

The Administration of Shanghai, 1905-1914

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On the surface at least, city government in China was transformed in the first ten years of this century. In 1909, after three years of local experimentation with municipal self-rule, the central government issued the *Regulations for the Local Self-Government of Cities, Towns and Rural Communities*. Here, for the first time, cities were recognized as administrative units in their own right. Much substantive power was removed from the imperially appointed county magistrates and placed in the hands of elected bodies of representatives. New tasks were undertaken by the official bureaucracy and the city councils, notably the creation of police forces and the operation of primary schools with partially modernized curricula. It was accepted at the time that there had been a break with the past, and more than half a century later there is no good reason to quarrel with this judgment.

The causes behind the break are not so clear. The first Chinese city administrations that were indisputably modern appeared in two of the three most Westernized Chinese cities, Shanghai and Tientsin, in 1905 and 1907 respectively. In immediate origins these administrations were demonstrably a response to the Western presence, and they were created by Chinese who had a knowledge of Western (and Japanese) urban institutions. But this did not mean that they were intrinsically Western, any more than their modernity meant that they were in some sense the opposite of their "premodern" predecessors. By and large, in fact, the contrary was true. Early modern urban government in China sprang directly from a fusion of previously existing institutions: the assembly of county gentry gathered to advise the magistrate, the gentry-run charitable foundation, the late traditional merchants' guild, and the local government board with a specialized administrative function.

Moreover, municipal governments independent of the imperial bureaucracy, and in the hands of local gentry and merchants, had already appeared by the middle of the nineteenth century in at least four cities: Kuei-sui on the edge of Inner Mongolia, Chungking in Szechwan, Hung-chiang in Hunan, and Chia-ting in the Yangtze delta.¹ Further research will almost certainly turn up others. Since the four traditional institutions just mentioned did not become widespread until the eighteenth century or later, it is probable that there was an evolutionary trend at work that would have transformed the sociopolitical structure of China even in the absence of Western influence.

For this reason the analytical separation of indigenous and Western elements is difficult. The main object of this paper is to show how it may be done in the case of the earliest modern Chinese city council, that of Shanghai. Other cases, notably that of the city government of Canton discussed by Professor Rhoads elsewhere in this volume, reveal patterns broadly comparable in outline but significantly different in detail.

Urban Administration in Shanghai Before the Twentieth Century

The institutions that were to serve as the basis of modern municipal government in Shanghai came into existence in the eighteenth and nineteenth centuries. The first public charitable institution to be managed by members of the gentry, the Hall of Infant Care (*Yü-ying t'ang*), was founded in 1710.² The first of the late traditional guilds, the Merchants' Shipping Guild (*Shang-ch'uan hui-kuan*), appeared in 1715.³ The earliest local board with a specialized administrative function was the Shanghai Board for the Sea Transport of Kiangsu Tribute Grain (*Chiang-su hai-yün Hu-chü*), founded in 1825 and partly run by "gentry directors."⁴ The first county-wide assemblies of gentry known to me in Shanghai are those that advised magistrates on water conservancy in 1864, 1870, 1880, and 1895,⁵ but there is reason to suspect that they are older than this. Thus K'ang Yu-wei, writing in 1902, observed: "There are at present, as a matter of course, in our various provinces, prefectures, departments, and counties, public boards where the gentry and scholars meet for discussions. If there are important matters [to be discussed], the Hall of Human Relationships in the Confucian Temple is opened for a public debate, and the authorities usually send a deputy to attend it."⁶

These institutions were relatively new; and what was new about them was related to long-term trends in the evolution of Chinese society, as will be briefly indicated in the discussion that follows. Since their origins may, for the most part, be traced to the period preceding the decline

of central government power in the last part of the Ch'ing dynasty, it would be wrong to regard them as being simply the characteristic products of a time of dynastic decay. It is likely, however, that the weakening of imperial effectiveness did give them greater scope for development than they would otherwise have had.

Private gentry charities, designed to benefit the members of the founder's clan, had appeared during the Sung dynasty.⁷ Charities located in the county capitals and administered by the county government were at least as old.⁸ At Shanghai, an official Hall of Provision and Relief (*Yang-chi yüan*) had been founded in 1374. Perhaps significantly, it was not rebuilt after it burned down in 1812.⁹ What was distinctive about the new gentry-run charities, of which there were five in the city by 1850, was that they represented a modest form of institutionalized gentry power in the domain of public affairs. They were endowed with considerable grants of land, and often received official subventions.¹⁰ They observed quite elaborate rules and procedures, and sometimes published their accounts for public scrutiny.¹¹

Many of their functions are well known. They gave food, money, and cotton clothing to the poor, provided free medicines and the services of doctors and midwives, and took care of abandoned children and vagrants. They buried corpses left in the roads or streams, sold coffins on credit or gave them away free, ran homes for old people and widows, and maintained a number of free schools. They bought birds, fishes, and animals in the market place and released them in special sanctuaries, thus acquiring merit, according to Buddhist belief. They also collected and ritually disposed of unwanted paper with written characters on it, put up memorials to chaste wives and filial sons, repaired tombs and temples, and burned obscene books.¹²

Some of their other functions were of a kind that one would not normally have expected of a charity. The Hall of Effective Care (*Kuo-yü t'ang*) maintained a fifty-man fire brigade.¹³ The Hall of Impartial Altruism and Support for the Fundamental (*T'ung-jen fu-yüan t'ang*) dredged waterways and, toward the end of the nineteenth century, collected a vehicle tax and a shop tax to pay both for a small police force maintained by the official Roadworks Board, and for the cleaning and lighting of the city streets.¹⁴ According to the *Continuation of the Shanghai County Gazetteer* (SHHHC), edited by Yao Wen-nan, a former director of this Hall:

It undertook every charitable work, and was relied upon to promote the cleaning of the roads, the lighting of the streets, the building of bridges and thoroughfares, the repair of temples, and the management of militia defense. It was, in fact, the starting point of local self-government.¹⁵

The appearance of institutionalized gentry power in the charities was part of a wider movement in the eighteenth century toward a partially independent local gentry administration. The Shang-hai gazetteer for the T'ung-chih reign tells us of the county capital's waterways in 1775, "This year for the first time the levying of funds and the dredging were done by the gentry and scholars. Hereafter, all the work done on the county capital's commercial waterways followed the proposals [now] first made." A similar system was instituted in the countryside, in the hope that, with members of the gentry in charge, "the network of personal obligations will work in its accustomed manner, and neither public nor private interests will be thrown into confusion."¹⁶ What was new was not, of course, the control of water conservancy in certain instances by members of the gentry. It was their emergence, following the disappearance of the manorial order in the countryside and the increasing urbanization of the elite, as more or less professional directors, rather than as landowners directly interested in the results of their managerial labors.

