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## Administering the City, Policing Commerce

Peter J. Carroll

In June 1906, writing from the Jiangsu provincial capital Suzhou,<sup>1</sup> the recently installed governor Chen Kuilong reported to the Court on the current state of modern policing in the city, i.e., within the city wall. He noted that three years had elapsed since Suzhou had initiated an *intra muros* police force (*jingcha, xunjing*) in response to the late 1902 imperial edict that had prescribed the creation of police in provincial capital cities throughout the empire according to the Japanese and European-derived model established in the Zhili province by viceroy Yuan Shikai. Despite the passage of time and some progress, Governor Chen frankly admitted that the force still exhibited a variety of shortcomings. Many of the new Japanese-style sentry-boxes marking city streets were not in order. Badges and insignia were in short supply. Some individual constables failed to meet minimum standards for physical condition. These problems, while troubling since they detracted from the majesty and readiness of the force, were largely attributable to dearth of funds, the signal problem that plagued the development of police systems and the myriad other reform initiatives undertaken during the New Policies Period (1901-1911).<sup>2</sup>

There was, unfortunately, also a more general substantive failing: cumulative problems were such that the police, 'an institution intended to protect the people had, instead, ended up aggravating them'. Chen explained that this predicament was partly due to lack of discipline within the force; the commanders were not sufficiently familiar with their constables and thus failed to quell abuses. On a similar note, he suggested that the problematic relations between Suzhou's people and its police essentially stemmed from misunderstanding: 'since the police and people are not familiar with one another ... when the people have a pressing problem, the police do not understand' (Chen 1912: juan 7, 4b-5a. GX32. run4.16/7 June 1906).<sup>3</sup>

Governor Chen's paternalistic assumption that the interests and reform policies of the state bureaucracy and its new administrative arm, the police, were coeval with those of 'the people', an undifferentiated but, in the light of recent troubles, hardly inert mass, clearly deserves some interrogation. On the one hand, there was likely much truth to Chen's contention that three years was, as yet, an insufficient span of time for Suzhou's 'people' and their new guardians, the police, to become accustomed to one another. The speed and ambition of the state's promotion of the police as an instrument of social control gave both the constables and the public little time to establish a comfortable *modus vivendi*. Since its inception, the nascent police system had enforced an ever-changing array of novel regulations regarding street circulation and sanitation, the conduct of commerce, the licensing and taxing of brothels, teahouses, theatres, and all other commercial properties, and assorted other matters. Indeed, in addition to these duties and core functions such as apprehending suspected malefactors, settling disputes and patrolling streets, Suzhou late Qing police were also responsible for the maintenance of population registers, repairs to the city's one macadam carriage-road, the inspection and licensing of buildings, the administration of a workhouse for homeless indigents and other poor-relief activities, enforcement of hygienic standards regarding food and public toilets, and censorship. Dressed in neat blue European-style tunics, wearing the regulation straw hat for government office runners, carrying a nightstick and sporting a belt buckle with 'Good Luck' inscribed in English, the force was unusual in appearance and training ('Soochow: In line; the police'). Furthermore, by 1906, the police, originally numbering 423 in 1903, had increased to 700 men, who were divided among 12 stations located throughout the city. (By 1910, one year before the Xinhai Revolution which ended Qing rule, the force had grown to 1,189 men, who patrolled a population of several hundred thousand people.) On account of its size, functions and scattered deployment, the force projected a ubiquity unprecedented for imperial state agents in the city.

The large and growing numbers of police and their increasing intervention in quotidian matters, especially around the use of streets and other public space for commerce, somewhat belied Chen's claim that the populace's resentment of them was due to lack of familiarity. If anything, it seems that mutual misunderstanding between

Suzhou residents and the city police was based not on lack of contact, but on just the opposite. The population and the state officials were sufficiently familiar with the police and their actions, to the point of being variously dissatisfied and distrustful of their character and capacity to both shape and safeguard a nascent urban order.

The shifting arrangements for urban security provide another index to the fraught relationship between the business community and local authorities over control of the city. This essay focuses on merchant concerns regarding the inadequacy of police protection for commercial needs, the deleterious effect of state security on economic life and shop owners' demands for better treatment. The vexed relationship between the forces of order and those of economy also highlights a growing division between elite merchants, the intended beneficiaries of many urban reforms, and low status business people, such as street vendors and food mongers, who found themselves and their commerce targeted by new policing regulations.

