the late Qing. In particular, the influence became explicit by the effort of some Chinese westernized reformers, like Zheng Guan-ying and Liang Qi-chao.

As a comprador, Zheng worked for a foreign company, that is Bao-shun Company in 1859, thus widening his horizon and giving him a chance to learn English. It paved the way for studying Western ideas of political economy, which enabled him to formulate an appropriate diagnosis of China's weakness. In 1862, his idea was expressed in the work: *Important Suggestions for the Salvation of the Time* (Jiu-shi jie-yuo in Chinese),³⁷ which was formally published in 1873. Profoundly, all his ideas were further consolidated in *Warnings to a Prosperous Age* (Sheng-shi wei-yan in Chinese) in 1893. In the preface of its second edition, Zheng clearly stated that political reform was the prerequisite for the success of economic reform. As he thought, the Self-Strengthening Movement of the Qing government ended in failure because of pinpointing the economic but not the political reform. In his opinion, the crux of wealth and strength of a nation primarily rested in political reform. His advocacy of economic reforms in commerce and industry, of course, was merely a means.

His main idea, surprisingly, emphasized commercial warfare (Shang-zhan)

³⁷ Wellington K.K. Chan (1977) op. cit., p. 40. At that time, Zheng was only twenty years old.

rather than military warfare (Bing-zhan).³⁸ Actually, the influence of such an idea was widespread in the late Qing, not just among the associates, but among the officials as well. His primary emphasis was how to strengthen the competitive power of Chinese commerce in contrast with the foreign merchants. Generally, it can be summarized in five points: 1) improving technology through manufacturing old models of Western machine, 2) developing a communications infrastructure, such as a railway and telegraph system, 3) a tariff, 4) the education of technicians and 5) the establishment of a democratic constitutional monarchy.³⁹

The last point was different from the rest, setting political reform as an explicit target. Zheng conceived a quest for such a democratic constitutional monarchy which emulated the West to a large extent, as a way to make changes in the state-society relationship. As a starting-point of constitutionalism, people were in need of attaining self-government.⁴⁰ A further need was to set up formal institutions, such as a provincial assembly, to check and balance the Qing government.

Likewise, Liang Qi-chao, as one of the most influential political thinkers of that time, fled to and studied in Japan after the failure of the Hundred Days Reform. The success of Meiji reforms made a deep impression on him. He thought constitutionalism was secret of success for Japan and Western countries.⁴¹ It meant that the popular rights of people should be given first priority. His first and foremost task was to advocate such ideas in China. Then, on the one hand, he directed his own attention to kindling a war of the pen with the Qing government, actively engaging

³⁸ Hao Yenping (1969) "Cheng Kuan-ying: The Comprador as Reformer", p. 20.

³⁹ Xia Dongyuan (1995) op. cit., pp. 96-112.

⁴⁰ *Zheng Guan-ying ji*, p. 302.

⁴¹ Andrew J. Nathan (1985) *Chinese Democracy*, p. 46.

in publication to denounce the officials. On the other hand, he introduced the concept of "Autocratic Enlightenment" in the *New Citizen Miscellanies* (*Xinmin Congbao* in Chinese) in 1905.⁴² Through his influence, constitutionalism came into existence when an edict announced the preparation of constitutional politics in 1906.⁴³

Although Liang, as an intellectual, did not acquire the identity of merchant, undoubtedly his radical political ideas were shared by a number of merchants. Especially, his concept of popular rights in association with the idea of self-government had been widely absorbed in the late Qing. In Canton, for example, there was a merchant-led association in 1907, namely the "Canton Merchants' Self-Government Society" (*Yueshang zizhihui* in Chinese), as opposed to a gentry-led organization, the "Association for the Study of Self-Government" (*Difang zizhi yanjiu she* in Chinese) which aimed at enlightening "the scholars and gentry about the principles of self-government".⁴⁴ The former was worth special attention mainly on the grounds that it participated in some public (in the political sense) affairs which could comprehensively embody the idea of self-government, such as the opposition to the West River (*Xijiang*) patrol in 1907 and the "Tatsu Maru" Anti-Japanese Boycott in 1908.⁴⁵ In both cases, we can observe their influence in the decision making of the Qing government.

To recapitulate, we are going to highlight the influence of imported Western ideas upon the merchant culture; the life history of Zheng and Liang served as a

⁴² Chang Peng-yuan (1989) "Constitutionalism in the Late Qing: Conception and Practice", p. 98.

⁴³ *Guangzhou jianshi* (1995), p. 341.

⁴⁴ Edward Rhoads (1975) *China's Republican Revolution: The Case of Kwangtung, 1895-1913*, p. 154.

⁴⁵ *Ibid.*, pp. 129-141.

good stepping stone for our understanding. Both of them were westernized reformers in the late Qing, whose orientation was toward political reforms, such as constitutionalism. Through their influence, we can see the development of merchant culture with Western political ideas. Traits, like publicness and autonomy, could be identified in merchant culture. Apart from this, as we had discussed, the merchant culture had become integrated with the Confucian ideas in which Zheng and Liang were inevitably educated, such as the concept of "zhongyong". With such a concept as a basis, we cannot deny that the merchant culture will absorb its essence in transformation, such as the upholding of an attitude of cooperation toward the government. All its characteristics, of course, will be briefly outlined as follows.

In regard to publicness, the merchants cultivated Liang's ideas of popular rights, including "limiting state power; defining the freedoms, rights, and responsibilities of individual citizens; maintaining rational and orderly public debate; and in the most urgent way, encouraging voluntary associations which might legitimately seek to influence the state".⁴⁶ It was a breakthrough for them to discern their own rights and obligations with a clear delineation between private and public. They consciously articulated their role in the management of local affairs which were conventionally an undertaking of the gentry. A growth in the sense of publicness is a sign of the maturity of the merchant culture. It shows to the merchants transcending the boundary of private interest, such as money-making and familial interest.

Autonomy in the merchant culture rested on an emphasis on the idea of self-government. This meant that the merchants would freely participate in communal

⁴⁶ Peter Zarrow (1997) "Liang Qichao and the Notion of Civil Society in Republican China", p. 232.

affairs, such as welfare and social control in localities, and political affairs, such as national or patriotic episodes. Yet, such self-government by no means should be regarded as a basis for acting against the government in the late Qing. In line with Huang's argument, we agree that even though there was a civic sphere, it was not civic power against the state.⁴⁷ Such a conviction leads us to pay heed to another characteristic of the merchant culture.