By the latter part of the nineteenth century, and possibly much earlier, it seems to have been accepted that major matters of local policy, such as supplementary taxation, required the approval of a gentry assembly. In 1907, for example, the Shanghai City Council thought that for "the imposing of a levy on the whole county" to finance a water-conservancy project, it was necessary to "call a meeting of the gentry of the various charitable halls and the directors of the [gentry] boards in the various rural communities in order to deliberate upon this matter." In 1906, twenty-four of the Shanghai gentry complained to the authorities that the City Council was planning to pull down the walls of the county capital, but had "not invited together the scholars and gentry of the entire county for a public discussion"; and their protest led to the convocation of an assembly in 1908.¹⁷

Guilds of the late traditional type (*hui-kuan*, *kung-so*) developed in Shanghai at the same time as in most of the rest of the country, becoming numerous by the end of the eighteenth century, and enjoying their most rapid period of growth in the nineteenth.¹⁸ There were eleven in the city in 1800, 23 in 1850 and 52 in 1900.¹⁹ These guilds had a corporate character, with members worshipping together and affording each other mutual help. They should be distinguished from the medieval guilds (*hang*) of T'ang and Sung times, although some of their functions were of course comparable. These earlier guilds seem to have developed from an officially sanctioned quarter consisting of merchants engaged in the same trade, and were linked with the system of officially regulated mar-

kets, resembling the Roman *collegia* rather than the more autonomous guilds of medieval Western Europe. After the regulated market system collapsed in the ninth and tenth centuries, guilds seem to have played little part in economic life except as mechanisms of official control, such as the tea guild connected with the Sung tea monopoly, and as corporations for the provision under guarantee of specialized labor such as domestic servants and porters.²⁰

Trade guilds of some sort existed in Ming times, although astonishingly little is known about them.²¹ The institutional prototype of the late traditional guild was the association of fellow-regionals engaged in regular long-distance trade in some specific place away from home. Interregional trade in basic commodities had existed in Sung times, but on an ad hoc basis, serving mainly to remedy temporary local deficits. The permanence of the late traditional guilds of fellow regionals indicates that trading patterns in late Ming and Ch'ing times were probably more stable than before. The members of these institutions were well-to-do and powerful, and their status was reflected in the ornate and splendid guild-houses they built. In Shanghai at least, membership was not simply open to anyone who came from the appropriate locality, as was the case with the later regional associations (*t'ung-hsiang hui*).²²

The institutional form assumed by important guilds of local merchants was assimilated to that created by the guilds of fellow regionals. It is sometimes thought that a distinction between the two may be traced in the differential usage of the terms *kung-so* and *hui-kuan*, the former being used for guilds of local people with a common trade and the latter for guilds of outsiders with a common place of origin. The SHHHC correctly points out that such an assumption is untenable for Shanghai.²³ Furthermore, the two organizing principles of shared trade and shared origin were often used in conjunction. Many guilds consisted of merchants from a given area who also specialized in a given trade. The Chin-hua Ham Guild and the Hankow Grain Guild are examples.²⁴ A regional guild might be subdivided by trades as well as by localities. This was the case with the Ningpo Guild and the Huai-Yang Guild.²⁵

The late traditional guilds provided the founders of early modern urban government with models of large corporations managing their affairs through a system that, at its most developed, was characterized by publicly selected directors,* the discussion of problems at public meetings,

* The commonest Chinese term for "public selection," *kung-chü*, is notoriously hard to interpret. See Hsiao Kung-ch'üan, *Rural China, Imperial Control in the Nineteenth Century* (Seattle: University of Washington, 1960), 271-75, for a statement of the general problem. Contemporary Westerners called it "election" (e.g. *North-China Herald*, Dec. 16, 1905, p. 671; Nov. 29, 1907, p. 516).

and the principle that policy had to be accepted by a majority. The rules of the Money Trade Guild of the South City of Shanghai laid it down that:

When there are public matters that need to be debated, the directors shall notify the monthly controllers, and, calling the members together, they shall hold a joint discussion. The directors shall investigate with particular care the circumstances on both sides of any quarrel and deliver a fair judgment.²⁶

The 1906 regulations of the guild for natives of Kuang-chou and Ch'ao-chou prefectures were even more explicit:

It is generally to be hoped that when the guild gathers to discuss public matters everyone will speak in turn, regardless of how many people there are. There should be no hubbub of many voices speaking at once, as this leads to unsystematic confusion. If someone at the meeting puts forward a view that meets with general approval, appropriate action shall be taken at once. If the views put forward do not meet with general approval, the matter shall be repeatedly discussed until agreement is reached. In the main, a question shall be settled when six or seven out of ten agree.²⁷

This limited democratization of the cities seems to have followed that taking place in the post-manorial countryside; and Imabori Seiji is probably right when he speaks of the practice of collective consultation as having been "transferred from the villages to the guilds."²⁸

The Shanghai guilds taxed their members and settled disputes between them; ran primary schools, infirmaries, and fire brigades; and provided members with loans, support in old age, and coffins and land for burial. They did not, in the nineteenth century, constitute a municipal government. For this a confederation of guilds would have been needed, such as did exist in certain other Chinese cities at this time.

Historically, such an institution emerged in one of two ways. Sometimes a "great guild" (*ta-hang*) formed by in-migrants would become differentiated, as numbers grew, into constituent guilds for various trades and localities. This was the case at Kuei-sui.²⁹ Alternatively, independent guilds of fellow-regional merchants would combine into an overarching association. This was the origin of the Ten Guilds of Hung-chiang and the Eight Guilds of Chungking, both of which bodies assumed governmental functions in the course of the 1850's during the crisis brought on by the Taiping Rebellion. Their duties included welfare work, education, the management of police and militia, collection of certain taxes, famine relief, standardization of weights and measures, resolving disputes between members, and advising the authorities. Nor were they simply merchant institutions. Thus a text of 1888 refers to

the "gentry and merchants of the Ten Guilds" in Hung-chiang, and almost all the leading Chungking merchants had official titles or degrees. Furthermore, with the passage of time, the differences between in-migrants from different regions tended to disappear (except in the important matter of which gods they worshipped at their guilds); and the functions of the guilds expanded from serving their members to serving society.