The public currency and significance of the business community's concerns regarding policing were evident in actions such as the 1906 creation of a police advisory guild (*Susheng jingwu gonghui*), composed of leading merchants, under the aegis of the local self-government movement. The group was intended to ensure that the nascent police force responded to business concerns regarding security and that its actions facilitated economic exchange and development (Zhang H. 1999: 165). The police, for their part, also in 1906, initiated regular two-hour bi-monthly meetings with merchants and gentry at the city's Xuanmiao guan Daoist Temple to assess the effect of policing on business and other broad 'public' concerns (Zhang K. et al. 1991: 701. GX32.7/Sept.-Oct. 1906). The dominance by businessmen of the ranks of a police advisory body and the alacrity with which the police liaised with the merchant community may seem relatively unremarkable, yet both actions attest to the central roles that the two groups played in realizing a broadly shared vision of economically vibrant, urbanist modern development.

At the same time, the degree and constancy of dissatisfaction with urban policing and safety on the part of businessmen and other civil groups bespoke the existence of many tensions among state and civil authorities over the explicit development, aim and control of the police. In particular, during the late Qing and early Republic,

Suzhou businessmen critiqued current forces as inadequate and as often acting against what local merchants saw as urban policing's *raison d'être*, facilitating and fostering commerce. Confrontations over the methods and aims of urban security thus reveal a more general contest between state and business institutions for control over the direction of economic and political power.

To paraphrase Frederic Wakeman, the creation of policing systems represented a fundamental increase in both the Qing state's ambition and its capacity to intervene in the lives of its people—though the former often outstripped the latter (Wakeman 1991; Wakeman 1995). To centralizing-minded officials, the police were a force whereby social order and public service functions were safely within the hands of professionally trained state agents (as opposed to the military forces previously responsible for urban policing). Thus the police offered a system for effectively combating the creeping influence and stridence of networks of business and gentry elites who increasingly sought an active role in provincial and local affairs despite the wholesale lack of representative government.<sup>4</sup>

In Shanghai, where police in the Chinese-administered portion of the city were partly under merchant control, the police provided business interests with a mechanism for achieving a rare degree of autonomy in local governance, though these functions remained under the steady and sometimes intrusive 'supervision' of Qing officialdom. In Suzhou, the police force was firmly controlled by the provincial and county officials seated within the city, though the unusually activist local Chamber of Commerce and other business groups prominently negotiated with the authorities to influence the use and function of the police, especially regarding the regulation of streets as arteries of transport and prime sites of commerce. Indeed, a good deal of the conflict arising from the development and function of police regulation in Suzhou may have stemmed from the fact that the city's business community had coalesced into several powerful groups: the Chamber of Commerce (founded in 1905), the Citizen's Communes (an association of city planning/street improvement groups, founded in 1908) and the Chamber of Commerce's own militia, the *shangtuan* (founded in 1907, reorganized in 1912). All of these actively supported and remonstrated with police officials in defense of ostensibly collective (yet often nakedly partisan) commercial or greater civic interests.

## The Advent of Modern Policing

The promotion of foreign models of modern policing was part of an increasing late nineteenth- and early twentieth-century turn by maverick state officials, industrial entrepreneurs and political-economic writers to focus on urban structure and reform as a means to stimulate economic expansion and to order society for advantage in the Social Darwinist military, economic and political competition against imperialist powers. Indeed, modern police, with their multiple administrative duties, were *de facto* municipal governments and their establishment marks an important shift from urban county-level government and institutions to municipal ones. Given that late Qing police in Suzhou and other cities emphasized increased circulation of goods and the improvement of roads for the purpose of industrial and greater economic development as one of their prime functions, the police represented a decided urbanist reorientation in the state's vision of ideal political-economic structure. From the initial 1902 blueprint regulations promulgated by the Court and the later national and local emendations, it is clear that the police were an intensely urban organization in several senses. Unsurprisingly, during the Qing, police systems were initially deployed in Beijing, provincial capitals and main trading cities, where population size and strategic importance made the need to resolve the plethora of social ills particularly acute. Officials hoped that the improvements in capital and key commercial cities would provide successful models of new techniques of social control and organization that would then be emulated in other cities and the countryside. As Qing commentators glumly noted, this incremental deployment and consequent reliance on symbolism was mainly due to financial strictures. Yet, there was also a logical imperative propelling this method of developing policing: as conceptualized by leading reformist officials, the police were an expressly urban force — and not merely by virtue of their location. They were deployed not so much to maintain urban social order as to change it through the reordering of urban space for the combined purposes of local, provincial and greater imperial political-economic development. As such, the police were conceived as a disciplinary instrument whose primary functions included instructing the population in the correct uses and ordering of the cityscape.