It is a trait of cooperation of merchant culture which makes us believe that the merchants acquired a self-limiting character toward the state, especially in the times of state retreat. Such cooperation, implying trust and honesty from merchant ethic, was cultivated from the integration of the Confucian ethic. Also, we can trace it back to the concept of "zhongyong" which is a tenet of Confucianism. Consider the ideas of Zheng Guan-ying as an example. Basically, he recognized that there was crucial role for the state in commercial development. Say, for instance, the state must:

- 1) Establish a Ministry of Commerce to take charge of commercial and industrial affairs;
- 2) appointment of integrity to run it;
- 3) commission merchant directors in the provinces to report directly to the central government without intervention by the local authorities;
- 4) set up technical schools, a research center for silk, and new commercial bureaus to examine the state's resources and their use;
- 5) organize trade and industrial exhibitions; and
- 6) give achievement awards.⁴⁸

It is obvious enough that Zheng, as a leading merchant, understood the indispensability of the state in the promotion of commercial development in the late Qing. An attempt to redepoly the role of the state was conducive to the proliferation of the role of market. Understood in this way, in his opinion, the proper role of the state should not be controlling and intervening but subsidiary in nature. The merchants, in other words, should not exclude the state or be entirely submissive,

⁴⁷ Philip C.C. Huang (1993) "Public Sphere/ Civil Society in China: The Third Realm between State and Society", p. 229.

but should seek cooperation with it. They understand that maintaining a balance is important.

In short, we can conclude that the merchant culture in the late Qing matured, as a result of its integration with Confucianism and imported Western ideas. Hence, the merchants' consciousness of their role in taking responsibility for the public or political affairs seems to have been aroused. The three characteristics inherent in the merchant culture, namely publicness, autonomy and cooperation, contribute to draw a picture which highlights the significant role of the merchants in public and political affairs in the late Qing. But such an expansion of civic sphere in tandem with an increase in civic power by no means suggests a rebellion against the state. The merchants believed in the concept of cooperation, which was cultivated from the concept of "zhongyong" in Confucianism. They tended to make a sense of harmony to balance the role of state and the role of market in the course of commercial development. Thus, we proclaim that the development of the merchant culture was a sign of the development of civil culture in the late Qing. Such a culture embraced the self-limiting character of society which was crucial to our view of an interpenetrated sense of the civil society in the Chinese context.

Concluding Remarks

In this chapter, we attempt to investigate three possible explanations of the development of the interpenetrated mode of civil society in the late Qing, namely the decline of state, the acceleration of commercialization and the development of merchant culture. Actually, these are not discrete but should be viewed as an ensemble.

⁴⁸ Wellington K.K. Chan (1977) op. cit., p. 41.

The decline of state was related to weakening of capability, even though we can observe that its mentality of control had not been changed. The failure of the government supervision and merchant management (Guan-du shang-ban) framework demonstrated the state control over the merchants was no longer as strong in the early Qing. The intention of the introduction of the framework, of course, was to raise funds to support national projects. What is sure is the strategy was to regulate, manipulate and exploit, but not to protect the constitution and accumulation of commercial capital.

Actually, however, the attitude of the merchants in the framework was no longer as submissive as in the system of Co-hong in Canton before the 1840s. They could protect their own interests by appealing to the officials for change. This was a landmark for the merchants whose relative autonomy was constitutionally entitled in the General Chamber of Commerce in the late Qing. The interpenetrated mode of civil society emerged when state capability became weak with a growing sense of the limited-state penetration.

Meanwhile, we can observe that it was a redeployment of the state role in the process of the acceleration of commercialization. A series of official efforts advocated mercantilism. Recognition of role of the merchants in an establishment of the chamber and legal protection of commerce in various aspects are vivid examples of this change. Drawing upon these facts, we believe that there was a development of economic society which marked a clear delineation between the state and the market in the late Qing.

Also, such commercialization generated a relatively pluralistic society in association with the consolidation of the influence of the gentry-merchants,

prominently with the merchants and against the government in the late Qing. No wonder, then that the activation of such gentry-merchants enabled us to understand social differentiation, which was beneficial to the emergence of civil society in that period of time.

Last but not the least, our cultural explanation mainly focuses on the development of civil culture in ancient China. Seen from the development of merchant culture with Confucianism and imported Western ideas, we can have much more confidence in realizing the emergence of such civil culture. Three traits of the merchant culture, namely publicness, autonomy and cooperation, were stressed. Increasingly, merchants were concerned about public and political affairs. They seemed consciously to discern their role and mission as not just confined to their private interest, such as money making, but also to public interest, such as national survival. The civic power of the merchants expanded in tandem with an increasing concern for and participation in the civic sphere. Yet, we are alert to guard against an assumption that the civic power acted against the state. Actually, according to the trait of cooperation in the merchant culture, there is likelihood that the merchants by no means acted against the state. This is because of the concept of "zhongyong" in the Confucian tradition. The merchants were oriented to seek harmony rather than to struggle with the state, because they believed that having too much or too little is equally inappropriate. Understood in this way, we realize that the uniqueness of the merchant culture is decisive in our reconceptualization of civil society in Chinese context with an emphasis on its interpenetrated mode.

Then in order to round off the discussion, a follow-up theoretical question to be asked is: Can all these explanations suffice to explain the emergence of civil society in the late Qing? Not immediately sure of an answer to that question, we

have first to recapitulate the concept of civil society held in the Chinese context.

Primarily stated in Figure 4 in chapter one, we conceptually formulate our own mode of civil society under the specification of a certain state-society relationship. It is our belief that the interpenetrated mode of civil society comes to the fore only if there is weak domination of state and weak autonomy of society. Such reconceptualization of civil society, on the one hand, is different from the western type and assumes contextualization in China on the other.

Basically we suggest three possible explanations in an attempt to fit our reconceptualization. The weak domination of state, in other words, is the decline of state which represents an idea of limited-state penetration. The merchants and their organizations, especially the chamber of commerce, could act out a sense of relative autonomy with an institutional base. With the acceleration of commercialization, we can further understand that role of state was only redeployed or retreated, but was still vital to the development of economic society. Society then was made pluralistic by the intensifying influence of the gentry-merchants. They became the community leaders, getting involved in different kinds of local activities. Further in depth, we outline the development of civil culture in terms of the development of merchant culture. Particularly, we identify that its characteristic of cooperation in close association with the concept of "zhongyong" in Confucian tradition contributes to an understanding of how a rise in society's autonomy will be self-limiting without any threat to the state. So far, the three explanations rest on transforming the state, society and their relationships in the late Qing. These constitute a possibility for the emergence of civil society at that period of time.