In Chungking, at least, the gentry and merchant power concentrated in the confederation of guilds was fragmented by the new local political institutions of the early twentieth century. The Eight Guilds organization lost its control over trade to the General Chamber of Commerce, its charitable work to the municipal welfare committee, its police power to the Police Board, and most of its other functions to a new municipal government. Its decline opened the way for the takeover of the city by militarists not long after the 1911 revolution; and the office of the Eight Guilds was closed in 1916 or 1917.³⁰ In Shanghai, as we shall see, a lesser but somewhat similar loss of powers weakened the City Council after the 1911 revolution.

Not having a confederation of guilds, Shanghai was spared the duplication of city-wide merchant organizations that appeared in Chungking and, as Professor Rhoads points out elsewhere in this volume, in Canton. In 1902-4, however, Yen Hsin-hou and other presidents of the principal guilds founded a Chinese General Chamber of Commerce.³¹ In 1905, a Consulting Committee of the Chinese Merchants of the Shanghai Settlement was designed, though without success, to serve as a Chinese counterweight to the Municipal Council of the International Settlement, which was under foreign administration.³² Various corps of merchant militia also came into being about this time.³³ The leadership of these bodies overlapped, and they worked effectively together. Most important of all, directors of guilds and members of the new Chamber of Commerce accounted for fourteen out of the 38 members of the original Chinese City Council of 1905, while another six were or had been engaged in commerce.³⁴

The last of the late traditional institutions that contributed to the establishment of early modern city government was the specialized board attached to the county or some higher administrative unit. By 1862 there were at least eleven of these boards in Shanghai. They included a Board for the Boat Levy and the Catching of Pirates, originally run by merchants, a Joint Defense Board, a Board for Security and for the Wards and Tithings (*pao-chia*), and a Free Ferry Board. Many more were created in the following forty years. They were mostly charged with

such tasks as collecting taxes on wood, opium, alcohol, sugar, and cotton cloth, manufacturing and storing weapons and munitions, and operating telegraphs, telephones, and postal services. They were usually managed by expectant officials serving as "deputies" (*wei-yüan*). Service of this sort was one way for apprentice bureaucrats to become familiar with the intricacies of local administration. A few boards, whose work bore directly on some branch of commerce, were managed by a deputy together with the directors of the guild of the trade concerned. This was the case with the Board for the Inspection of Raw Cotton for Evidence of Watering. Other boards, like the Free Ferry Board for a time, were run by gentry directors.³⁵

The immediate precursor of the City Council was the South City Roadworks Board (*Nan-shih ma-lu kung-ch'eng chü*), founded in 1895 to build a main road along that part of the bank of the Huang-p'u river lying south of the boundary of the French Settlement. Shortly afterwards, this board, to quote its own words, "imitated the settlements" by establishing a police force containing more than sixty men, and setting up a police court.³⁶ From the point of view of the services it performed, the new City Council can be seen as an expanded version of the Roadworks Board. Its original name, "The General Works Board" (*Tsung-kung chü*), implies as much. In 1907, the executive committee of the Council described its own ancestry as follows: "Our Board's regulations for taxation, and for the imposition of fines, are basically those of the former Roadworks Board, which was under official management; and the Roadworks Board was in fact modeled on the Municipal Council of the International Settlement."³⁷ In other words, there was conscious institutional plagiarism. The development of the indigenous tradition is therefore not in itself adequate to explain the rise of modern urban administration. We have also to consider the stimulus provided by European models and ideas.

Western Influences in the Creation of the Shanghai City Council

The history of the municipal institutions of the International Settlement and the French Settlement is a familiar one and need not be recapitulated here.³⁸ The question is to what degree these institutions influenced the Chinese. By the 1880's, the growth of the Chinese city had led to increasing difficulty in meeting such problems as fire hazards, rubbish disposal, traffic circulation on waterways and streets, public order, and the supply of drinking water. Editorials in the newspaper *Shen-pao* indicate that the canals were silting up and choked with filth;

there was little water for washing in, or for fighting the fires that frequently swept through the closely packed houses; the garbage-removal service run by the charities was breaking down; drinking water cost several hundred copper cash a load; traffic was being obstructed—indeed nearly halted—by stalls and protruding shopfronts; and crime was spreading.³⁹ Seen against this background, the achievements of the foreign Municipal Council in the nearby International Settlement were impressive. We may quote the words of a leading article in the *Shen-pao* in 1883:

When strangers first come to Shanghai, wander about the Settlement, and see how clean and broad the streets are, and how thorough the patrol maintained by the police, how regular the marching of the militia when drilling, how close the houses are, like the prongs on a comb or the scales on a fish, and how revenue from taxes is going up, they cannot help asking in delight: "Who has had the power to do this?" We tell them: "The Westerners have established a Municipal Council, which has directors and holds a general meeting every year for discussions. All permanent regulations are debated and resolved upon before being put into effect. The Council sees to the patrolling of the streets by the police, the drilling of the militia, and the cleaning and paving of the roadways; and it levies a tax from the residents to meet the costs. A superintendent is in charge of the police force, in which both Chinese and Westerners are employed. The police are also responsible for collecting taxes. The funds are spent on [useful] matters, and not wasted. This is why those who come to Shanghai all think it a fortunate place, and are unwilling to depart. There are some petty thieves, brigands, and vagrants who try in a small way to practice their tricks, but the police arrest them as soon as they see them, and take them before the Mixed Court, where Chinese and Western officials together examine their guilt. Once a decision has been reached, they are punished. . . . Thus the inhabitants can sleep without worry.