Before the advent of modern 'police', anti-crime and civil-order patrols in Suzhou had been carried out by an amalgam of professional forces: (1) a small official constabulary run along military lines; (2) army soldiers, who guarded and collected internal transit taxes (*lijin*) on goods at the 6 city gates and 17 canal-based tax stations, and who, along with the several units stationed outside the city, provided a defense and emergency public order force; and (3) a state *baojia* bureau, which ostensibly administered the Qing system of mutual supervision groups — which, by the late nineteenth century, had fallen into desuetude in Suzhou if not in most other cities — but was actually dedicated to sponsoring urban patrols of army forces. Even as they supported the creation of police, earnest officials continued to emphasize, right until the end of the dynasty, the reinvigoration of *baojia* as something of a political ideal.<sup>5</sup> According to the basic Qing system, ten family units were grouped together as a *pai* unit and made responsible for mutual supervision. Ten of these *pai* groupings (i.e., 100 families) were joined together to constitute a *jia*, with ten *jia* combined to make a *bao* of 1,000 families. Misconduct or disputes within each grouping were to be reported to leaders, chosen from among the heads of member households, who would either settle the conflict or report it to the head of the next higher administrative level. At the end of each month, each *bao* head was required to submit a guarantee to the authorities that all male members of the group were acting properly. Ideally, the population would thus be self-policing with only the most intractable, violent, or criminal infractions or disputes coming to the attention of authorities.

Qing officials themselves had found this ideal impractical and reorganized the state's *baojia* apparatus to supply a professional patrol force; unfortunately, by the late 1890s, the population in Suzhou and many other parts of Jiangsu found this and all other state arrangements for public security woefully inadequate. As newspapers and other contemporary writings attest, late nineteenth- and early twentieth-century Jiangsu, and Suzhou in particular, was mired in a crisis of lawlessness due to marked increases in banditry and violence. For example, describing the scene in 1896, the Shanghai daily *Shenbao* commented, 'The hoodlums in Suzhou city including "female hooligans, heretofore unknown" [*sic*] exceed those of other places. The gangs are legion, and they are shamelessly bold' ('Heshi shuangge/Crane market divided by frost'); ('Wuyuan qiusheng/

Suzhou gardens autumn voices'). This predicament was popularly attributed to the corruption and collapse of the state's capacity to project coercive force. While the actual dimensions of social violence are difficult, if not impossible, to gauge, the sense of crisis and resultant anxiety, being immediately palpable in contemporary commentary, are not. It may be that this increase in violence was such that it overwhelmed the capacity of relatively well functioning but limited mechanisms of public order. Nonetheless, the inadequacy of state measures to order society was widely perceived as resulting from a vacuum in state power. Discredited by the recent, ignominious 1895 defeat by Japan, military forces were described as being ineffective guardians of national defense or domestic social order. In fact, demobilized soldiers turned to banditry and active soldiers operating from army encampments were popularly identified as the source of much of the current outbreak of violence and theft. As for *baojia* as organized by contemporary provincial bureaux, as one editorial in *Shenbao* succinctly put it, 'it exists in name only'. (E.g., 'Zhao yong buruo lianbing shuo/Raising braves not equal to drilling troops'; 'Lun Zhongguo yingyong bu zushi/On the undependability of Chinese banner troops'; 'Lun jinri daofei zhi duo/On the recent numbers of bandits'; 'Yu ke lun baojia tuanlian/Discussing *baojia* and militia').

