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To cite this article: Egas Moniz Bandeira (2022) Parliamentary options for a multi-ethnic state: sovereignty, frontier governance, and representation in early twentieth-century China, *Parliaments, Estates and Representation*, 42:1, 23-37, DOI: [10.1080/02606755.2022.2039454](https://doi.org/10.1080/02606755.2022.2039454)

To link to this article: <https://doi.org/10.1080/02606755.2022.2039454>



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Published online: 06 Mar 2022.



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Parliamentary options for a multi-ethnic state: sovereignty, frontier governance, and representation in early twentieth-century China

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ABSTRACT



This article reconstructs two modes of parliamentary representation of (post-)imperial diversity in early twentieth-century China. One model foresaw a differentiated representation of the borderlands in the nascent parliamentary institutions, using upper house seats to garner loyalty from the nobility at the same time as it denied electoral participation. The second model stipulated electoral equality between the borderland regions and the inner provinces. While the first model parliamentarized imperial forms of governance, it was also informed by and partially conformed to global models of governance. The second was informed by notions of undivided national sovereignty. In the late Qing Empire, the government decided against the second model, for it was deemed to presuppose a degree of national integration not given in the Empire. The challenges posed by the proclamation of the Republic of China, in particular the declarations of independence of Mongolia and Tibet, led to a strong emphasis on the newly-founded state's unity and the swift adoption of the second model. This choice, however, was neither uncontested nor was its implementation complete.

KEYWORDS

Qing Empire; Republic of China; Mongolia; *Canyiyuan* (Senate); borderlands; parliamentarism

Introduction

The collapse of the Qing Empire in late 1911 engendered a reconfiguration of statehood and governance in the polities which emerged on its territory. Beginning with a military uprising in Wuchang 武昌 in October of that year, a series of Chinese provinces declared their independence from the Qing Court. Aiming not at independent statehood, but at the overthrow of the government in Peking, they established the Republic of China on 1 January 1912, forcing the abdication of the Emperor and the end of monarchy a month later.¹ This political upheaval, known as Xinhai 辛亥 Revolution after the

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¹On the 'provincial independence movement' see Chen F., 'Disassembling Empire: Revolutionary Chinese Students in Japan and Discourses on Provincial Independence and Local Self-Government,' *Journal of Asian History* 51, (2017), pp. 283–315.

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name of the year in the Chinese calendar, had profound implications in the vast Inner Asian regions of the Empire which were not majoritarily populated by the Han people and which had thitherto been governed as separate ‘borderland dependencies.’ Elites in the northern part of Mongolia (Outer Mongolia), who had become loath of increasingly aggressive policies led by Peking to undermine Mongolian autonomy, took advantage of the imminent fall of the imperial government and declared Mongolia’s independence as a sovereign state on 1 December 1911.² A year later, at the end of 1912, Tibet formally declared independence as well, and signed a treaty of mutual recognition with Mongolia in 1913.³

As the legal successor to the Qing Empire, the Republic of China did not recognize the declarations of independence of Mongolia and Tibet. In the last years of the Qing Empire, the republican revolutionaries had still rallied under the slogan ‘expel the Tatar caitiffs.’ In face of the secession of some of the non-Han populations from the Empire, however, the government in Peking did what superficially seemed like an abrupt about-face from the erstwhile objective of the revolutionaries. Professing to be a ‘republic of five races,’ the newly-founded Republic of China adopted policies which aimed at overcoming the imperial distinction of governing the Han provinces and the non-Han territories as separate domains.

Scholarship has thoroughly examined how early Republican politicians have used the new inclusivist rhetoric for their political goals.⁴ It has explained the Republic’s position as a response to the heightened anxieties about territorial disintegration by imperialist powers such as Japan, Russia, and the United Kingdom,⁵ as well as, related to this, an instrument to conciliate the elites of Mongolia in face of their secession.⁶ It has further ascertained that while the government superficially emphasized the concord

²See C. Atwood, *Encyclopedia of Mongolia and the Mongol Empire* (New York, 2004), pp. 454, 470–1; M. Tachibana, ‘The 1911 Revolution and “Mongolia”: Independence, Constitutional Monarchy, or Republic,’ *Journal of Contemporary China Studies* 3, (2014), pp. 69–90.

³Mongolia’s independence remained contested for decades, but was secured with the assistance of the Soviet Union, and Mongolia was eventually admitted to the United Nations in 1961. Tibet, however, apart from the treaty with Mongolia in 1913, never obtained international recognition as a fully sovereign state. In 1950/51, the newly-founded People’s Republic of China forcibly ended Tibet’s *de facto* independence. On the Tibeto-Mongolian treaty see N. Tsyrempilov, ‘The 1913 Tibet-Mongolia Treaty of Friendship and Alliance: New Sources Uncovering the History of its Drafting,’ *Lungta* 17, (2013), pp. 35–43.

⁴See J. Leibold, ‘Positioning “Minzu” within Sun Yat-sen’s discourse of *Minzuzhuyi*,’ *Journal of Asian History* 38, (2004), pp. 163–213; J. Leibold, *Reconfiguring Chinese Nationalism: How the Qing Frontier and its Indigenes Became Chinese* (New York, 2007); J. Schneider, *Nation and Ethnicity: Chinese Discourses on History, Historiography, and Nationalism (1900s–1920s)* (Leiden, 2017); Kataoka K. 片岡一忠, ‘Shingai kakumei jiki no gozoku kyōwa ron o megutte’ 辛亥革命時期の五族共和論をめぐって [On the theory of the republic of five races during the Xinhai revolution], in *Chūgoku kingendaishi no shomondai: Tanaka Masami sensei taikan kinen ronshū* 中国近現代史の諸問題: 田中正美先生退官記念論集 [Problems in modern and contemporary Chinese history: Festschrift on the occasion of Professor Tanaka Masami’s retirement] (Tokyo, 1984); Kim S. 金世昊, ‘Chungwamin’guksigi honbopch’oan mit chongch’i-mun’gone nat’anan ‘pyon’gang’ui wisanggwa chungangjongbuwau’i kwan’gye—Chunggukkungmindang mit Chunggukkongsandangui ‘pyon’gang’ insikkwa chongch’aegul chungsimuro’ 중화민국시기 헌법초안 및 정치문건에 나타난 ‘邊疆’의 위상과 중앙정부와의 관계 - 중국국민당 및 중국공산당의 ‘변강’ 인식과 정책을 중심으로 [The status of the ‘borderlands’ and their relationship with the central government as described in the constitutional drafts and policy papers in Republican China: Focusing on the Kuomintang’s and the Chinese Communist Party’s understanding and policies on the borderlands], *Chungguk künhyondaesa yon’gu* 中國近現代史研究, 65, (2015), pp. 43–48.