Even so, we should not neglect their limitations. The decline of state, as shown through the government supervision and merchant management (Guan-du

shang-ban) framework is prominent in some localities, like Shanghai and Hupei, but not in Canton. Moreover, the acceleration of commercialization and the development of merchant culture are generally described as an explanation. Both of them are treated universally without specifying their degree in Canton, even though we suggest that they are significant.

Chapter Seven

Conclusion

Concluding Review of Study

Conceptually, our primary intention is to argue for an interpenetrated mode of civil society in the Chinese context, rejecting a liberal schema positing a binary opposition between civil society versus state. We do not discard the concept entirely, but instead strive for reconceptualization.

The review of the Western tradition, such as the Liberal and Marxist camps, enables us to understand that discourses about civil society have different orientations. The liberal schema, albeit dominant in contemporary discourse, is only one of the views toward civil society. Its major is an emphasis on checking and balancing the state, which is conceived as a "Leviathan". For Taylor, it is a project to build up a form of social life extraneous to state tutelage.

The case of Solidarity in Poland is an exemplification of civil society versus the state. However, the case of a second society in Hungary suggests that Polish experience merely shows one possibility which has been over-emphasized in due course.

Therefore, despite the fact that the thesis of civil society has been rekindled in contemporary China mainly because of the opening and reform in Deng's era, these long-overdue disputes have no definite answer. The June fourth incident in 1989, of course, led the civil society discourse to its culmination. Yet, whether there was an emergence of civil society after 1978 in China is still left inconclusive. One of the cruxes of the problem, as we realize, rests with coming up with a type of civil society which is grounded in the Chinese context.

Those discussing civil society in China may consciously or unconsciously

rely on the Western schema, which is constructed under its own socio-economic and cultural conditions. Recently, more and more scholars have recognized such a direct transplantation from the West as problematic, as it is enmeshed in the trap of ethnocentrism and teleological reductionism.¹

Taking such a conceptual clarification as a point of departure, we are oriented to leave the disputes of civil society in contemporary China intact. Instead, we take the basic task of constructing our own thesis of civil society in a Chinese context. Such construction begins with introducing a historical perspective in order to discover what civil society should be in China. We recognize that civil society as an ideal type embraces some common characteristics shared among different places. As such, this thesis concluded that autonomy and publicness are two major characteristics shared by the Western type and the Chinese type of civil society. Yet, we should alert that each sub-type of civil society has its own culturally bounded characteristics. Chinese civil society, as shown in this thesis, is characterized as an interpenetrated mode, which was uniquely under the influence of the Confucian concept of *zhongyong*.

It is hoped that giving an account of civil society through a historical demonstration is meaningful for the contemporary discussions. Since a concept of civil society is grounded in the Chinese context, we can counterbalance the dominant view of liberal schema in the field. In other words, it is appropriate for us to reconceptualize rather than directly transplant from the Western tradition. In particular, when encountering the thesis of civil society in China, we should primarily discern the role of the state and role of society.

Mainly arguing against the binary opposition of civil society versus state in

¹ Please review the symposium of civil society from *Modern China* in 1993.

the Western tradition, we conceived a trinary conception with an emphasis on juxtaposing the state, civil society and society. Further in depth, an interpenetrated mode of civil society, then, was conceptualized as a possibility of another sub-type of civil society in the Chinese context. It is interpenetrated, as we argue, because the state and society are specified under certain conditions which are crucial to its formation with such characteristic. Obviously, such a state-society relationship identified in ancient China is drastically different from the Western Liberal tradition and Eastern European experience.

According to the matrix of the state-society relationships in Figure 4, our mode of civil society is attained by precluding other possibilities of the state-society relationships in China. Firstly, we differentiate the role of state in the process of forming civil society in China from that in the West. There is a decline of the state in terms of capability, which results in limited-state penetration in the Chinese context. The role of state is redeployed, signifying the limitations of choice and strategy. In Figure 4, hypothesizing that state domination becomes weak because of a proliferation of self-limiting character, we realize that the role of state is decisive in the emergence of civil society in China.

In response to such a retreat of the state, societal force is invoked and fleshed out as a complement. At the same time, the dormant autonomy of society will be unleashed with its resources supporting the state. However, we assert that such autonomy of society should remain weak in favor of formulating the interpenetrated mode of civil society in the Chinese context. In other words, it should acquire a self-limiting character as if the state does. Without it, we are worrying that private interest (familial) will outweigh the importance of public interest, thus making the

delimitation of civil society from society ambiguous. In this regard, we ensure that the tyranny of societalization is as destructive to the emergence of civil society as the process of state-ification in the Western conception. That is to say, society should not be taken for granted because of the possibility of its having a negative effect on civil society. As Chamberlain reminds, if there is a case of individuals autonomous from the state but submissive to their own social group, we cannot proclaim it a civil society.²

Understood in this way, conclusively, we are concerned about the quality rather than quantity of components for civil society. As mentioned in chapter two, civil society is understood as an ideal type. The interpenetrated mode of civil society with a specific state-society relationship, as we will conclude in the following, had emerged in the late Qing. Obviously, it is a type different from the oppositional type of civil society predicated by the Western schema. Both of them, of course, should be regarded as a sub-type where common features are shared in different degrees, for example, in terms of autonomy and publicness. In different contexts, some instances will be closer to the ideal than others.

We are oriented to outline the transformation of the state and society in the Qing dynasty, attentively verifying the emergence of the interpenetrated mode of civil society in the late period. It can be substantiated primarily through the study of the chamber of commerce, classified as a semi-official type of civil organization, in Canton. Our focus will be on the merchants' organization.

It is recognized that there had long been a wide variety of autonomous organizations of the merchants, including hang, hang-hui, hui-guan and gong-suo. In the late Qing, their forms had changed from simple to complex, from embryonic to

² Heath B. Chamberlain (1998) "Civil Society with Chinese Characteristics?", p. 79.

mature, and from private to public. Prominently, these organizations were able to break through their geographical and occupational barriers. The establishment of the Canton Seventy-two guilds was a vivid example. Yet, we allege that such popular type of merchants' organizations is outside our range of study because of its ineffective communication and lack of influence over the official. Without any authorization, albeit autonomous enough, such merchants' organizations are insufficient to substantiate our mode of civil society, merely in the dimension of autonomy. Worse still, such a type will mislead us to think of the liberal schema of civil society, which has not been a major trend in China. Rather, as we argue, only the chamber of commerce formed under official initiative in the late Qing was able to act out our interpenetrated mode of civil society. Especially in comparison with their relationship in the early Qing, we can concretely grasp the dynamic between the state and the merchants.