Boding ill for urban policing reform, contemporary analysts attributed the crisis of violence and crime, in part at least, to state attempts to improve security. During the latter 1890s, old-style banner troops were often disbanded in the interest of military reform. Yet, even troops recently trained in foreign methods at great expense were on occasion demobilized out of concern for economy. As a result, the equation between soldiers and disorder was not limited to impoverished retrograde military units, but could, in light of contemporary experience, be applied to modernized forces as well. During these years, mass demobilization of soldiers produced sporadic uprisings, such as the 6,000-strong rebellion outside Shanghai in May 1897, as well as a swell in banditry throughout Jiangnan (Cunningham 1899: 58–68). This instability provoked a raft of anxieties regarding the latent potential for urban disorder, and acute concerns regarding the integrity of commerce and industry, concerns that prompted the provincial government's 1903 decision to create a Suzhou city police force. These same perceptions of disorder likely affected both official and public opinion

(which seems to have been somewhat accurate) that the city's police were an inferior, undisciplined corps incapable of redressing the continuing crisis of banditry, and that they were, moreover, ominously suspect in light of their presumably intimate associations with thieves, the discarded *baojia*, and soldiers.

In contrast to the general disparagement of *baojia* and the army as mechanisms of public order, western-style policing, at least as practiced in the Shanghai foreign concessions, had acquired a popular reputation for being extremely effective in preventing and solving crimes. In the ebullient opinion of one 1899 newspaper editorial, western policing in Shanghai, with its combination of police, detectives and undercover cops, had proven so potent that 'in the foreign concessions there is no case that is not immediately solved; there is no place for them [criminals] to hide' ('Lun zujie baotan yi yan jia yuesu/Foreign concession detectives enforce order').

Such spirited descriptions in the press and elsewhere, of the existing mechanisms of social order as moribund or inferior to western police administration greatly exaggerated their decrepitude and ineffectiveness. Certainly, to those unfortunate enough to be caught in the web of Qing justice, the 'empty' and 'ineffective' *baojia* and constabulary were terrifyingly real and potentially lethal. Perusing Suzhou local items in newspapers from the latter half of the 1890s is a bracingly visceral experience. The press seems divided between stories of gruesome murders, rapes, and violent robberies and a seemingly endless trove of accounts detailing the apprehensions of 'infamous cruel bandits', which are inevitably followed by news of their spectacular deaths by beheading (or the occasional strangulation) at the public execution ground in the north of the city. One feels covered in blood. More than a century later, Suzhou's *baojia* and constabulary seem sufficiently competent, if not fearsomely efficient, at delivering suspected malefactors over to the dynasty's stern justice as dispensed by county magistrates, provincial governors, jail wardens and bailiffs. Nonetheless, newspaper reports and editorial pieces attest to a dual crisis in the actual prevalence and public perception of violence and crime in Suzhou as running rampant due to the impotence of state institutions. Among all of these protests, the voice of businessmen was particularly acute in calling upon the state to discard or reform unsatisfactory, suspect security bodies like the *baojia* and soldiery in order to safeguard commerce.

## Deficiencies of the New Police

In the fall of 1904, Viceroy Duanfang was asked to respond to allegations separately forwarded to the Court that public order in Suzhou continued to be mired in chaos, a situation that revealed the new police force as ineffective. Maintaining that 'the people have never known such a period of peace and tranquility', he nonetheless admitted that 'catching and jailing criminals has had no effect; thieves are everywhere'. The city, he conceded, had recently endured some 300 known robberies, while the number of those who did not report crimes for fear of retribution made a true total impossible to compute. Especially troubling for local commerce, the banks and pawnshops which lent capital to local enterprises had been targeted in a flurry of robberies, though Duanfang disputed that the reported figure of more than 50 was actually only slightly more than 30. Neither the number and target of robberies nor the reluctance of crime victims to contact the authorities endorsed the effectiveness of the new police force. On this note, the details of the report were even more troubling. The Viceroy reported that the mastermind behind the pawnshop robberies, a local army soldier, was now in custody. The origin of disorder in the local army camps was no surprise, for Duanfang alleged (perhaps with a fair amount of accuracy) that recently 'salt smugglers, the desperate poor' and 'hoodlums' (i.e., members of secret societies) had all infiltrated the army camps so that it was difficult to differentiate between soldiers and thieves — if there was, indeed, a difference (Duanfang 1918: juan 4, 8a–11a, 22. GX30.7/Aug 1904, GX30.8/Aug 1904). Such allegations were hardly novel. The affinity and easy familiarity between men of violence, such as between thieves and soldiers, had long been identified as a nexus of crime in statecraft writings and passed into general cultural stereotype. Despite a series of reforms and demobilizations designed to cull criminal elements from local military units to improve discipline and combat readiness, army units were, regardless of the merits, popularly perceived as dens of iniquity. This infamy proved especially troubling with regard to the character and quality of the new police, which included hundreds of soldiers from local army encampments.