None of this could have been achieved but for the Municipal Council. . . . Ever since Shanghai has had its Municipal Council the narrow and uneven streets have been transformed and improved. A miserable rustic area has become a market to which men of all nations hasten like rivers to the sea, and to which merchants come with no regard for distance. The streets are sprinkled and swept every day. Crooked streets are straightened; bumpy streets are leveled. If there is a fire, the police ring a bell to alert the fire brigade. These days there is also piped water, which makes it possible to pour water onto a fire from a source nearby. It is very effective and convenient. . . . The Council does some things of which public opinion does not approve, but this does not happen often. Its other actions have greatly benefited the locality. . . . If the Chinese area is compared to the Settlement, the difference is no less than that between the sky above and the sea below.⁴⁰

The leader writer did not openly advocate the creation of a comparable council in the Chinese city, but such a thought must have been at the back of his mind. The *Shen-pao* was in favor of provincial parliaments and greater gentry power in local affairs.⁴¹

By the 1880's, an admiration for Western technology was becoming common in Shanghai. In 1884, Li Chung-chüeh, who was later to become General Director of the City Council, almost succeeded in the double venture of setting up a Chinese waterworks and piping purified water into the Chinese city from the Settlement. In 1887, he wrote *A Record of the Customs of Singapore* in which he praised the municipal administration of the British authorities there.⁴² Like many members of the Shanghai gentry, he seems to have conceived of macadamized roads, primary schools, hospitals, piped water, and tramways as natural extensions of the services which it had been the honor and to some extent the profession of the late traditional local elite to provide.

Li is interesting as an embodiment of the combination of Chinese values and Western technology often advocated by Chinese statesmen in the later nineteenth century. He belonged to a generation that could assimilate the externals of European civilization without anguish, because they understood too little of its true nature to feel seriously threatened. His creed was the practical and severely moral Neo-Confucianism that flourished in Shanghai during the 1860's and 1870's, especially at the Lung-men Academy where he studied for ten years. He was a gifted practitioner of traditional medicine, with an interest in combining Chinese and Western therapeutic techniques. As an entrepreneur he won high praise from foreigners for the quality of the modern waterworks he built at Cha-pei. He was a director of banks, shipping firms, and insurance companies, and one of the first Chinese to appreciate the automobile and the telephone. He was also a resolute patriot, and while serving as county magistrate at Sui-ch'i in 1899 he levied forces and led them against the French annexation of Kuang-chou-wan. Li Hung-chang, then Governor-general at Canton, hurriedly removed him from his post, while remarking privately that, with a few more county magistrates of the caliber of Chung-chüeh, China would have no further worries with foreigners. Yet he enjoyed many friendly relationships with Westerners in Shanghai, and in his youth had written leading articles for the Chinese edition of the *North-China Herald*.⁴³

Li's gentry colleagues on the City Council were equally preoccupied with the challenge of the West, while remaining firmly convinced of the value of their own heritage. Ts'ao Hsiang, who was a pioneer in Chinese-English lexicography and the author of a primer on the English lan-

guage, spent much of his life restoring his clan's ancestral temple, publishing its records, and composing pietistic Confucian literature.⁴⁴ Yao Wen-nan wished to "synthesize the system of *The Rituals of the Chou* with the methods of education and personal cultivation used by the Westerners."⁴⁵

Of the merchants on the Council we know less. It seems clear from their activities, though, that they were well acquainted with everyday Western civilization. Su Pen-yen, who came from a gentry family, was an expert on commercial law, the founder of the Chinese Cigarette Company, and a cofounder of the Commercial Press.⁴⁶ Chu Pao-san was a self-made millionaire with interests in banking, shipping, piped water, coal mining, flour milling, textiles, and newspapers. He was the founder of the Silk Thread Manufacturing Company and of the China United Assurance Company, for which he hired a Western manager.⁴⁷ Shen Man-yün was a banker, and the promoter of the Hsin-ch'ang Rice Hulling Company and the Industrial Bank. His initial political sympathies were constitutionalist, but he became a republican early in 1911 and did much to finance the revolution in Shanghai.⁴⁸ Yü Huai-chih had studied at the foreign language school set up in Shanghai by Li Hung-chang, and was a pioneer in the use of improved strains of cotton seed from the United States.⁴⁹ Wang I-t'ing, who is still remembered as a painter, was the comprador of the Japanese Nisshin Steamship Company. He was active in both the first and the second revolutions.⁵⁰ Yao Po-hsin was the founder of the New Theater, and the editor of the *Hsin-wen pao*, "the one profitable newspaper in Shanghai."⁵¹ The experience of successful innovation in a partially Westernized business world must have fostered the self-confidence such men needed when they were faced with the challenge of creating a new political institution.

Direct Western provocations provided a final stimulus. In particular, the councils of the French and the International Settlements built and policed roads in Chinese areas, giving as a pretext the improvement of the amenities. It was these encroachments, according to the *Shanghai Self-Government Gazetteer*, that made the gentry "apprehensive at the growth of foreign power and the loss of sovereignty," and caused them to establish the City Council.⁵² Even afterwards, fear remained a spur. In 1907, Intendant Jui-ch'eng remarked to the Executive Committee: "It will be very difficult to find the money to set up our own electric tram company in the Chinese area, but I am apprehensive that if we do not do it ourselves, things will end with the foreigners interfering." Five years later a Chinese tram company was successfully floated, in order, it was said, "to resist the covetousness of the foreigners," and the *North-*

China Herald complimented the promoters on "the excellence of the work done."⁵³ Chinese pride was also hurt by derisive foreign comments on the filthy state of the Chinese city.⁵⁴ Modernization became the price of self-respect.

The Structure of the Shanghai City Council

The new Council was set up late in 1905 on the initiative of Li Chung-chüeh, then Deputy Director of the Kiangnan Arsenal just south of the city, and Yüan Shu-hsün, the Shanghai intendant. Yüan authorized "directors publicly selected by the local gentry and merchants" to manage "all matters connected with main roads, electric lighting, and police in the city and its suburbs."⁵⁵ Permission was also granted for the Council to collect special taxes and to run its own police court: and in the following year a number of merchant militia forces were organized under Council leaders.⁵⁶

There followed four years of vigorous growth. The Council enjoyed the general approval of the higher authorities (though they sometimes thought it too powerful),⁵⁷ without having any well-defined place in the Chinese polity. This experimental phase formally ended in 1909. The Council, and a number of other embryonic municipal institutions in various parts of China,⁵⁸ became subject to the new *Regulations for the Local Self-Government of Cities, Towns and Rural Communities*. Apart from a widening of the franchise, these regulations had no immediate practical effect on the city of Shanghai. They did give rise to new self-government bodies in the surrounding townships and country areas.