⁵M. Matten, ‘“China is the China of the Chinese”: The Concept of Nation and its Impact on Political Thinking in Modern China,’ *Oriens Extremus* 51, (2012), pp. 85–96; C. Büttner, ‘The Boundaries of the Chinese Nation: Racism and Militarism in the 1911 Revolution,’ in I. Amelung and S. Riebold (eds), *Revisiting the ‘Sick Man of East Asia’: Discourses of Weakness in late 19th and early 20th Century China* (Frankfurt & New York, 2020), pp. 319–21.

⁶Feng J., ‘The “political game” and “state-building”: Outer Mongolia during the 1911 revolution,’ in J. W. Esherick and C. X. George Wei (eds), *China: How the Empire Fell* (London, 2013), pp. 249–67.

between China's various ethnic groups, assimilation of the non-Han groups was still an underlying objective of the new policies.⁷ An aspect which needs further attention, however, is the effect of late Qing and early Republican discourses on the parliamentary representation of the non-Han peoples. The present article aims to bridge the still existing separation between scholarship of the late Qing Empire and the early Republic, shedding light on the specific parliamentary reverberations of how politicians and intellectuals in the first two decades of the twentieth century conceived of the various ethnicities within a nation-state.

In his seminal article on early Republican parliamentarism and its resonance in Xinjiang 新疆, David Brophy has identified two models of governing borderlands in Republican China: a 'patrimonial' one, going back to Qing times, whereby the provincial government or the president gave aristocratic privileges to local leaders in return for their loyalty on a personal basis, and a 'constitutional' one, whereby the borderland populations were integrated into the nation via parliamentary representation.⁸ Using the legislative debates that led to the enactment of the respective policies, in particular records of the early Republican Senate, this article expands on Brophy's argument in two ways. First, the two models existed *within* early Chinese parliamentarism. Second, the distinction between the two models was not only present within the new Republic—both of them appeared in late Qing debates, and both persisted until the Republic. Both models stood in dialogue with global debates about governance, and both depended upon the international political context. Both models built avenues for the political participation of borderland elites, yet in both cases the elites in Peking aimed at assimilating the borderland populations, and creating a unitary nation-state in the mid- to long term. In the last years of the Qing regime, the perception of the borderlands as being unripe for parliamentary development still prevailed. However, as soon as Mongolia's declaration of independence demonstrated to the political elites at the centre that the old policy of parliamentary cooptation of the elites had failed, concern for the newly founded Republic of China's territorial integrity and sovereignty pushed for the adoption of the second model.

The parliament as an instrument of national integration

When the late Qing government attempted to create parliamentary institutions as an element of 'preparation for constitutionalism' in the years between 1906 and its collapse in 1911/12, it denied elections to borderland regions. However, it did not exclude them from the parliamentary system. Rather, the plan of 'constitutional preparation' unveiled in 1908 foresaw representation for the aristocratic elites of the borderlands, most of whom Mongols, by appointment into what would be the precursor of a future upper house.⁹ Thus hoping to garner their favour through parliamentary representation, the Qing government attempted—rather unsuccessfully—to parliamentarize the

⁷Leibold, *Reconfiguring Chinese Nationalism*, p. 13; Schneider, *Nation and Ethnicity*, p. 8.

⁸D. Brophy, 'Five Races, one Parliament? Xinhai in Xinjiang and the Problem of Minority Representation in the Chinese Republic,' *Inner Asia*, 14, (2012), p. 358.

⁹E. Moniz Bandeira, 'Late Qing Parliamentarism and the Borderlands of the Qing Empire—Mongolia, Tibet, and Xinjiang (1906–1911),' *Journal of Eurasian Studies* 11, (2020), pp. 15–29. For the late Qing elections see J. Hill, *Voting as a Rite: A History of Elections in Modern China* (Cambridge [USA], 2019), pp. 74–105.

‘patrimonial’ model of the Empire. At the same time, this model was also informed by contemporary global models of governance.

The late Qing decision was mainly shaped by two contradicting interests. On the one hand, the notion that a nation-state had an undivided sovereign territory meant that the parliament had to cover the whole territory of the empire. The most comprehensive textbook of constitutional law published during the late Qing, Bao Tingliang’s 保廷樑 (1874–1947) *Constitutional Law of the Great Qing*, which synthesized current policies and made suggestions for the future adoption of a full-fledged constitution, emphasized this point twice. When discussing the upper house, Bao referred to modern legal principles enshrined in the *Outline of a Constitution by Imperial Decree* passed in summer 1908:

Discussing this from legal theory, what is called ‘Great Qing Empire’ in article 1 of our country’s *Constitutional Outline* does not only refer to the inner provinces, but also directly includes Mongolia and Tibet. As it includes Mongolia and Tibet, the Constitution’s efficacy of course extends to Mongolia and Tibet. Therefore, the nobility of Mongolia and Tibet receives the same treatment and is an equally important element of the Upper House.¹⁰

When discussing the lower house, Bao not only adduced a series of contemporary examples from around the world, but also alluded to a principle of Chinese law present in the imperial legal codes since Tang times (618–907). This stated that those people ‘beyond the pales of (Chinese) civilisation’ were to be treated according to their own customs if they committed crimes against members of their own group.¹¹ However, whereas imperial law relinquished personal jurisdiction in certain cases, Bao rather aimed at preserving sovereignty over the borderlands:

For example, even though the level of contemporary Mongolia and Tibet is not up to par, one cannot place them outside of the pales of civilisation either. ... Those who strive for the principle of national unity cannot ignore this policy by claiming that our country is the only one able to blissfully neglect it in its (approach) towards Mongolia and Tibet.¹²

Even more than that, the parliament was an instrument of national integration. It was not so much a place to represent diversity, but rather the opposite. It was supposed to create unity through the synthesis of divergent societal groups into a common political institution. This can be evidenced from a memorial submitted in 1907 as part of the movement for the ‘swift establishment of a national assembly’ by a number of Chinese students in Japan¹³:

In recent years however, ... The inequities of politics have caused the suspicion of racial jealousies. ... if we don’t do something about it as soon as possible, then we will have a trend impossible to take back. Only if we establish an elected parliament can we let the people of

¹⁰Bao T. 保廷樑, *Daqing xianfa lun* 大清憲法論 [Constitutional law for the Great Qing] (Tokyo, 1910), p. 150. All translations are the author’s own, if not otherwise indicated.

¹¹The principle goes back to article 48 of the Tang Code. The contemporary commentary defined that ‘beyond the pales of civilisation’ where those who hailed from ‘barbarian countries which have their own lords.’ See Zhangsun W. 長孫無忌, *Tanglü shuyi* 唐律疏議 [The Tang Code with Commentaries] (Beijing, 2013), p. 85. On the norm’s reverberations up to the establishment of the nineteenth-century treaty port system see P. K. Cassel, *Grounds of Judgment: Extraterritoriality and Imperial Power in Nineteenth-Century China and Japan* (Oxford, 2012), pp. 40–46.