Before the 1840s, merchants had long been treated as the bottom among the four social strata under the strategic arrangement of the imperial dynasty. Not surprisingly, their organization, like the Co-hong in Canton, was submissive to and subject to official exploitation. For the officials, the merchants were co-opted, through the Co-hong system, to manipulate almost all of the foreign trade in the early Qing. Under the prescription of the state, the Co-hong merchants in Canton monopolized the foreign trades, well representing the strength of state capability in that period of time.

After the end of the Opium war in 1842 and more despondently after the defeat in Sino-Japanese War in 1895, more and more reformers found reform to be urgent. It is against such background that commercial development was recognized

as one of the core economic reforms. Under the official endorsement of the General Guidelines of the Chamber in 1904, the idea of the chamber of commerce was widely announced. In Canton, the establishment of the chamber had a zigzag development. Through an effort from Zheng Guan-ying who became vice-president for the chamber and pressure from the official side, it was eventually formed in 1905. Resistance mainly came from the merchants who had joined in a self-organized organization, namely the Canton Seventy-two guilds. Zheng was responsible for drafting the twenty-four articles of the General Regulations for the chamber. All of them, as we analyzed, expressed the relative autonomy of the merchants in terms of election and decision making process, financial arrangement and activities. Hence, their autonomy was basically stipulated by a clearly written constitution, which means they had an institutional base for protection. Yet, from a pessimistic point of view, it might also be seen as a limitation imposed upon the merchants unless we can discover something which was done by the merchants outside of the constitution. As a matter of fact, there were the merchants in the name of the chamber who widely participated in public and political affairs. This is critically indicative of a civil society which was autonomous not only from the state, but also from the society in the late Qing.

In article four and fourteen, an assurance of merchants' autonomy over election and decision making process is made. All the posts, including president and vice-president, should publicly be elected in the way in which the possibility of official intervention was precluded. Also, in case of any amendment, it could not be contrary to the laws of commerce and had to be approved by over the half members of the Board of directors. However, there were some other articles which set obstacles over actualizing their autonomy. In article five and six, several criteria

were outlined to regulate the qualifications of the candidates for the chamber, namely knowledge, status, quality and prestige. As a consequence, those who were petty merchants were ineligible to become members of the Board. The Canton chamber, for example, was dominated by eminent merchants, usually by gentry-merchants in 1907. Even so, the merchants could possess a certain area of autonomy which had never been promised by the officials before. Legal recognition and protection of the merchants was endorsed.

In regard to financial autonomy, article nine asserted the idea of the chamber being "merchant-donations and merchant-run". This was an important landmark for the financial independence of the chamber. In Canton, its members were required to have a unit of contribution, as a deposit, which was refundable. No one, including the officials, was allowed to take away the money, which was to benefit all the members. More significant, there was an annual review of the chamber's accounting which was available to all the members in a handbook, called *Zheng-xin lu* (in Chinese). Generally, we realize that the relative autonomy of the merchants in the financial arrangement was obvious in Canton chamber, though official intervention, for example in the idea of its being "merchant-donations and merchant-run", was recorded elsewhere.

Having recognized the ultimate importance for the autonomy of merchants over activities, we point out that there was a clear stipulation in article thirteen confining their sphere to commerce only. Under such a specification, they were not entitled to engage in any other spheres, needless to say, mainly in politics. Of course, the protection of merchants and promotion of commerce were the two main functions of the chamber. For the former, the chamber played a major role in handling the disputes among the merchants. Given that there was any unjust

settlement involved with the local officials, the merchants could appeal to the chamber for investigation. Apart from this, we realize that the chamber got recognition from the Ministry of Commerce in handling the lawsuits of the merchants which were outside the jurisdiction of the General Regulations. For the latter, the most prominent achievement rested in stripping off almost all unnecessary formality, which was the setbacks to communication between the officials and the merchants. Such an advance in the state-merchant relationships was crucial to commercial development. Moreover, studying commerce and enlightening merchants were also indispensable functions for the chamber.

Surprisingly, however, the autonomy of the merchants was acted out in public affairs, which initially was prohibited. In the anti-American Boycott in 1905 and the struggle for railroad right from 1905-1911, we can observe that the merchants of the Canton chamber aligned with the merchants in the Canton Seventy-two Guilds and the Nine Great Charitable Halls, finally forming the Society to Oppose the Treaty. Zheng Guan-ying, a vice-president of the chamber, became its vice-chairman. Meanwhile, the issue of right recovery for the Canton-Hankou Railway also aroused their concerns. They formed the China Development Company and appealed to the officials to give the company a "people's run" status.

In the course of such an orientation, we recognize that the public interest, which outweighed the private interest, had become the most important principle for their activities. Seen from this light, the Canton chamber could break through its own semi-official character, gaining autonomy not only from the state, but also from society. The state-merchants relationship had been changed from being submissive in the early Qing to being interlocked in the late Qing. Such a civic realm was understood as a product of the official initiative as well as of the merchants'

participation. It is the rationale for us to argue in this thesis that there was emergence of an interpenetrated mode of civil society in the late Qing.

Then ultimately, we suggest three explanations of its emergence, namely the decline of the state, the acceleration of commercialization and the development of merchant culture. Indeed, as has been outlined in figure 1, each of the explanatory variables corresponds to three conceptual ideas, namely limited-state penetration, the development of economic society and the development of civil culture, which are crucial to the emergence of an interpenetrated mode of civil society. Of course, each of them should not be understood as discrete but as interconnected.

Gradually, the weakening of the state capability was obvious with respect to handling the challenge from foreign intrusion and internal turmoil. Its financial difficulties and military weakness forced a wave of reforms after the 1840s.

Among them, we are interested in the framework of government supervision and merchant management (*Guan-du shang-ban*) which had been advocated by reformers, like Li Hong-zhang and Zhang Zhi-dong, since the 1860s. This is because the decline of state revealed in such framework is closely associated with the state-merchant dynamic. There is no denying that the failure of the framework as a way to squeeze merchants' capital and impose the mentality of state explicitly showed a sign of change in their relationship. No longer, of course, were the merchants as submissive to the officials as in the *Co-hong* system in the early Qing. The bureaucratization of the framework, for example, led to a complaint from the merchants who disagreed with the degree of merchant management in relation to the portion of government supervision. In its heyday, it seemed to be impossible for the merchants to make such a complaint.