With the introduction of provincial assemblies in the same year, the Shanghai Council became part of a short-lived national system of gentry democracy, the creation of the partially modernized late traditional urban elite. In alliance with other forces, it was strong enough in 1911 to undermine the Ch'ing government in central and southern China, but it proved too weak to replace the old imperial bureaucracy. As the alliance of gentry, merchants, and revolutionaries that had sustained the revolution subsequently fell apart, it was succeeded by the increasingly militarized presidential rule of Yüan Shih-k'ai, a former imperial official with no commitment to democracy. Among Yüan's first victims were the erstwhile victors of 1911; and the Shanghai City Council was disbanded early in 1914.⁵⁹

These events had little direct bearing on the internal organization of the Council, which remained fairly constant throughout its lifetime. The only changes worth mentioning are those that affected its sphere of operations after the revolution. It lost its court and its police force at this time; but acquired responsibility for primary education and for the

supervision of the newly formed Association of Charities. In no other respect is there a need to make distinctions between subperiods, and the following analysis therefore ignores the numerous changes in the names of officeholders and departments that were unaccompanied by any changes in function.

The Shanghai City Council may well have been the first Chinese institution of any kind in which the making of policy was formally separated from its execution. Policy was made by a Consultative Assembly (*I-shih hui*) of 33 consulting directors (*i-tung*), and carried out by an executive committee (*ts'an-shih hui* or *tung-shih hui*), the core of which consisted of five managing general directors (*pan-shih tsung-tung*), or simply directors (*tung-shih*).⁶⁰ The relationship between the two was summed up in the Council's regulations. First, "The affairs the Council has to undertake shall be discussed and resolved upon by the consulting directors, and then carried out by the managing general directors." Second, "The Executive Committee ought carefully to observe the limits of its powers in matters not resolved upon by the Consultative Assembly. It does not have the power to initiate on its own and without authorization."⁶¹ More particularly, the Assembly had the power to determine the annual budget, and require the Executive Committee to answer its questions. It could also review the judgments of the Council's court.⁶²

There were two exceptions to the general rule that the Consultative Assembly was the supreme authority regarding matters delegated to it by the national government. The Executive Committee did not need the Assembly's approval to carry out minor tasks assigned by regular officials, though in practice they clearly preferred to have it. They might also delay the implementation of any Assembly resolution that seemed impracticable or beyond their legal powers. This was done by referring such a resolution to the Assembly for further discussion; and in the case of a matter thought to exceed their authority, the Committee might also appeal to higher-level assemblies.⁶³ In fact, however, since the Assembly elected the directors, there were few serious differences of opinion between the two bodies.⁶⁴

Proposals for debate in the Assembly might be put forward by the Executive Committee, by members of the Assembly, or by members of the public who had the sponsorship of at least two members of the Assembly.⁶⁵ After 1909, the discussions were open to limited segments of the public.⁶⁶ Argument seems to have been vigorous, at least if the reports in the press may be taken as a guide.⁶⁷ Each item was given three "readings," and decided upon by majority vote.⁶⁸

Resolutions that had been approved, and the annual budget, were

passed on to the Executive Committee. The composition of this latter body fluctuated considerably; at the period of its fullest development it consisted of four salaried directors and twelve honorary directors (*ming-yü tung-shih*) elected by the Assembly. The divisional directors (*ch'ü-chang*, *ch'ü-tung*) of the South, West and Central divisions of the city, or their deputies, were entitled to attend the monthly meetings, but might vote only on matters that exclusively concerned their own divisions.⁶⁹ In general terms, the system may be described as a form of collective leadership under the chairmanship of the leading director.* The Committee resolved questions put before it by majority vote. Once decisions had been made, a member who opposed them anywhere except at Committee meetings could be punished. Minutes were kept of all proceedings, and members were regarded as having equal responsibility for any course of action adopted, regardless of whether or not they had been present in person at the time.⁷⁰

Beneath the Executive Committee, and subject to its orders, was a bureaucratic apparatus. By 1912 it comprised ten departments (*k'o*) charged with the following responsibilities: the documents of the Executive Committee, the documents of the Assembly, the Council's accounts, the collection of its taxes, the provision of general services, the organization of public works, the care of public health (including the cleaning of the streets), primary education, "household registration" (or, more accurately, electoral surveys), and the registration of the boat population that lived and worked on the city's waterways. These departments were staffed by executive officers (*pan-shih yüan*); and each of them, except the last, was headed by a person commonly referred to as the department administrator (*k'o-chang*). He had a varying number of managerial assistants (*chu-li yüan*) as his subordinates. Before 1909, appointments to the senior posts were made by the Executive Committee, subject to the approval of the Assembly. Thereafter, they were in the gift of the general director. Department administrators may possibly have selected their own assistants.⁷¹

The bureaucracy also included three branch administrative bureaus (*fen-pan ch'ü*), in the South, West, and Central divisions, under the three divisional directors. There was no separate divisional administration for the East division, since the main Council buildings were located there. Before 1912, there was a judicial office (*Ts'ai-p'an so*), or court, presided over by two judicial officials (*ts'ai-p'an kuan*), and a police force for the Chinese suburbs outside the old walled city, under a police

* Usually styled the General Director (*tsung-tung*).

administrator (*ching-wu chang*). All of these officials were elected by the Consultative Assembly.⁷²

The divisional administrations handled the collection of local taxes, the cleaning and lighting of the streets, and the maintenance of order, subject to the general supervision of the central authorities. In particular, their rota officers (*tang-chih yüan*), or police case officers (*ching-fa li-shih yüan*), carried out the preliminary examination of suspects brought in by the police. If they thought a charge unjustified they might dismiss the accused; if they thought it justified, but of no great importance, they might impose a small fine. Serious cases were passed on to the court, which also maintained its own rota officers for the same service in the East division.⁷³

The divisions also disposed of the services of a number of assistant officers (*tsan-chu yüan*). These were distinguished local residents who served without pay on a semipermanent basis. In theory they were meant to have a dual status, being assigned both to a particular executive department in which their special skills would be most useful, and to the division in which they lived. They were supposed to attend regular meetings of two types: one with their departmental colleagues, and one with their divisional colleagues. This does not seem to have been strictly adhered to in practice; the divisional tie seems on the whole to have been stronger than the departmental. The post was an important one: many of the leading gentry and businessmen who held it were later elected to the Assembly. The assistant officers' most important function was probably, as the regulations stated, "to establish a rapport between the locality and the various sectors of the Council" by keeping the latter in touch with public opinion.⁷⁴