¹²Bao, *Daqing xianfa lun*, p. 202.

¹³On the memorial see E. Rhoads, *Manchus & Han: Ethnic Relations and Political Power in Late Qing and Early Republican China, 1861–1928* (Seattle, 2000), pp. 127–8.

all ethnicities, the Manchu, Han, Mongols, Muslims (*Hui* 回), and Tibetans, stand on the same level, and shoulder the same responsibilities. ... For as soon as the people can participate in politics, they will all be active under one and the same political perspective and share victories and drawbacks with those of the same political perspective, no matter of what race or ethnicity they are. Hence, even if there are divisions according to political parties, there will naturally be no narrow racial views, and feelings and ideas will converge. As soon as the action is common, the spirit will also naturally become one. ...¹⁴

Although the memorial mentions all the five main ethnicities which would later become the main protagonists of Republican ideology, its main focus was the antagonism between Han, who made up the majority of the population, and Manchus, who dominated the central government and military. Notwithstanding the passing reference to different territories, it did not comment in detail about what to do with the regions that had been thitherto governed under different schemes than the Han-majority areas of Inner China.

In fact, the group which submitted this memorial was closely connected to the prominent constitutionalist reformer Yang Du 楊度 (1875–1931), whose *Doctrine of Gold and Iron* expounded the question. His text argued against the narrow ethno-nationalism of Republican revolutionaries, who professed to ‘expel the Tatar caitiffs’ in order to create a Han-centred ethnic republic. Although he also saw the Han as superior to the other nationalities, Yang argued that an exclusivist conception of the nation would inevitably lead China to lose the borderlands and continue on the road of decline.¹⁵

Impediments for parliamentarism

The result of such a policy of exclusion, Yang argued, would be the disintegration of China, with the Mongol and Muslim territories falling prey to Russia, Tibet falling prey to Great Britain, and Inner China herself falling prey to the various imperialist powers. Hence, Yang argued for the inclusion of the borderland territories into the emerging parliamentary system as the only way of forging national unity. However, Yang deemed that this was not immediately possible, both for logistical as well as for cultural reasons. Yang’s discussion of the issue brought the second interest behind late Qing borderland parliamentarism to the fore. Rejecting Mongols, Muslims, and Tibetans as uncivilized, he demanded that they first be assimilated (*tonghua* 同化) into Han society, the main standard for assimilation being the Chinese language, which he deemed to be vastly superior to all other languages of the Empire. As the Manchus had been largely assimilated, they could immediately partake in the new parliamentary system. The others would have to be excluded from it as long as they did not reach the necessary ‘standard of civilization’ (*wenhua zhi biao zhun* 文化之標準).¹⁶

¹⁴Hunan jiyong zhixian Xiong Fanyu deng qing su she minxuan yiyuan cheng 湖南即用知縣熊範輿等請速設民選議院呈 [Memorial about the rapid establishment of a popularly elected parliament by Xiong Fanyu, candidate for district magistrate candidate from Hunan, and others], in Gugong Bowuyuan Ming-Qing dang’anbu 故宮博物院明清檔案部 (ed.), *Qingmo choubei lixian dang’an shiliao* 清末籌備立憲檔案史料 [Archival material concerning constitutional preparation in the late Qing], 2 vols (Beijing, 1979), vol. II, p. 614.

¹⁵Yang D. 楊度. ‘Jintie zhuyi shuo’ 金鐵主義說 [The doctrine of gold and iron], *Zhongguo xinbao* 中國新報, 4, (1907), p. 17.

¹⁶Yang, ‘Jintie zhuyi shuo,’ 5, pp. 9–16. The term *wenhua* 文化 is today generally equated to ‘culture,’ but has undergone a rather intricate history. See J. Ciaudo, ‘Is “New Culture” a proper translation of *Xin wenhua*? Some critical remarks on a long-overlooked dilemma,’ *Asian Studies*, 9, (2021), pp. 13–47.

The tension between the perceived necessity to integrate the whole empire into the emerging institutions and the disdain for the allegedly uncivilized peoples inhabiting the outlying territories permeated the whole debate on borderland parliamentarism.¹⁷ In addition to cultural arguments about the alleged inferiority of the borderland peoples, authors made arguments about their sparse population and the poor transport system, which would render elections there well-nigh impossible. The fear that parliamentary and constitutional movements among Mongols, Turki, and Tibetans might lead them to collude with foreign powers if they were not represented in the Qing parliament coexisted with the belief that they were illiterate, superstitious, and generally not mature for constitutionalism. The traditional mode of governance of Mongolia and Tibet as separate realms within the empire conflicted with the novel constitutional postulate of an undivided territorial sovereignty.¹⁸

Not surprisingly, these frictions eventually were reflected in official positions and moulded into the government policies of borderland representation. The classification of Tibet,¹⁹ Xinjiang,²⁰ and Mongolia²¹ under the recent category of ‘colonies’ (*zhimindi* 殖民地), as well as analogies to British, French, and Japanese colonialism were common, but controversial.²² A considerable part, if not the majority, of officialdom called for the transformation of Mongolia, in particular Inner Mongolia, into a province, but was defeated by opposition from the court.²³ In Xinjiang, which had officially become a province in 1884, but shared characteristics with the other ‘borderland dependencies,’ the provincial government was internally split and barely carried out the policies of constitutional reform as was required of all provinces.²⁴

As expressed in a document on special measures for ‘borderland constitutionalism’ issued by the Ministry for the Administration of the Borderlands, the borderlands were deemed to be an ‘integral part of the national territory governed under a single sovereignty.’²⁵ Yet, the ministry wrote, elected provincial assemblies were still ‘difficult to establish,’ vaguely referring to the special circumstances of Mongolia and Tibet.²⁶ The resulting compromise for borderland parliamentary representation, which denied elections to Mongolia and Tibet, but reserved 14 out of 100 appointed seats in the new Political Consultative Council (*Zizhengyuan* 資政院) to borderland nobles,

¹⁷Moniz Bandeira, ‘Late Qing Parliamentarism and the Borderlands of the Qing Empire.’

¹⁸On the concept of ‘sovereignty’ in China see M. A. Carrai, *Sovereignty in China: A Genealogy of a Concept Since 1840* (Cambridge, 2019).

¹⁹Chen F., ‘Transforming an Imperial Frontier: Japanese Knowledge and the Qing Empire’s New Tibet Policy.’ *Asian Studies Review* 44, (2020), p. 434.

²⁰On Xinjiang as a ‘colony’ see E. Schluessel, *Land of Strangers: The Civilizing Project in Qing Central Asia* (New York, 2020); and J. Jacobs, *Xinjiang and the Modern Chinese State* (Seattle and London, 2016), pp. 17–48.