Such an advancement in the state-merchant relationship, albeit with minimal

momentum, apparently resulted from the decline of the state which could be conceptually understood as limited-state penetration. The officials become far more eager to reform the role of the state in order to sustain national survival through enlivening society, as time went by. The self-limiting sense of the state is crucial to the development of an interpenetrated civil society in the Chinese context.

As the discussion of acceleration of commercialization showed, state strategy played a decisive role in the development of commerce, such as by enacting laws to protect merchants. The idea of mercantilism reached its climax when it became the state agenda after 1895. Conceptually, it is the development of economic society which makes a clear delineation between the state and the market. Yet, we should recognize the importance for the redeployment of state in the course of developing economic society which in turn contributes resource to civil society.

Moreover, the existence of an economic society enabled us to understand the social differentiation with an emphasis on rise of gentry-merchants in the late Qing. This represented a pluralistic orientation which favored the formation of civil society. Under such conditions, the state no longer easily upheld its monolithic value system. The life history of Zheng Guan-ying was a vivid example, especially his participation in public and political affairs, such as the anti-American boycott in 1905 and the Recovery of Railway Rights in 1905-1911.

Finally, we turn to the development of merchant culture which could be attributed to the influence of Confucianism and Western ideas. The former was seen from the merchant ethic which had been inherent in the Confucian ethic since the Ming dynasty. Confucian thinkers had gradually rationalized business activities. The latter could identify with introducing ideas from the Chinese westernized reformers, like Zheng Guan-ying and Liang Qi-chao. Ideas of commercial warfare,

constitutionalism and self-government advocated by them were influential not only to their contemporaries, but also to the officials. We can outline three characteristics of merchant culture, namely publicness, autonomy and cooperation. Summarizing them shows that the merchants were concerned about public and political affairs with a capacity to uphold self-government in the late Qing. Yet, there was no such intention to act against the state. The civic power of the merchants was oriented toward cooperation with state, because we believe that the concept of 'zhongyong' in Confucian tradition was rooted in merchant thinking. It is obvious enough to claim that Zheng, as a leading merchant, understood the indispensability of the state to promote the commercial development in the late Qing. Too much or too little penetration of state was equally unfavorable. The merchants thought similarly. This is important for us to understand the interpenetrated nature of civil society in the Chinese context, in respect to self-limiting sense of society.

Accordingly, we then argue for the emergence of an interpenetrated mode of civil society in the late Qing, as opposed to the liberal schema dominant in the discourses of civil society in the contemporary period. The three explanations are set out as hypotheses about its emergence. Their limitations should be recognized and further intellectual exploration is necessary.

Suffocation of Emerged Civil Society

Although we highlight that the emergence of an interpenetrated mode of civil society was certified in the late Qing, it suffocated when the state-society relationship became lopsided again.

The downfall of the Qing dynasty took place when in the revolution of 1911. The state was ultimately broken apart in such a way that many regions, including

Canton, turned to self-government. Hence, it ended up in a period of warlordism in which societal forces grew without a self-limiting character. Therefore, the interpenetrated mode of civil society suffocated when the state-society relation became lopsided. In the period of warlordism, for example, the state-society relationship can be conceptualized as an anarchical mode as Figure 4 suggested. Social autonomy was strong in the extreme, resulting in a manifestation of anarchy at that particular moment.

Afterwards, with the rise of the Nationalist government in 1928, the state attempted to regain its control over society. In particular, almost all of the social organizations were managed through a registration system. As a result, such state coercion weeded out the possibility of the proliferation and autonomy of the organizations. Even with the establishment of People Republic of China in 1949, the method of social control over social organizations did not change from the Nationalist period. The invention of danwei (unit) system in urban areas led to a highly webbed net of social lives. It superseded most of the tasks usually performed by the civil organizations, such as welfare provision. Conceptually, the state-society relationship can be understood as a submissive mode which posits the state in a strong position of domination and society in a weak position of autonomy as in Figure 4. Under such circumstances, there is no such thing as civil society in contemporary China before 1978.

Moving into Deng's reform period in 1978, there is a great transformation. The heavy hand of state control seems to retreat to a point where social vitality is unleashed, especially in the economic aspect. A proliferation of merchants' organizations can illuminate a tendency toward a market economy in tandem with the retreat of the state. These organizations are self-financed, such as through

collecting membership fees, and under the constraint of lacking state subsidy. This financial independence actually lets them be free and autonomous to a certain extent.³ Priority will then be given to members' interest as opposed to state demands. Drawing upon such a decentralization of state power and acceleration of commercialization, we find it not difficult to identify a similarity of conditions for the emergence of civil society between reform China and imperial China. When making comparisons of the two periods of time, we assert that the social organizations in reform China cannot be spoken of as autonomous from the state as the merchant organizations demonstrated in the late Qing.⁴

Thus, from our point of view, talk of the reemergence of civil society in reform China is too early. This is because party-state still holds a great deal of resources and controls their allocation so much so that some of the social organizations actively invite the officials to sit for their board of directors. For the time being, a number of such semi-official (intermediate) organizations cannot act out their relative autonomy. Moreover, a number of popular organizations are confined private interest and their level of resource mobilization is weak. Actually, it takes time for these organizations to become the true civil organizations critical to the emergence of civil society. Optimistically speaking, however, we still believe that civil society will emerge as long as Deng's opening and reforms can continuously be carried out.

³ For the discourse of organizations in related to civil society in reform China, see Chan Kin-man and Qiu Haixiong (1997) "Small Government, Big Society: Social Organizations and Civil Society in China". Paper presented at the International Symposium on State and Society in China, University of Shizuoka, Japan, 22-24 November. pp. 1-33.

⁴ The comparison of merchant organizations between imperial and reform China leads us to draw a conclusion about which these organizations in late Qing were more autonomous than the case of reform China discovered. Optimistically, we recognize that civil society will take shape in accordance with the trajectory of late Qing as long as the directive of economic reform is kept ongoing. For detail, see Cheng Chi-man and Chan Kin-man (1998) "Comparative Study of Merchant Associations in Guangzhou (Canton): Civil Society Revisited". Paper presented at SASE Conference,

Achievement of Idea of Civil Society

This study hinges on the idea of civil society with a great emphasis on a conceptual breakthrough, thereby rejecting decisively a search for other analytic tools to displace it and complementing the view which focuses on changing the landscape to fit the concept.