At the bottom of the municipal administration were the tax collectors, police, road sweepers and lamplighters, and also a number of agents and workmen hired and controlled by contractors (*ch'eng-pan jen*) and foremen (*fu-t'ou*). Generally speaking, contracting was used for intermittent work like road-building,* for matters concerning the intractable boat population, and for services, such as night-soil collection, where the profits to be made enabled the Council to charge the contractor a monthly fee in return for guaranteeing him a monopoly. There was an additional advantage: if a contractor made himself unpopular, the odium did not fall directly on the Council, which could, and often did, replace him.⁷⁵

* A limited number of long-term workers (*ch'ang-kung*) and short-term workers (*tuan-kung*) were directly hired by the Council for the repair of roads, drains and buildings.

It was at this lowest level, as with most large Chinese organizations,⁷⁶ that the problem of systematic control was most difficult. It was tackled in a variety of ways: The actions of the taxation assistants (*chiüan-wu pan-li yüan*), who assessed and collected the locality tax and vehicle tax, were checked on through a system of forms and registers. These effectively prevented them from defrauding the Council, though offering only a limited protection against unauthorized additional charges on the public.⁷⁷ To their credit, though, they were never accused of such malpractices. This is in marked contrast to the almost continual complaints raised against the collectors (*shou-chüan jen*) employed by the merchants who had contracted for the boat tax and related levies. Extortion was made almost inevitable by the manner in which the Council auctioned to the highest bidder the right to collect these taxes,* and its reluctance to become involved in any disputes between contractors' agents and aggrieved boatmen.⁷⁸

The road cleaners (*ch'ing-tao fu*) and lamplighters (*teng fu*) were directly employed by the Council, and control over them was exercised in the first instance by foremen; but the city authorities were at pains to avoid giving these intermediaries the degree of independence they enjoyed in most Chinese industries at this time.⁷⁹ Wages were paid directly to the workmen; and their efforts were inspected by divisional officials, who recorded appropriate comments in a diligence register (*k'o-ch'in pu*), inflicted fines upon the dilatory, and rewarded those who consistently did well.⁸⁰

When workmen were not directly employed by the Council, there were often abuses. In 1910, for example, the Council felt obliged to issue the following proclamation to the foremen with whom it contracted for the removal of the city's rubbish by boat to a dumping ground some way up the Huang-p'u river:

The Council's rubbish boats were previously told to deposit their loads . . . at Lung-hua point. . . . They have long since become careless, and often . . . dump them in the middle of the Huang-p'u river, or on the banks of the creeks; or else leave them in the P'u-tung area on the pretext of "manuring the fields." People who have seen this have laid complaints against them on several occasions. . . . The foremen who are in charge of rubbish disposal all scheme to profit themselves by cutting wages, and so hire workmen of this lazy and thievish character, making no attempt whatever to discipline them. . . . If they have the audacity to continue to act in the old corrupt way, . . . we shall confiscate the boats concerned in order to provide a warning to others.⁸¹

* The object of this procedure was "to prevent the privileges being solicited on behalf of friends of the directors."

This use of a proclamation by the Council to control those who were, at one remove, its servants shows the extent of the gulf created by contracting.

The police force presented a special problem. This was partly the consequence of a tainted past history; the constables inherited by the Council from the Roadworks Board had a notoriously bad record, and the Water Patrol (*Shui-hsün*) was in the hands of the boss of the city's underworld. The Council struggled hard to introduce satisfactory standards of honesty and efficiency. They disbanded the Water Patrol altogether between 1905 and 1910; they set up a Police Academy (*Ching-wu hsüeh-t'ang*); they insisted that every new recruit be personally guaranteed by a member of the gentry or by a merchant; and they attempted to ensure good performance by means of a schedule of rewards and fines. Even so, corruption proved hard to eradicate; and in the early years substantial numbers of policemen had to be dismissed.⁸²

The Council were fortunate in being able to call on a merchant militia as a reserve force. The members of this municipal army were young employees in local businesses. They were so obviously respectable that the imperial authorities allowed them to carry firearms. The initial nucleus was the 350-man Association of Merchant Militia (*Shang-t'uan kung-hui*) founded in 1906 by Li Chung-chüeh and Tseng Chu, one of Li's colleagues on the Executive Committee and president of the Chinese General Chamber of Commerce. Their immediate objective was to suppress the disorders threatened upon closure of the city's opium dens. The Association consisted of five bodies of militia created earlier the same year, all of them under the command of one or more members of the Council. Besides meeting the opium-den crisis successfully, it preserved order in Shanghai on a number of occasions when the county government found its powers inadequate, most notably during the rent agitation in the winter of 1910 and the rice riots of September 1911.⁸³ In the months before the revolution, the mounting national political crisis led to the rapid expansion of the Association under the leadership of members of the Council such as Wang I-t'ing and Shen Man-yün, both of whom had strong republican sympathies and personal contacts with the chief revolutionaries in the city. In November the merchant militia played the crucial role in the fall of the local imperial administration.⁸⁴

The internal structure of the various merchant militia forces is obscure. Their regulations show them, formally at least, to have been democratic. They elected their leaders and officers, and decided policy at mass meetings of members.⁸⁵ The Council occasionally made use of them to carry

out functions not directly related to their work as militia. Once, for example, it had them organize a public meeting to pronounce on a local problem.⁸⁶

The City Council did not supersede the older existing system of local control by wardens (*ti-pao*), warders (*ti-chia*),* district directors (*t'u-tung*), and sector directors (*tuan-tung*), all of whom were answerable to the county magistrate. Rather, it assumed joint control over the system with the magistrate. Warders and district directors often reported both to the county magistrate and to the Council; and the Council issued orders to them either on its own account or on the instructions of the county magistrate.⁸⁷

The late traditional system thus incorporated into the Council was based on a combination of two sharply contrasting classes of person: directors from the gentry class and agents of a relatively lowly social status. In this it resembled the rural compact boards (*hsiang-yüeh chü*) of nearby Wu-hsi and Chin-hua—bodies with many of the powers of local government, in which rural compact leaders (*hsang-yüeh chang*) were subordinated to directors of rounds (*shan-tung*).⁸⁸ The Shanghai district and sector directors seem to have controlled the wardens and warders less closely, but they certainly worked with them and supervised them. After 1909, they had to stand as guarantors for the probity of new appointees. It was customary for directors and agents to hold joint meetings from time to time.⁸⁹