²¹Chang C. 張啟雄, ‘Qing Guangxu chao zhengfu guanyuan de Menggu choubian lunshu’ 清光緒朝政府官員的蒙古籌邊論述 [Exposition of the border planning for Mongolia by government officials of the Qing Guangxu court], *Mengzang jikan* 蒙藏季刊 23, (2014), p. 59.

²²Moniz Bandeira, ‘Late Qing Parliamentarism and the Borderlands of the Qing Empire,’ p. 23; Chang, ‘Qing Guangxu chao zhengfu guanyuan de Menggu choubian lunshu,’ pp. 60–2; J. Chappell, ‘Developmentalism in Late Qing China, 1874–1911,’ *The Historical Journal* 64, (2020), <https://doi.org/10.1017/S0018246X19000669>, pp. 98–120.

²³Chang, ‘Qing Guangxu chao zhengfu guanyuan de Menggu choubian lunshu,’ pp. 38–77.

²⁴Schluessel, *Land of Strangers*, pp. 75–7.

²⁵‘Lifan bu zou choubei fanshu xianzheng ying ban shiyi fenbie jihuan zeyao tuixing zhe’ 理藩部奏籌備藩屬憲政應辦事宜分別急緩擇要推行摺 [Memorial submitted by the Ministry for the Administration of the Borderlands about the implementation of selected important matters which should be arranged in order to prepare for constitutional government in the borderlands, ordered by urgency], *Yubei lixian gonghui bao* 預備立憲憲公會報, 2 (1909), no. 10, p. 15.

²⁶‘Lifan bu zou choubei fanshu xianzheng ying ban shiyi fenbie jihuan zeyao tuixing zhe,’ p. 15.

proved to be highly unsatisfactory.²⁷ The *Zizhengyuan*'s first session can be thus seen as a prelude to Mongolia's declaration of independence less than a year later.

Parliamentary representation in a 'republic of five races'

After Mongolia declared independence, the newborn Republic of China reacted by strongly emphasizing national unity. The inaugural address of the Republic's provisional president, Sun Yat-sen 孫逸仙 (1866–1925), held on New Year's Day 1912, stressed China's unity in terms of both population and territory. The speech explicitly included Mongolia and Tibet when describing the provincial independence movement as a process of separation from the Qing Court and reunification as a republic.²⁸ Documents from the transitional period between empire and republic abounded with affirmations such as that the new polity was a 'new state organized through the union of five races,' referring to the Han, Manchu, Mongols, Muslims, and Tibetans.²⁹ The Republic's Provisional Constitution of March 1912 declared that its territory consisted of '22 provinces, Inner and Outer Mongolia, Tibet and Qinghai.'³⁰ On 22 April 1912, Sun's successor, Yuan Shikai 袁世凱 (1859–1916), issued a decree operationalizing the new ideology on an administrative level:

... Since in our present republic of five races, the regions of Mongolia, Tibet, and the Muslim lands are all equally territories of our Republic of China, and all the peoples of Mongolia, Tibet, and the Muslim territories are equally citizens of our Republic of China, they obviously must not, as in the period of Imperial government, carry the denomination of 'borderland dependencies.' ... Currently, the task of unifying the government has already been accomplished, and the affairs of its Ministry for the Administration of the Borderlands shall be transferred to and be fused under the direct administration of the Ministry for Internal Affairs. ... As long as there is no unification of the norms for the local institutions, the matters to be handled in Mongolia, Tibet, and the Muslim territories shall all continue to be handled according to the previous regulations.³¹

But what were the parliamentary implications of this ideology? Although the ordinance of April 1912 emphasized the contrast of the new republican government to the

²⁷ Moniz Bandeira, 'Late Qing Parliamentarism and the Borderlands of the Qing Empire,' pp. 25–26.

²⁸ Sun W. 孫文, 'Linshi Dazongtong jiu zhi xuan yan' 臨時大總統就職宣言 [The Provisional President's inaugural declaration], in Qin X. 秦孝儀 and Guofu quanji bianji weiyuanhui 國父全集編輯委員會 (eds), *Guofu quanji* 國父全集 [Complete works of the Father of the Nation], 12 vols. (Taipei, 1989), pp. 23–4 (dated to 1st January 1912). A translation of the speech (dated to 2nd January 1912) can be found in D. G. Atwill and Y. Y. Atwill, *Sources in Chinese History: Diverse Perspectives from 1644 to the Present*, 2nd ed. (New York & London, 2021), pp. 142–4.

²⁹ See the presidential decree of 13 April 1912 in 'Çay tuqai-yin yeke zong tung-un jarlal/Linshi Dazongtong ling' 臨時大總統令 [Decree of the Provisional President], *Mongyol yerü üge-yin sedkül/Mengwen baihua bao* 蒙文白話報 1, (1913), *çayaja jarlal/faling* 法令, pp. 17–22. See also the Qing Emperor's abdication edict of 12 February 1912 in 'Zhi yi dao' 旨一道 [An edict], *Linshi gongbao* 臨時公報 1, Xuantong 3/12/26 = 13 April 1912, p. 1 (edict dated 12 April 1912); for an English translation see Atwill and Atwill, *Sources in Chinese History*, pp. 144–5.

³⁰ Xia X. 夏新華 et al. (eds), *Jindai Zhongguo xianzheng licheng: shiliao huicui* 近代中國憲政歷程: 史料薈萃 [The historical process of constitutional government in modern China: A collection of sources] (Beijing, 2004), p. 156.

³¹ 'Zhongguo dashi ji' 中國大事記 [Record of big events in China], *Dongfang zazhi* 東方雜誌 8, (1912), no. 12, p. 3 (decree dated 22 April 1912). In August 1912, the government issued another decree reiterating that Mongolia would thenceforth 'no longer be treated as a borderland dependency' and forbidding the administrative use of terms like 'borderland administration' (*lifan* 理藩) and 'colonize' (*zhimin* 殖民; *tuozhi* 拓殖). For a version of the decree with accompanying Mongol translation see 'Mongyol-i tokiyalduyulun qarayaljiqju jüyil dürim/Menggu daiyu tiaoli' 蒙古待遇條例 [Ordinance about bringing Mongolia into agreement and taking care of her/Ordinance about the treatment of Mongolia], *Mongyol yerü üge-yin sedkül/Mengwen baihua bao* 蒙文白話報 1, (1913), *tuşqai jüyil/zhuanjian* 專件, pp. 29–34.