Provincial officials staffed the new police units with soldiers chosen from among the *baojia* patrols and local army units. As a result, in their reports to the Court, provincial officials readily

admitted that for its first years, Suzhou's police were 'police' in name only. They had yet to discard the practices of the earlier baojia patrols and were ill-trained, if not completely ignorant of the crime fighting methods and regulatory duties of modern police work.<sup>6</sup> 'And can the untrained people stop thieves? How can officers who have not studied regulate people?' Governor Chen wrote, admitting to a host of inadequacies and tensions (Guoli gugong bowuyuan 1973-75, Vol. 22: 714-15. GX31.12.24/18 Jan 1906). Yet, even after the founding of a police academy in 1905 to train new constables, the need for more troops moved provincial officials in August 1906 to convert several hundred soldiers to police (Chen 1912: juan 7, 32a-32b. GX32.6.24/13 Aug 1906).

Whether this growing, uneasily hybrid academy trained/army soldier constabulary force was more successful in fighting crime is not terribly clear. Nonetheless, it is clear that the police continued to be viewed as inadequate at meeting public safety needs: throughout 1907 and 1908, business leaders were particularly unconstrained in criticizing the Suzhou force as inferior to its Nanjing and Shanghai counterparts for continuing to rely on questionable elements like former baojia and soldiers. (Local officials did not dispute the crisis and issued permits to businessmen in the northern section of the city to carry knives and guns to protect themselves and their merchandise.) (Zhang K. et al. 1991: 705-707; GX34.2.19/21 March 1908). These travails took place in the context of an upsurge claimed by both the state and media in the perennial crisis of Jiangnan banditry, which had prompted officials to deploy more forceful tactics. The Chamber of Commerce warned that the recently completed railway link to Shanghai, which had long been desired by the business establishment, had provoked undesirable side-effects. Railroad mechanics, porters, and others toiling in the newly created transport jobs were quickly branded 'workers by day and thieves by night', thus joining established menaces, such as disbanded soldiers, members of the notorious Green Gang and local idlers. These groups, along with local military units, which despite their role in policing the city were assumed to be in league with brigands, were blamed for a new rash of robbery and violence (Ibid.: 701-702. Late GX32/1906). According to media analysis, the current wave of 'bandit and thieving chaos' was due partly to the effectiveness of military campaigns against robbers and smugglers in the adjacent Zhejiang province, which had caused them to move

into Jiangsu ('Lun zhifei buyi zhufu/On the difficulty of managing bandit control'): This latter attribution of the local security crisis to Qing public safety countermeasures resonated with analyses of the later 1890s instability. This pattern of unintended consequences spoke badly of the state's capacity to secure lives and property, even when these were its explicit aims.

These dissatisfactions underlay merchant leaders' analysis of the debilitating effects that police malfeasance and incompetence wrought on the city's civic and commercial life. For instance, in responding to a 1907 incident involving the beating of a group of students and teachers by the police, 'which has insulted the educational community and made businessmen wary', the Chamber of Commerce wrote to the governor that the only area in which Suzhou was relatively deficient, compared to other cities, was its police. The reason: 'Since the police officers and constables alike come from old [unreformed] army units [*sic*, they had been successively reorganized since the loss to Japan] they are extremely crude and violent. Everything relies on the efforts of officials to control them in order to avoid such incidents.' The situation was so dire that the same petitioners excoriated the provincial police authority (*Xunjing zongju*) and requested that it cease oversight of the city police because its attempts to reform itself had come to naught. Reiterating a common refrain, the businessmen emphasized that the military background of most police made them corrupt beyond redemption (Zhang K. et al. 1991: 703-705. GX33.4/May 1907, GX33.4.30/10 June 1907).