Conceptually, we challenge the dominant conception of civil society which contains the liberal binary opposition: civil society versus state. Such a conception of civil society is predicated to exclude the interest of the state. It suggests that the civil society has the responsibility to make the state accountable to the public or even to act against it. Hence, civil society mirrors democratic life. Actually, however, such a "civil society versus state" thesis contributes nothing to the understanding of non-western terrain.⁵ In other words, there is less likelihood that the democratic life can be attained under such circumstances. Western experience should not be generalized as universally true. Civil society, though as an ideal type implying common characteristics, should not be homogenized. Each sub-type is unique in culturally and historically bounded characteristics in context.

In this regard, we decide to employ the trinary conception in the Chinese context instead of the binary one and to explicate an interpenetrated mode of civil society. Such a reconceptualization will leave much room for our understandings of its dynamic and achievement. Civil society, then, is an independent entity which has its own space situated in between the state and society. Its creation has a precondition instituted by the state and society. That is to say, both of them should

Vienna International Centre, Austria, 13-16 August. pp. 1-32.

⁵ The causal mechanism between civil society and democracy remains unclear. Actually, we hold the conviction that civil society brought about liberalization rather than democratization as the case of late Qing suggested. To achieve democracy, we need something beyond the existence of civil society

remain self-limiting to make room for the emergence of civil society. This corresponds to Habermasian claims about the process of state-ification and societalization, which are said to result in degeneration of the public sphere of civil society. In the Chinese context it is the other way round: civil society also acts as a buffer zone between the state and society. It is not necessary to go against state interest. As Pye realizes, "the Chinese state, both imperial and communist, has always pretended to be omnipotent, but in reality its policy-implementing authority has been surprisingly limited".⁶ Civil society is able to serve to legitimize state policy and its implementation in various levels of governance. For society, the new conception also brings a caveat that social organizations can be oppressive to individuals (members), in which the quality of civil society will be adversely affected. In fact, it is not advisable to take the positive nature of society towards civil society for granted as the old binary conception did.

Hence, the new conception of civil society is advantageous to modulate the discussion of the state-society relationship in contemporary China. Such an interpenetrated mode ambitiously stops the pendulum between state and society dominance. Generally described, the Chinese state-society relationship went through a process of "shou" and "fang" as Thomas Gold suggested.⁷ The state, as a position of omnipotence, exerts tight control over society, and then retreats from such a position and relaxes control to animate society. Subsequently, society becomes chaotic in the eyes of the officials in the time of unleashing societal forces, thereby provoking them to regain control over the situations. It is worthy of asking what is

which is only regarded as necessary but not sufficient conditions.

⁶ Lucian Pye (1990) "China: Erratic State, Frustrated Society", p. 59.

⁷ Thomas B. Gold (1990) "Party-State versus Society in China", p. 130.

wrong with such process. How can such a vicious cycle be broken down? As we suggest, it depends on whether there is an interpenetrated mode of civil society in construction. With its emergence and existence, a buffer zone can exist between the state and society clearly delineating responsibility. As such, an autonomous realm appears to prevent a lopsided relationship. The predicament of big government and small society or vice versa can then be avoided.

Limitations of Study and Future Development

Although pinpointing the achievement of the idea of civil society, we recognize that there are limitations to be considered in this study. Optimistically, room is left for future development.

The first limitation lies in the explanations of the interpenetrated mode of civil society which appeared in the late Qing. Basically, we believe that the three explanatory variables, namely the decline of state, the acceleration of commercialization and the development of merchant culture, were widely realized at that period of time. However, owing to limited time and material, we were unable to put them in Canton context for discussion. The chamber of commerce in Canton and their merchants can be realized as an embodiment of such a mode of civil society. But how significant were these variables in Canton? Given that substantiating civil society emerged in Canton in the late Qing, we are great interested in investigating the validity and reliability of these variables, which are merely suggestive in this thesis. Owing to its complexity, it is far beyond our capacity to handle and therefore will be set it aside for future study.

Another limitation is our urban bias. Civil society, as it's Chinese translation implied, is instituted under an urban setting. We explored its existence in Canton in

the late Qing, not in an extensive rural area. Indeed, nearly eighty percent of population lived in the rural China. The concept of civil society put emphasis merely on city dwellers in this thesis, obviously not taking rural people into account. In fact, passing through a process of urbanization and industrialization under the reform period, we find that nowadays the study of civil society should take rural area into serious consideration.

Finally, there is no doubt that a discussion of civil society in contemporary China is attractive for scholars to understand the changing state-society relation. It is equally important and interesting to trace back the historical development of civil society in China. This study, of course, takes the first step. Yet, as we understood, the history of the period from 1920s to 1940s relatively remains intact. We only superficially understand the dynamic between the state and society. Although it is beyond the scope of this thesis to touch upon this area of study, we do hope that those who are interested in the concept of civil society and China can take it seriously into consideration as subject matter. This thesis hopefully can serve as a basis for conceptual clarification and understanding of civil society in China.

Appendix One

Source: *Zheng Guan-ying ji* (Collection of Zheng Guan-ying's Writing), pp. 593-596.

代广州商务总会拟禀定 创办章程二十四条

- 一、本商会拟名广州商务总会。
- 二、本会以联络群情，开通民智，提倡激励兴利除弊为宗旨。
- 三、本会系为众商业之代表人，凡有损益于商业之事必尽力团结整顿提倡，或禀本省大宪，或达商部，设法兴除，以副商战主义。
- 四、本会派总理一员，协理一员，商董五十员。遵照商部简明章程第四、第五款集议公推。惟广东工商事繁，又属创始，与别省情形不同，暂拟添派坐办，由前七十二行公举之，创办商董七员轮值办理，开办日禀请大宪转咨商部立案。
- 五、公举总理、协理、坐办及会董规条，遵照商部商会简明章程第六款才品地位资格名望为合格，不合格者不入选举，所用各司事由总、协理、坐办、会董公定，以示无私。
- 六、本会遇有华洋交涉事件，遵照商部简明章程第十六款，参酌西律持平办理。
- 七、本会开办后，联络各埠，调查商业，研究商学如何可敌洋产，如何可塞漏卮，并纠合公司创办银行通用钞票及提倡农工路矿各种实业，次第劝办，挽回利权。
- 八、本会拟先开设商业日报、商业学堂以开商智，次则设工艺学堂及创置品物陈列馆以励工艺。一俟筹有的款，次第举行，另拟章程禀报。