foregoing ‘period of imperial government,’ the new ideology in fact went back to the monarchists Yang Du and Zhang Jian’s 張謇 (1853–1926) theories.³² Beneath the republican surface, there was a strong continuity to the late Qing government. However, in the parliamentary realm, there was an important difference between Yang Du’s positions and the new government’s policies: The legal documents enacted in 1912 seemingly did not wait for the assimilation of the borderland peoples, but included them into the common political system. Although first drafts had ignored the former borderland dependencies, the Provisional Constitution foresaw a unicameral Advisory Council to which ‘the Provinces, Inner and Outer Mongolia, and Tibet shall each elect and depute five members ... and Qinghai shall elect one member.’³³ Similarly, the Organic Law on the National Assembly, passed by the Senate in August 1912, foresaw that Mongolia, Tibet and Qinghai participate in the elections for both the Senate (*Canyiyuan* 參議院) and the House of Representatives (*Zhongyiyuan* 衆議院).³⁴

Yet, the normative appearances conceal that, under the surface, the constitutional debates of the early Republic continued to reflect the same issues as debated in the late Qing debates on borderland parliamentarism, shifting between full equality and some form of special regime for the borderlands. On the one hand, politicians strove for a ‘unified system’ and the abolishment of the formal distinction between the inner provinces and the outer regions.³⁵ On the other hand, they argued that the special circumstances of Mongolia, Tibet, and Qinghai needed to be taken into account in the new parliamentary system. This special regime, again, could contain two elements: The exclusion of Mongolia and Tibet from voting rights, as well as the usage of the Upper House to confer the equivalent of aristocratic privileges to Mongol and Tibetan elites. It was in this vein that Wang Dengyi 王登义 (1876–1955), the editor-in-chief of a magazine dedicated to constitutional law, commented:

Now, since the conditions and habits of Mongolia and Tibet are different, it also behooves us to respect their hereditary nobility and clerical authority. Such special conditions should obtain the protection of the constitution, for only then will we be able to show our kindness and garner credibility in the borderland regions. It would seem to be better if we specifically enact specialized paragraphs within the organization of the Senate to accord passive voting privileges to the hereditary nobles of Mongolia and the religious leaders of Ü-Tsang.³⁶

³²Kataoka, ‘Shingai kakumei jiki no gozoku kyōwa ron o megutte’; Murata Y. 村田雄二郎, ‘Chūka minzokuron no keihu’ 中華民族論の系譜 [The genealogy of Chinese race theory], in Iijima W. 飯島渉, Kubō T. 久保亨, and Murata Y. 村田雄二郎 (eds), *Chūka sekai to kindai* 中華世界と近代 [The Chinese world and modernity] (Tokyo, 2009).

³³Xia et al. (eds), *Shiliao huicui*, p. 157; The translation is adapted from ‘Official Documents: Provisional Constitution of the Republic of China,’ *The American Journal of International Law*, 6, (1912), p. 150.

³⁴Xia et al. (eds), *Shiliao huicui*, pp. 169–70.

³⁵Senator Tang Yi 湯漪 (1881–1942) in a constitutional debate at the National Assembly in 1913. See Xia et al. (eds), *Shiliao huicui*, p. 201.

³⁶Ü-Tsang refers to one of the three traditional Tibetan regions, located in what is today the Tibetan Autonomous Region. The quoted text is a comment to article 15 of Li Q. 李慶芳, ‘Li Qingfang ni xianfa cao’an’ 李慶芳擬憲法草案 [Constitutional draft elaborated by Li Qingfang], in Xia et al. (eds), *shiliao huicui*, p. 334. For a similar take by Kang Youwei 康有為 (1858–1927) see Kang Y. 康有為, ‘Zhonghua Minguo guohui yuanlaoyuan xuanjufa an (1912 nian)’ 中華民國國會元老院選舉法案 (1912年) [Proposal of an electoral law for the Senate of the National Assembly of the Republic of China (1912)], in Jiang Y. 姜義華 et al. (eds), *Kang Youwei quanji* 康有為全集 [Complete works of Kang Youwei], 12 vols (Beijing, 2007), vol. IX, pp. 425–9. On Kang Youwei’s and Liang Qichao’s 梁啟超 (1873–1929) views on Mongol representation see Zhang J. 張建軍, *Qingmo Minchu Menggu yiyuan ji qi huodong yanjiu* 清末民初蒙古議員及其活動研究 [Research on the Mongol members of parliament in the late Qing and early Republic, and on their activities] (Beijing, 2012), pp. 120–26.

Superstition and preferential treatment: debates about the Organic Law of the National Assembly

The debates led by the Senate when drafting the Organic Law of the National Assembly as well as the electoral laws for both houses of parliament in July 1912 reflected the various positions on the parliamentary status of the borderlands, and covered many of the known *topoi* of the late Qing borderland parliamentarism debate.³⁷ Again, the debate was informed by references to both Chinese history—namely the ‘loose reins’ (*jimi* 羈縻) policy of borderland governance—and to current global constitutional models—namely the comparison with the parliamentary status of Hokkaidō 北海道 in Japan and of Ireland in the United Kingdom.³⁸

The first draft of the Organic Law foresaw that ‘the House of Representatives shall be composed of members elected by the citizens in each province.’³⁹ It thus continued the Qing policy by denying elections to the regions that did not have provincial status, namely Mongolia, Tibet, and Qinghai. Defendants of the draft mainly pointed to the alleged impracticability of elections in Mongolia and Tibet, arguing with the supposedly lower cultural level of these regions and the special role played by the local nobility. Senator Gu Zhongxiu 谷鍾秀 (1874–1949) argued that:

If you ask whether the Mongol and Tibetan people can be the same as the people of the inner territories by giving them electoral rights, then I ask you whether one can discard the class of princes who currently control Mongol and Tibetan affairs, and whether one can establish the same administration and officers for the Mongol and Tibetan administration as in the inner territories? No matter what, this is something that one will not be able to do. ... As to whether the treatment of the Mongol and Tibetan people is uniform and equal, they are citizens of the Republic of China, and their treatment is of course equal. It is only that before the system has changed, there can be no uniformity with the inner territories, and one can only temporarily and extraordinarily wait for politics to be reformed and superstitions to be eliminated.⁴⁰

Some of his colleagues used the argument of lacking language skills. Peng Yunyi 彭允彝 (1878–1943) claimed that people in Mongolia and Tibet were ‘not even necessarily in possession of common knowledge or proficient in written or spoken Chinese.’ In fact, the Electoral Law for the House of Representatives excluded the illiterate from elections for the lower house.⁴¹ Since ‘illiterate’ was interpreted as ‘in Chinese,’ and literacy in local languages was out of the question, the law excluded a large part of the borderland populations through the backdoor. Accordingly, Senator Zhou Jue 周珏 (1883–?) argued that elections in Mongolia and Tibet were impracticable.⁴²

However, the proponents of the draft were in a defensive position. Given the weight of the postulates of the Provisional Constitution, they emphasized that their position was

³⁷For an overview of the electoral laws see Xiong Q. 熊秋良, ‘Lun Minguo chunian de xuanjufa’ 論民國初年的選舉法 [On the electoral laws in the early Republic], *Shehui kexue jikan* 社會科學輯刊 1, (2005), pp. 124–30.