The reason for the low status of the wardens and warders was that, unlike the police constables, they were held personally responsible for the good order of the districts to which they were assigned. They could be severely beaten or otherwise punished if they failed in this respect. The attraction of the post, which had to be bought for a substantial sum of money, was the opportunity it gave to become rich through a variety of illegal means, especially by collusion with dishonest real estate agents. Even after a modern police force had been created, the wardens and warders were indispensable. No one else could certify the ownership of land being bought and sold, guarantee the truth of statements made to the authorities by residents and businessmen, and supply other such kinds of information that needed a lifetime's familiarity with an area and the city's dialect to acquire. The Council therefore retained them after the revolution under the more dignified title of Household Registration Police (*hu-chi ching-ch'a*).⁹⁰

The district and sector directors were notables whose accepted func-

* Wardens operated in rural areas, warders in urban ones. There was no difference in functions. See SHSTCC, Docs section C, pp. 71b, 83a.

tion it was to speak for public opinion, to help organize public works such as dredging and the repair of temples, and to urge citizens to pay their taxes promptly. The sector directors appear to have begun as the staff of the Militia Defense Board (*T'uan-fang chü*) set up in 1862. They were eminent people, appointed by the authorities, but not necessarily holders of titles or degrees. The branch boards in the walled city and its suburbs were disbanded in 1905 and 1906; but the incumbent directors retained their titles and at least some of their duties in the years that followed.⁹¹

This description of the complex structure of the City Council needs to be completed by a brief account of two partially autonomous bodies with which it was closely connected: the Amalgamated Firefighting Association (*Chiu-huo lien-ho hui*) and the Association of Charities (*Tz'u-shan t'uan*). The Firefighting Association was formed by Li Chung-chüeh in 1907 out of the thirty-odd existing fire brigades; it was largely financed by Mao Tzu-chien, who later became the director of the Council's Central division.⁹² Other members of the Council also belonged to the Firefighting Association, and the Association's building housed the Central division offices. The Association of Charities was founded in 1912. It was a federation of existing institutions and two new foundations under the control of a manager (*ching-li*), and other officers, appointed by the Council's Executive Committee. Its budget had to be submitted to the Assembly. Otherwise it enjoyed freedom of action within the compass of rules laid down by the Assembly. There were six departments, which dealt respectively with (1) the issuing of relief to a restricted number of widows, old people, and orphans, (2) the burial of abandoned corpses, and the distribution of free coffins, (3) the care of infants, (4) the lodging of orphans and old people unable to care for themselves, (5) training the unemployed for a trade, and (6) the operation of a workhouse for widows.⁹³

Such was the provision made for the needs of an urban population of nearly a quarter of a million people.

The Impact of the City Council on Life in Shanghai

There were precedents in earlier times for most of the policies of the new municipal administration, but taken together they marked a perceptible advance upon the past. A determined attempt was made to provide for welfare and primary education. There was a vigorous program, characterized by an extensive use of regulatory law, to improve the physical environment, to modernize customs and ways of thought, and to create a society that was healthier, safer, more efficient, and more

humane. For some of its spiritual resources this campaign drew on the centuries-old mission of the Confucian scholar to eradicate evil ways among the common people, and on the traditional assumption that in a time of disaster it was the government's duty to provide relief. From the West it took the content of many specific undertakings, and also the general ideal of economic and social progress. One by-product of this was a spate of new local laws. The Shanghai public disliked the Council's police for what the Council described as their "philosophy of interference" (*kan-she chu-i*).⁹⁴ The phrase might not inaptly be extended to the Council's work as a whole.

The Council's Highway Code, the first in China, is a good illustration of its attack on the easygoing ways of the past. It laid down that vehicles were to keep to the lefthand side of the road, to slow down at bridges and crossroads, and to turn left or right only after having given the prescribed hand signals. Heavily loaded carts had to travel at a walking pace. Those who left their vehicles unattended or blocking a roadway and those who indulged in racing were liable to a fine. Cars, horse-drawn vehicles, rickshas, carts, and barrows had to meet defined standards of roadworthiness, and be equipped with lights for travel after dark. Bicycles had to have bells and lights, and the rider might be fined or have his machine confiscated if he hurt people or did damage to property. For the morning rush hour there was a rudimentary system of one-way streets. Pigs might not be driven along the roads except at certain times of day; nor might cows or horses be left unattended. Further regulations covered the siting of shop counters and railings, the placing of shop signs and roadside stalls, and limited the amount of merchandise that might be piled up in the streets.⁹⁵

Public health laws forbade food shops to sell rotten meat or meat from animals or poultry that had died of disease. Establishments selling smoked meats, breads, warmed wine, or snacks were not permitted to offer wares prepared on the previous day; and comestibles had to be covered with gauze as a protection against insects. Selling watermelon by the slice was discouraged but, if this was "unavoidable," each slice had to be wrapped in paper. Ice creams, iced lemonade and flavored ices were banned, not only because cold things are injurious to the (Chinese) stomach, but also because these products were made with unboiled, and therefore probably unhealthy, water. Other suspect foods were examined by the Council's Public Health Food Analysis Office (*Shih-wu wei-sheng hua-yen so*). Uncovered kerosene lamps were not allowed in food stores or food stalls lest the lampblack enter customers' throats or digestive systems. Coffins, dead animals, bricks, tiles, or other

rubbish might not be left in waterways or on public roads. Urinating or defecating in the streets was forbidden. Ordure carriers had to fit their tubs with lids; and the clothes of those who had died might not be burned on the pavements.⁹⁶

It was illegal to carry a gun, a knife, or any other lethal weapon. Kerosene warehouses were restricted to the P'u-tung area across the Huang-p'u river. In order to prevent the repetition of a disastrous fire that had started in a kerosene store, retailers were not allowed to have more than fifteen containers of the fuel on their premises at any one time. People were not permitted to light fires in densely populated areas; shop signs could not be put up near uninsulated electric wires, because of the fire hazard; and the traditional wooden drainage boards were supposed to be removed from all roofs and replaced by lead guttering and drain-pipes, in order to retard the spread of fire. Kite-flying was forbidden because the strings might catch in overhead wires. Municipal engineers were meant to inspect factory boilers to make sure that they were safe.⁹⁷