九、本会经费商捐商办，他处不能提拨，应请免造册报销。拟定公科会份，每份会本科洋银一十元，各行、各号统视生理之大小，资本之巨细，酌认多寡，仍由各行互相劝勉踊跃输助。本会将此会本银两发商生息，为本会经费，以众商之利还为众商之用。日后该号富足荣归作为出会，仍将会本银两原数交还，缴回执据，于原来会本无损丝毫。务求惟允惟平，以期可大可久。

十、本会所收会银，或存各行酌提息银支用，或举数大行分存生息，或先提若干为买总商会所置家具及开商报等项之用，随时会商公定。

十一、凡占有本会会份者即作为本会会友，所有公益一律均沾，遇有彼此争论之事竭力调处，若两造中一造有会份者，亦为调处以示大公。

十二、商部章程本会力所能及者，无不依辅而行，其间或有遽难举办者，应体察地方情形，随时会集商众，陆续筹议，务期众情悉洽，然后举办。

十三、本会以振兴商业为义务。如事非关碍商业利权者，概不干涉。凡不合本会宗旨范围以内之事件及应办之事力有未逮者，未经会众公同定义不得擅行。

十四、本会总、协理权限：凡有益于商业之事，总、协理与会董有权可以随时妥商增改章程。但章程先要不背商律，次要本会董事各员过半签允方能举行。章程既定，本会人均要遵守。

十五、本会以生利为目的，无如风气未开，诸多阻力。如激励工艺，反为行规压制；制造新款，指为搀夺旧工；机器伐木、开矿，捏为伤害风水；工厂女工，诬为藏垢纳污；土货仿造洋式，捏为防碍厘税；及商人回籍豪蠢欺凌等事，本会无不尽力维持，稟请大宪或商部迅行保护。

十六、官商隔阂，相沿已久，今欲振兴商会，必先通上下之情。凡本会有可借手者，务使官商联络，融洽贯通，上宣德意，下达隐情。拟请所有寻常禀牍改用函折，只期实事求是，不拘格式、体裁；若紧要公事必须存案者，仍具牍禀以符定制。如候批示，立予批发，以期迅速举行。至于官商交接，遵照商部颁定仪式，便衣相见，略分言情。所有禀费概请裁免。如有重大事情，总、协理可随时面谒大宪禀请训示施行。则官商不致隔阂，众情更为鼓舞。

十七、本会内如有殷商自备资斧游历中国行省或外国各埠，查探商业新法行情，本会可代禀请发给护照。如该商所经各处遇有要事谒见地方官宪及出使各国大臣，均可禀请从优相待。

十八、本会每年将经办之事汇集成帙，会众议准刊印、派送。如有要件应布告者，先刊众览。

十九、本会所科会本银两每月进支数目抄挂门外，俾供众览，以昭大信。每年总结，刊《征信录》分送各行查阅。

二十、广东省城各行生意繁杂，议另由每行自举行长，大行三四人，小行一二人，不拘年限，为该行代表员，方能纤悉各行货物原本、精麻、销路、时价，兴利除弊及参议会中各事暨随时面呈总、协理商办。

二十一、遇有精于商学、前曾经商而现非经商者，如遵本会章程以认会份，推为名誉员。本会有要事开议，由总、协理传单通知会员评议，俾收集思广益之助。但须有商董某员保荐后一月如无异言，即将姓名、住址列呈本会注册。

二十二、本会议事规条，遵照商部简明章程第九、第十、第十一、第十二各款，并奏定公司条例第八十六、第八十七、第八十八、第九十、第九十一至九十七、九十九各条办理。

二十三、本会各会董分班值日，每班十名，每日一点钟须赴会所办事至四点钟止。每年拈阄一次为定。

二十四、本会现在事属创始，应暂以各行商公举创办之员：总理左绅宗蕃，协理郑绅官应，坐办黄绅景棠、朱绅文沛、区绅赞森、许绅应鸿、吴绅福元、杜绅荣光、潘绅金牲。

Appendix Two

Source: *Dongfang Zazhi* (1904) Vol. 1, No. 1, Shang-wu, p. 5.

第 誌 雜 方 東

第五款 商會董事應由就地各商家公舉爲定總會約自二十員以至五十員爲率分會約自十員以至三十員爲率就該處商務之繁簡以定多寡之數舉定一月後各無異言者卽由總理將各會董職名稟明本部以備稽查至任滿期限及續舉續任等悉如上條辦理

第六款 公舉會董應以才地資望四者爲一定之程如下所列乃爲合格 一才品手創商業卓著成效雖或因事曾經訟告於事理並無不合者 二地位的係行號鉅東或經理人每年貿易往來爲一方巨擘者 三資格其於該處地方設肆經商已歷五年以外年屆三旬者 四名望其人爲各商推重居多數者

法律章程

商務總分會與地方官衙門行文章程

一設立商會原為聯絡商情提倡實業裨益地方起見是以總協理必須由眾商公舉才地
資望合格者充選而與地方官隨時接洽自無隔閡之虞至商務總分會與地方各衙門
不能無公牘往來茲特定行文體例以資遵守

一總會既由本部 奏給關防體制較崇其於本省及他省督撫均用呈司道以下用移各
總會分會用照會

一分會與本省及他省督撫司道均用呈府廳州縣用牒各分會均用移各總會用牒

一商務總會總協理分會總理無論本身有無官階遇有商會與地方官衙門交接事件均
以上項定例為準不以總協理官階高下致分軒輊

一總會總協理及分會總理如遇地方公事個人已事無關商務者即不准用商務總分會
字樣出名具稟並不准鈐用關防圖記仍按個人官職資格列銜與商會例無涉

商務官報

法律章程 商務總分會與地方官衙門行文章程 十九

戊申第六册

Appendix Four

Source: *Zheng Guan-ying ji* (Collection of Zheng Guan-ying's Writing), p. 399.