³⁸The term ‘loose reins’ went back to Sima Qian’s 司馬遷 (145–86 BC) *Records of the Grand Historian*, but most prominently referred to a policy instituted in Tang Empire (618–907). Although the term was overwhelmingly used to refer to borderlands policy, there are also late Qing examples of it referring to the parliament as a whole. In the present debate, the ‘loose reins’ policy towards the borderlands was mentioned by Liu Chongyou 劉崇佑 (1877–1942). See ‘Canyiyuan di 43 ci tebie huiyi sujilu’ 參議院第四十三次特別會議速記錄 [Stenographic notes of the 43th special meeting of the Senate], *Zhengfu gongbao* 政府公報 97, (1912), pp. 473; 474–5.

³⁹‘Canyiyuan di 43 ci tebie huiyi sujilu,’ p. 472.

⁴⁰‘Canyiyuan di 43 ci tebie huiyi sujilu,’ p. 473.

⁴¹Xia et. al. (eds), *Shiliao huicui*, p. 175.

⁴²‘Canyiyuan di 43 ci tebie huiyi sujilu,’ p. 475.

not one of principle, but merely pragmatic. When Gu Zhongxiu depicted Mongolia and Tibet as not ripe for elections, he made sure to describe the alleged difference not as absolute and static, but to place the borderland regions as slightly behind the Han-majority territories in their development:

In the future, as an electoral law will be organized from the midst of the first National Assembly, they will of course have voting rights. ... the Han people of China originally had no parliament, but are the Han Chinese people or not? ... When the Han did not have a parliament, they of course were Chinese people! Now, the Mongol and Tibetans of course are Chinese people even before the system has changed. It is just that the circumstances in the Mongol and Tibetan territories are different, and one cannot employ the same methods as in the inner territories as long as the system has not been established.⁴³

To the opponents of the draft, these remaining practical arguments sounded like excuses for not executing the Provisional Constitution. Their main argument, succinctly voiced by Sun Zhong 孫鐘 (dates unknown), expressed the strong normative force of the unitary 'five races' postulate:

To speak theoretically, according to article 12 of the Provisional Constitution 'citizens shall have the right to vote and be voted for.' There are Han representatives in both the Senate and the House of Representatives. If Mongolia and Tibet only had representatives in the Senate, but not in the House of Representatives, wouldn't that be depriving them of their right to vote and be voted for?⁴⁴

The most extensive rebuttal of the proposal was that of Liu Chongyou 劉崇佑 (1877–1942), who countered the argument about Mongolia's and Tibet's allegedly lacking conditions by pointing out that development was highly uneven even in the provinces, and that this was no reason to deny them parliamentary representation either.⁴⁵ Sarcastically, he remarked that if one did not give equal rights to Mongols and Tibetans, 'then in the Provisional Constitution one cannot call it "the five races are equal," but has to change it into "the three races are equal," or into "the five races are not equal."' ⁴⁶

The argument about equal citizenship was certainly not put forward for only idealistic reasons. In fact, Senator Du Qian 杜潛 (1887–1952) seemed to perceive this when he took the floor expressing indignation that it was applied to Mongols and Tibetans, but not to women.⁴⁷ Rather, the failure of the Qing parliamentary policy towards the borderlands made it seem rather unwise to advocate for its continuation. For Yang Du, assimilation (*tonghua*) had been the precondition for electoral rights; for Liu Chongyou, electoral rights were the precondition for integration (*guihua* 歸化). Unequal treatment of parts of the population would only lead to special and unjustified demands by the Mongols and Tibetans, for if the Han did not 'treat the others sincerely, of course neither' would 'the others be willing to integrate sincerely.'⁴⁸

⁴³'Canyiyuan di 43 ci tebie huiyi sujilu,' p. 473.

⁴⁴'Canyiyuan di 43 ci tebie huiyi sujilu,' p. 475.

⁴⁵'Canyiyuan di 43 ci tebie huiyi sujilu,' pp. 473–4.

⁴⁶'Canyiyuan di 43 ci tebie huiyi sujilu,' p. 473.

⁴⁷'Canyiyuan di 43 ci tebie huiyi sujilu,' pp. 472–3. There had been a strong movement for women's suffrage since the 1900s, but it only came to be included into the 1947 constitution of the Republic of China. See L. Edwards, *Gender, Politics, and Democracy: Women's Suffrage in China* (Stanford, 2008).

⁴⁸'Canyiyuan di 43 ci tebie huiyi sujilu,' p. 473.

Eventually, the Senate introduced lower house representation for Mongolia and Tibet, changing the wording of the draft into ‘the citizens in each locality.’⁴⁹ But did this really mean a fully equal treatment of these regions? Several concessions were made to accommodate for the special circumstances of the borderland territories. Given the large nomadic populations of the borderlands, the law decreed that the property requirements there could be fulfilled with movable instead of immovable assets.⁵⁰ Mongolia, Tibet and Qinghai were exempted from the regulation which denied active and passive voting rights to active administrative, judicial, and police personnel, as well as to clergy.⁵¹ Most conspicuously, the principles by which the number of seats was determined differed from the provinces.

For the Senate, every province was represented with ten senators, as was Tibet. In contrast Mongolia had 27 and Qinghai three senators.⁵² This seemingly high number was due to the fact that the group comprised not only two senators for each of the six leagues of Inner Mongolia and four banners of Outer Mongolia. Additionally, it also included one to three senators for four Mongol-majority regions unofficially known under the collective term ‘Western Mongolia,’ which were either independent banners or special districts directly connected to Peking.⁵³ Only Qinghai, which had originally been subsumed under Mongolia as well, was deemed to be too distant to be grouped together with it, resulting in its separate listing.

For the House of Representatives, all provinces would be represented proportionally to their populations. 800,000 inhabitants would elect one representative, but no province should depute less than ten representatives.⁵⁴ Three provinces profited from this minimum quota: Xinjiang, Jilin 吉林, and Heilongjiang 黑龍江. However, with regard to the even more sparsely populated non-provincial territories, the Senate adopted the same distribution of seats as for the upper house: 27 for Mongolia, ten for Tibet, and three for Qinghai.⁵⁵ This generosity with attributing seats to Mongolia might have expressed a certain ‘preferential treatment’ (*youdai* 優待) to a region whose loyalty the centre wanted to secure. Although the proponents of the law did not phrase it this way, some opponents criticized it on these grounds. It was Jiang Xin 江辛 (1873–1946) who proposed that one should simply adopt the same number of representatives as to the Senate because the proportion of 800,000 inhabitants per representative was not applicable.⁵⁶ To Jiang’s suggestion, Zhang Hualan 張華瀾 (1879–1956) responded:

⁴⁹‘Canyiyuan di 44 ci huiyi sujilu’ 參議院第四十四次會議速記錄 [Stenographic notes of the 44th meeting of the Senate]. *Zhengfu gongbao* 政府公報 98, (1912), p. 481.