Builders had to obtain a permit for any major construction work. This was to make sure that they complied with the lines laid down by the Council for the fronts of buildings in such a way that the streets would gradually be widened as houses and shops were replaced. Advertisements, plays, films, and musical recitals were subjected to censorship. Proclamations forbade gambling, worshipping traditional Taoist and Buddhist deities, sailing "dragon-boats," acting as a spirit-medium, or playing children's games in which there was an element of gambling. Men and women might not sit together in teahouses, cinemas, or theaters. Transvestism was banned, and sometimes punished by strangling. It was illegal to operate "nightflower gardens," sell dirty books or dirty pictures, sing obscene songs, flirt with women in public, or make noise late at night.⁹⁸

"Nothing but paper regulations" (*chü wen*) might be the unimpressed Chinese reaction to the foregoing. The 1,700 cases a year handled by the Council's court, and the steady flow of rota bureau fines, would suggest that this was not altogether so.⁹⁹ The effective suppression of the opium dens in 1907 also shows that the police, if supported, were capable of accomplishing reforms in the face of considerable popular resistance.¹⁰⁰

The goal was a municipal welfare state. Since the Council believed that education was of "the first importance" for the development of society, they charged no fees at all at five of their twenty-three primary schools, and fees far below cost at the others. They ran night schools and literacy classes for adults.¹⁰¹ They started, though they could not

long maintain, a hospital in which patients paid only for their board and lodging or, if really poor, were admitted free.¹⁰² In 1912, when they founded a new institution for crippled beggars and other unfortunates, they observed: "In the age of the Great Concord (*ta-t'ung chih shih*) it is certain that the old will complete their allotted span of years, and that the mature will have the means to grow to their full strength. The widowers, the widows, the lame, and the ailing will all be cared for by someone. In its own modest way, the establishment of the Hall of Widespread Care pursues this ideal."¹⁰³ When the price of rice in the city rose as the result of a genuine scarcity, they imported rice from other parts of China, or from abroad, for sale at a reduced price (*p'ing-t'iao*). When the price rose because the local merchants were hoarding supplies, they used the technique of price stabilization (*p'ing-chia*) invented by Tseng Chu: selling imported grain at a price that was continually lowered so as to undercut the market price by a given margin until the latter could be made to fall no further.¹⁰⁴

Between late 1905 and early 1914 the Council spent more than half a million *yüan*, or the equivalent of £60,000 at 1906 rates of exchange, on roads, bridges, sewers, and staithing.¹⁰⁵ Their most spectacular achievement was demolishing the city walls, which had choked the economic life of the central area by constricting the circulation of traffic, and building a magnificent circular boulevard, equipped with a tramway, in their place. They subsidized the formation of an electric light company under the direction of a member of the Assembly; they rescued and expanded the failing Shanghai Inland Mains Water Company; and they promoted a successful tram company, which was also managed by a member of the Council.¹⁰⁶ By 1914 they had earned the grudging tribute from the *North-China Herald* that "progress has been made to some extent in roads and, more notably, in the formation of companies for light and waterworks, [and] tramways."¹⁰⁷

The influence of the modern West was apparent in almost every aspect of the Council's work, from the bridges built of steel frames and concrete to the enthusiasm for physical education, gardening, commercial studies and limited student self-government in the schools.¹⁰⁸ Perhaps the most important effect of all was in the court, where the "weight of the evidence" was adopted as the basis for verdicts. This was a change of pivotal significance. Confession was no longer essential for a verdict of guilty, and so it became possible to do away with torture and to conduct trials in a manner consonant with human dignity.¹⁰⁹ There was a strong current of opinion in Shanghai favoring legal reform, and the first jury trial in China was conducted on the Council's premises early in 1912.

It was not enough of a success to be repeated, but it shows the temper of the times.¹¹⁰

In 1912 and 1913 the prospects of social progress in Shanghai gradually darkened. The increase in crime that followed the 1911 revolution, the rise to power of underworld leaders connected with that revolution, the destruction of much of southern Shanghai in the fighting of 1913 with the consequent loss of about a third of the municipal revenue, the reign of terror and demoralization that followed the victory of Yüan Shih-k'ai and the influx of his agents into the city, the forcible disbanding of the Merchant Militia, and then of the Council itself, brought to an end eight and a half years' effort to realize what the Council's leaders had called "the way of humanitarianism."¹¹¹

Conclusions

The Shanghai City Council was an impressive attempt by a still cohesive and self-confident traditional Chinese social order to adapt itself to modern Western ideals of democracy and of organizational and technological efficiency. There were no particular technological problems—any more than for Chinese industries in the city—presumably because of the existence of a pool of skilled labor trained in local Western factories and in repair shops handling Western machinery. Democracy, at least of the limited type whose franchise included, at its broadest, only about one adult male in four, and no women, seems to have come with equal ease. Clearly it had solid roots in Chinese tradition. Most surprising, perhaps, is the absence of corruption. Even its worst enemies never accused the Shanghai City Council of being corrupt. Possibly this was because affairs were transacted in committee, the Assembly could call for documents and question members of the executive, and Assembly proceedings were open to the press. Yet this must have been true of most other self-government bodies, and many of them were denounced as corrupt.¹¹² It should be noted that some of these denunciations are doubtful. Yamen clerks of the old variety hated self-government, and rural bullies sometimes tried to exploit popular resentment of such typical self-government policies as the conversion of temples to primary schools.¹¹³ Shanghai's unusually good record, however, still awaits explanation.

Reflection on the foregoing material leads us to question many commonly accepted notions about Chinese history in the early years of this century. Change was necessary and inevitable; but if the late traditional elite was generally capable of the creative energy it showed in Shanghai, then the revolution, which led to the rapid breakdown of the frame-

work for peaceful change, was a disaster. It is not unreasonable to speculate that, if the Imperial Court in 1910 and 1911 had possessed one or two politicians with either the intelligence or the flexibility to have conciliated the constitutional movement, not only might there have been no overt revolution, but a new political order, of which the municipal council studied in this paper may stand as an exemplar, might have had the time to establish foundations that could not have been so easily swept away.