致广州商务总会总理协理书

尝闻行商诉讼，赴各有司衙门静候判断，而听讼者往往不问民事、刑事，原告、被告动辄拘留其中，惨酷有非笔墨所能罄者。

昨阅赵廉访公文云：“现行例审办案件，凡轻罪及干连人证均应交保候质，不准率行拘禁。考之外国诉讼法，虽刑事被告人亦应于讯问后认为可科禁锢以上之刑方行拘留，其有能证明随时到案者仍得归家，与中国现行例法虽异而意则同。无如地方官习焉不察，往往以不应拘禁者滥行拘留，既禁之后复漠不关心，一任丁役欺凌需索。”等语。既知外国诉讼法与中国现行例法异意同，则事属可行；既知地方官习焉不察，往往以不应拘禁者滥行拘留，既禁之后复漠不关心一任丁役欺凌需索，则事更不得可行。况上海商务总会章程，已稟请地方官准商民钱债案件概不拘留，或在家或在铺随时候审。我粤商亦应由广州商务总会总协理稟乞农工商部转知督院，通飭各州县准如上海商务总会办法，以恤商艰而苏民困。若上海与浙江各省可行，惟两粤独不可行，揆之公理仍有未喻。想公等维持商务已获效果，而独于此节似尚缺如，若毅然行之，风清棘木，泽遍梓桑，我粤人士感德宁有艾耶！

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Glossary (字彙)

Ai-yu shan-tang	愛育善堂
Bao-lu hui	保路會
Bao-shun	寶順
Bing-zhan	兵戰
Beijing	北京
Cen Gong-bao (Cen Chun-xuan)	岑宮保 (岑春煊)
Chong-ben yi-mo	崇本抑末
Chongzheng shantang	崇正善堂
Da-Qing-lu-li	大清律例
Da-yi-tong	大一統
Difang zizhi yanjiu she	地方自治研究社
Dong-shi	董事
Fan-fang	番坊
Fangbian yiyuan	方便醫院
Fa-ren	法人
Fatuan	法團
Fei-yue zheng-lu	廢約爭路
Feng-shui	風水
Foshan	佛山
Fujian	福建
Gang-yi	剛毅
Gong-hang (Co-hong)	公行
Gong-suo (Kung-so)	公所

Guan-ban	官辦
Guan-du shang-ban (Kuan-tu shang-pan)	官督商辦
Guan-shang	官商
Guan-shang he-ban	官商合辦
Guan-wei shang-chang	官爲商倡
Guan-ya	官牙
Guangdong	廣東
Guangdong qi-shi-er hang shang-bao	廣東七十二行商報
Guangji yiyuan	廣濟醫院
Guangren shantang	廣仁善堂
Guang-xu	光緒
Guang-zhao gong-suo	廣肇公所
Guangzhou (Canton)	廣州
Guangzhou Qi-shi-er hang hang-hui	廣州七十二行行會
Gu-dao	賈道
Haijin	海禁
Han	漢
Hang (Hong)	行
Hang-hui	行會
Hang-gui	行規
Hang-lao	行老
Hang-shou	行首
Hang-yi	行役

Hankou	漢口
Han wu-ti	漢武帝
He-xing gongsi	合興公司
Henan	河南
Hubei fangsha guanji	湖北紡紗官局
Hubei zhibu guanji	湖北織布官局
Hui-dong	會董
Hui-fen	會份
Hui-guan (Hui-kuan)	會館
Huixing shanyuan	惠行善院
Hunan	湖南
Jia-jing	嘉靖
Jiangsu	江蘇
Ji-cheng hang-hui	集成行會
Jiu-da shan-tang	九大善堂
Jiu-shi jie-yuo	救時揭要
Juan-na	捐納
Ju-yue bao	拒約報
Ju-yue hui	拒約會
Kaiping mei-kuang	開平煤礦
Kai-shang-zhi	開商智
Kang-xi	康熙
Kang You-wei	康有爲
Li Guo-lian	黎國廉

Li Hong-zhang	李鴻章
Lianzhou	連州
Liang Qi-chao	梁啟超
Liang Qing-gui	梁慶桂
Lijia and baojia	里甲及保甲
Lijin	厘金
Ling-nan hui-guan	嶺南會館
Lun-chuan zhao-shang-ju	輪船招商局
Mian-hang-qian	免行錢
Min-ban	民辦
Min-hu	民戶
Min-quan	民權
Min-ying	民營
Ming	明
Mingshan shantang	明善善堂
Mo-ye	末業
Ningbo	寧波
Nong-gong-shang bu	農工商部
Paitou	牌頭
Qian-long	乾隆
Qin	秦
Qinding Daqing Shanglu	欽定大清商律
Qing	清

Quanzhou	泉州
Rou-hang	肉行
Runshen shanshe	潤身善社
Shang	商
Shang-ban	商辦
Shang-bu	商部
Shanghai	上海
Shanghai ji-qi zhi-bu ju	上海機器織布局
Shang-hui	商會
Shang-hui jian-ming zhang-cheng	商會簡明章程
Shang-juan shang-ban	商捐商辦
Shang-ren-juan-kuan	商人捐官
Shang-wu ju	商務局
Shangwu guanbao	商務官報
Shang-shui	商稅
Shang-zhan	商戰
Shan-tang	善堂
Shen-shang	紳商
Shen-shi	紳士
Sheng-shi wei-yan	盛世危言
Sheng Xuan-huai	盛宣懷
Sheng-yuan	生員
Shi-bo-si	市舶司
Shi Nong Gong Shang	士農工商

Shi-san hang	十三行
Shushan shantang	述善善堂
Si-ya	私牙
Song	宋
Songjiang	松江
Suzhou	蘇州
Suan min-qian	算緡錢
Sui	隋
Tang	唐
Tang Jing-xing	唐景星
Tianjin	天津
Tong-ye gong-so	同業公所
Tou-mian shangren	頭面商人
Wan-li	萬歷
Xijiang	西江
Xianjin huagong baohu huamin tiaoyue	限禁華工保護華民條約
Xiaoshan	蕭山
Xinmin congbao	新民叢報
Xie-li	協理
Xu-tong	徐桐
Xu Zhong-zheng	徐中正
Ya-hang	牙行
Ya-shang	牙商

Ya-tie	牙帖
Yangshan	陽山
Yangzhou	揚州
Yi-Li	義利
Yi-kou-tong-shang	一口通商
Yong-zheng	雍正
Yuan	元
Yueshang zizhahui	粵商自治會
Yue-sheng bao	粵聲報
Zhang Yan-mou	張燕謀
Zhang Zhi-dong	張之洞
Zhao-shang zhu-guan	招商助官
Zhejiang	浙江
Zheng Guan-ying	鄭觀應
Zheng-xin lu	征信錄
Zhi-nian	值年
Zhi-yue	值月
Zhonghua hui-guan	中華會館
Zhong-nong yi-shang	重農抑商
Zhongyong	中庸
Zhou	周
Zhu Yuan-zhang	朱元璋
Zong-ban	總辦
Zong-li	總理

Zongshanghui bao

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