⁵⁰Xia et. al. (eds), *Shiliao huicui*, p. 175.

⁵¹Xia et. al. (eds), *Shiliao huicui*, pp. 175–6.

⁵²In addition, the Central Learned Society (*Zhongyang xuehui* 中央學會) and overseas Chinese were accorded eight and six seats, respectively. Xia et. al. (eds), *Shiliao huicui*, pp. 169–70.

⁵³‘Canyiyuan di 43 ci tiebie huiyi sujilu,’ p. 470. In fact, one of the three proposals for changing the wording about the voting rights for the House of Representatives precisely enumerated that delegates would be elected by ‘citizens in each province as well as by Mongolia, Tibet, Qinghai, the Thorgud of Khobdo, Uriankhai, Alasha, and Ejene.’ ‘Canyiyuan di 44 ci huiyi sujilu,’ p. 481. Yuan Shikai had previously proposed to add these regions to the Provisional Constitution under the name of ‘Western Mongolia,’ but that proposal had been rejected. See ‘Yi zeng Ximeng ji Hui bu canyiyuan 議增西蒙及回部參議院 [A proposal to add Western Mongolia and the Muslim Territories to the Senate], *Fazheng zazhi* 法政雜誌 1, (1912), no. 12, pp. 97–98. On these regions see Brophy, ‘Five Races, one Parliament,’ pp. 351–2.

⁵⁴Xia et. al. (eds), *Shiliao huicui*, pp. 169–70.

⁵⁵Xia et al. (eds), *Shiliao huicui*, p. 170.

⁵⁶‘Canyiyuan di 44 ci huiyi sujilu,’ p. 482.

We must by no means add too many Mongol and Tibetan delegates to the House of Representatives. The allotment of Mongol and Tibetan delegates to the Senate is a preferential treatment to them, and lets them enjoy equal rights. If one adds even more, the preferential treatment would be exaggerated. ...⁵⁷

The next speaker, who supported Jiang, denied that this was a question of preferential treatment. Yet, other senators criticized Jiang's suggestion and stressed that Mongolia's representation should not be higher than that of the provinces already enjoying the minimum quota. Li Fang 李芳 (dates unknown), a delegate from Jilin, remarked that one should 'not be troubled lest people should be few, but troubled with fears of unfairness.'⁵⁸ Eventually, however, these concerns remained a minority, and Jiang's proposal was passed without much argumentative support in its favour.

In practice, this attempt at binding all Mongol regions into the new parliamentary framework did not work out. As Outer Mongolia and Tibet were not under the political control of the government in Peking, their seats in both Houses of the parliament could not be filled through the legally prescribed channels. Instead, control of the respective seats was given to the Mongol princes and Tibetan clergy resident in Peking.⁵⁹

Ethnic quotas in the Republican parliament?

Due to these factors, it seemed to many contemporary political actors that the new Republican system was not equitable. Rather than a purely territorial representation, it seemed like a system of ethnic quotas which favoured some groups in detriment of others. In particular, representatives of groups who did not fall under the representation for 'Mongolia'—including Mongols living outside the designated areas—from the beginning felt disenfranchised. Throughout the Republican period, they lobbied for their own representation to be increased. In 1912 and 1914, Manchu associations and intellectuals claimed the establishment of a special parliamentary quota for them, arguing that they did not constitute a majority in any of the provincial-level subdivisions and that they therefore were the only one of the 'five races' who barely had a chance of being elected to parliament.⁶⁰ In Xinjiang, representatives of various ethnic groups—Kazakhs, Sibe and Solon, as well as Mongols of the Ili region—sent telegrams deploring that they were not represented. Pointing to the parliamentary seats given to the Torghud of Khobdo and others, they invoked the equality of the 'five races' to justify their demands.⁶¹ During the following decade, Li Qian 李謙 (dates unknown), a Muslim officer and politician, wrote several petitions demanding to add parliamentary seats for the 'Muslim territories' (*Huibu* 回部), arguing that:

⁵⁷'Canyiyuan di 44 ci huiyi sujilu,' p. 482.

⁵⁸'Canyiyuan di 44 ci huiyi sujilu,' p. 482. The expression is a quotation from the Analects of Confucius (*Lunyu* 論語). The translation is adapted from J. Legge, *The Chinese Classics Translated into English, with Preliminary Essays and Explanatory Notes*. Vol. 1: *The Life and Teachings of Confucius* (London, 1909), p. 232.

⁵⁹Zhang, *Qingmo Minchu Menggu yiyuan ji qi huodong yanjiu*, pp. 56–82.

⁶⁰See Rhoads, *Manchus & Han*, p. 267; Lü B. 呂柏良, 'Qingmo Minchu qiren shengji wenti zhi yanjiu (1875–1949)' 清末民初旗人生計問題之研究 (1875–1949) [Research on the question of livelihood of bannermen in the late Qing and early Republic], MA Thesis, National Chengchi University, 2009, cap. 4, pp. 33–7.

⁶¹'Choubei guohui shiwuju zhi Xinjiang dudu, Kebuduo canzan, A'ertai banshi zhangguan dian' 籌備國會事務局致新疆都督科布多參贊阿爾泰辦事長官電 [Telegram from the Preparatory Bureau for the National Assembly to the Military Governor of Xinjiang, the Councillor of Khobdo, and the Governor of Altai], *Zhengfu gongbao* 政府公報, 293, (1 March 1913), p. 25.

I only regret that when the provisional parliament passed the Organic Law on the National Assembly, this was an unprecedented matter in which it was difficult to take everything into consideration, and it was unavoidable to miss various things. Therefore, there is a special quota set for Mongolia, Tibet, and Qinghai. Only in the eight Muslim territories (a quota) is completely missing!⁶²

Comparing the size of these Muslim territories with that of Mongolia, Tibet, Qinghai, he concluded that the Muslims needed a quota of between 12 and 20 seats. Using an estimate of 72 million Muslims in China multiplied by the quota of 1 seat per 800,000 people, he even arrived at a fantastic projection of ‘more than 70’ delegates needed to represent the Muslim population in the lower house.⁶³ Li was just the first of a whole series of Muslim actors to demand a specific Muslim quota next to the Mongol and Tibetan ones.⁶⁴

Against such objections and demands, politicians and officials had to continuously repeat that the principle of the equality of the five races was based on territorial representation. Gu Zhongxiu, for example, responded to the Manchu petition that ‘the delegates elected by Mongolia do not belong exclusively to the Mongols, the delegates elected by Tibet do not belong exclusively to the Tibetans either, and the delegates elected by the provinces do not belong exclusively to the Han either.’⁶⁵ However, this did not convince those who interpreted that borderland representation was in reality the institutionalisation of parliamentary ethnic quotas.⁶⁶ Nor did it convince the Mongols in Outer Mongolia and the Tibetans of the concept of the ‘republic of five races.’ Certainly, many Mongols tried hard to get into the Republican parliaments and make use of the representative avenues, although they, too, became disillusioned with their functioning.⁶⁷ But the Republic of China never exerted any substantive authority over Tibet, and the practical effects of the 1915 treaty of Kyakhta, which decreed China’s ‘suzerainty’ over a largely autonomous Outer Mongolia, remained ephemeral. Instead, Mongolian intellectuals went on to construct their own version of constitutional and parliamentary modernity, which was not only determined by Mongolia’s inclusion into the informal Soviet Empire, but also drew from indigenous statecraft as well as from trans-imperial discourses surrounding the transformations of the Russian and Qing Empires.⁶⁸

Conclusion

Popular representation was one of the key elements in the construction of the Chinese nation-state in the late Qing and early Republic. Since the late nineteenth century, an increasing number of intellectuals had called for the adoption of parliamentary

⁶²Li Q. 李謙, *Huibu gongdu* 回部公牘 [Official papers on the Muslim territory] (Shanghai, 1924), p. 3.

⁶³Li, *Huibu gongdu*, p. 3.

⁶⁴See Z. Hale Eroğlu Sağer, ‘A Place under the Sun: Chinese Muslim (Hui) Identity and the Constitutional Movement in Republican China,’ *Modern China* 47, (2020), <https://doi.org/10.1177/0097700420915430>, pp. 825–58.

⁶⁵‘Canyiyuan di 80 ci tiebie huiyi sujilu’ 參議院第八十次特別會議速記錄 [Stenographic notes of the eightieth special meeting of the Senate], *Zhengfu gongbao* 政府公報 172, (1912), p. 590 (24).

⁶⁶Brophy, ‘Five Races, one Parliament,’ p. 351.

⁶⁷C. P. Atwood, *Young Mongols and Vigilantes in Inner Mongolia's Interregnum Decades, 1911–1931*. 2 vols (Leiden, 2002), vol. 1, pp. 98–109.

⁶⁸I. Sablin, J. Badagarov, and I. Sodnomova, ‘Khural democracy: Imperial transformations and the making of the first Mongolian constitution, 1911–1924,’ in S. Wickhamsmith and P. P. Marzluf (eds), *Socialist and Post-Socialist Mongolia: Nation, Identity, and Culture* (Abingdon, 2011).

institutions, seeing them as a tool to bring government and people closer together, as well as for the horizontal integration of the people.⁶⁹ When the Qing government subscribed to the idea in the 1900s, however, serious doubts emerged as to the territorial applicability of the idea. A large part of the Qing Empire, as well as of its republican successor state, was inhabited by peoples whose languages and societies were totally different than the sinophone society towards which the constitutional reforms were geared, and which were still governed as separate domains within the same empire.

Two solutions were possible for this problem. From a theoretical perspective, jurists and political reformers argued that the parliament was to make no distinction between the different parts of the empire and to be governed under a unitary model of parliamentarism. Yet, the differences were deemed to be too big to adapt the same rules to the ‘borderland dependencies.’ Instead, in the face of an alleged inability to hold elections, the Qing granted upper house representation to borderland nobility, resulting in a patrimonial model of parliamentarism. While this model parliamentarized the traditional Qing modes of governance, to a certain extent it also conformed to a recent pattern which Benjamin Hopkins has called ‘frontier governance’ or ‘frontier governmentality.’⁷⁰ Elites in the centres of government across the world deemed frontier regions to be inhabited by ‘savages’ not capable of being fully integrated into the state, creating a differentiated system for keeping them at an arm’s length while exerting their political rule over and taking economic advantage of them. According to Hopkins, ‘one of the most important aspects of indirect rule was suzerainty,’ resulting in a ‘universe of sovereign pluralism’ which ‘was the space for multiple political allegiances.’⁷¹ The powers justified their domination with the ‘rule of law’ that they brought to their imperial objects while to a large part excluding the indigenous peoples from judicial subjecthood.⁷² The model of patrimonial parliamentarism, too, was based on the allegation that Mongols and Tibetans did not conform to the required standard of civilization, and accordingly denied them full active participation in the new instruments of constitutional governance. However, the elements of ‘frontier governance’ were not fully given in the Chinese case. Although the Republic of China made use of the vague concept of ‘suzerainty’ to secure her claim over Mongolia and Tibet in spite of the *de facto* independence of these regions,⁷³ both the Qing and the Republican government aimed at a much closer rule over these regions.

China’s political weakness vis-à-vis European imperial powers and the anxiety about Russian and British encroachment in Mongolia, Xinjiang, and Tibet were crucial factors in both the Qing and the Republican discourses on borderland parliamentarism. The superficially momentous break from monarchy to presidential republic concealed strong personal and substantial continuities between the *ancien* and *nouveau régimes*.

⁶⁹See I. Sablin, E. Moniz Bandeira, J. Badagarov, M. Dorn, and I. Sodnomova, ‘Duma, yuan, and beyond: Conceptualizing parliaments and parliamentarism in and after the Russian and Qing Empires,’ in I. Sablin and E. Moniz Bandeira (eds), *Planting Parliaments in Eurasia, 1850–1950: Concepts, Practices, and Mythologies* (Abingdon, 2021); P. Zarrow, ‘Constitutionalism and the Imagination of the State: Official Views of Political Reform in the Late Qing,’ in P. Zarrow (ed.), *Creating Chinese Modernity: Knowledge and Everyday Life, 1900–1940* (New York et al, 2006), pp. 51–82.

⁷⁰B. Hopkins, *Ruling the Savage Periphery: Frontier Governance and the Making of the Modern State*, (Cambridge [USA], 2020).

⁷¹Hopkins, *Ruling the Savage Periphery*, 18–9.

⁷²Hopkins, *Ruling the Savage Periphery*, 19–20.

⁷³Y. Y. Zhu, ‘Suzerainty, Semi-Sovereignty, and International Legal Hierarchies on China’s Borderlands,’ *Asian Journal of International Law* 20, (2020), p. 318.

Likewise, it is not surprising that both parliamentary models found expression in both regimes. However, the political conjuncture brought about by Mongolia's independence and the proclamation of the Republic led to a shift in focus towards undivided sovereignty. Voices calling for a Qing-style solution in the early Republican parliament were defeated in favour of a seemingly egalitarian unitary parliamentarism. Denial of electoral participation was off the table, but the idea of ethnic, patrimonial instead of proportional representation was not. The first year of the Republic of China was neither the starting nor the ending point in the debates about the right way to integrate the Qing Empire's vast frontiers into the emerging parliamentary system.

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