Dissatisfied with the capacity of police and army forces to safeguard commerce, business leaders had already made their own bid to reform urban security by forming a physical fitness association, *tiyuhui*, in 1906. Modelled after foreign merchant militia and their Chinese imitators in Shanghai and elsewhere, the Suzhou association enlisted shop assistants and a few business owners to practice calisthenics and military manoeuvres during their off-time for the purpose of patrolling the city centre Guanqian street business district. (An increasing number of professional militiamen would be hired and added to the force over time.) The initiative required and duly received state approval. Not only were precedents for such associations well-established, but business financial and personnel support for urban militia dovetailed with other state security measures. The governor had recently announced a solicitation of funds from

merchants to increase the number of police and distribute permanent police substations along major commercial streets as well as smaller alleys. Indeed, both government and merchant leaders glowingly described the association as an adjutant to state security forces, yet tiyuhui leaders also intended their militia to serve as a rebuke to official incompetence and malevolence. Although usually tacit, the association's cooperation, over the years, with state policing efforts would also contain an undercurrent of rivalry over the direction of public safety and city leadership.

This remonstrance was heard. Bowing to merchant and popular criticisms of the police, city officials, in 1907, enlisted the tiyuhui to augment, if not replace, the police in enforcing the Court-mandated closure of public opium dens at the end of the sixth month of the lunar calendar. The operation was the keystone of the Qing strategy for the gradual prohibition of opium and was anticipated to be controversial and unpopular. (Correctly so, yet the measure was enforced with some strictness.) In addition, the police force largely consisted of Green Standard soldiers, many of whom were from other areas and therefore unable to communicate easily with local people. As such, officials deemed it prudent to entrust the job to locals so as to not further tarnish the relationship between state security forces and the city populace.<sup>7</sup> It seems unclear whether local officials necessarily considered the tiyuhui morally superior to the soldiery and police and thus more reliable in combating vice, but this claim constituted a prominent aspect of the Chamber of Commerce's self-perception and public presentation. This deployment of the tiyuhui in support of Qing opium policy augured future attempts by the local administration (especially after the 1911 Revolution) to deploy the association as a regular adjutant to state police forces.<sup>8</sup>

### **Policing the Street: Protecting or Harming Commerce?**

Contemporary observers remarked that, from the very beginning of police administration in Suzhou, the focus of their energies and their most tangible results were in the area of street order. To a large extent, this pattern was common to the many new forces founded in response to the 1902 imperial edict. After all, the street was the prime site and focus of policing, as envisioned by the regulations originally promoted by the Court. As the main conduit of urban

social life, streets were naturally the principal venue for general surveillance and anti-crime activities, as well as the focus of an array of initiatives to reform urban space. In the wake of these changes, previous patterns of urban use commanded decreasing legitimacy, in the light of the intensifying influence of modernist urban ideals regarding the promotion of street circulation as a means of economic development.<sup>9</sup> In many ways, these activities merely extended recent local experience: the connections between policing, road order and economic development were particularly resonant as Suzhou's first experiment with modern policing.

In the wake of China's defeat by Japan in 1895, Suzhou was opened to Japan and other imperial powers as a treaty port. Concerned that the Japanese might not be satisfied with their isolated concession located on paddy land beyond the southern city wall and encroach upon the city, Viceroy Zhang Zhidong and a formidable co-hort of modernizing officials oversaw the building of a carriage road outside the southern and western portions of the city wall for the dual purposes of maintaining sovereignty over the city and promoting economic development. Local authorities, dissatisfied with the street's lack of administration and concerned that the road, outside the normal range of baojia patrols, had become a haven for thieves and bandits whose notorious activities hindered the street's prime purpose as an industrial/commercial zone, established a western-style police force of some 40 Chinese constables under the leadership of a Mr Olsen — a Norwegian who provided training in European policing techniques and whose foreign identity served as extra insurance against Japanese attempts to take over the street. By late 1904, in the wake of the 1903 creation of the much larger Qing-led force within the city wall, Olsen's leadership had been radically curtailed by the governor, who hoped to invest more policing powers in Chinese hands and be rid of the foreign police chief. Olsen benefitted from the fact that his senior Chinese superintendent had embezzled a large sum and disappeared, leaving the force without senior Chinese leaders. He thus held on to his position until the fall of 1909, when the governor announced that policing would now be placed entirely in Qing hands. The specific policies of this force, which continued as a separate entity until it was subsumed by the city force in 1910, are not very clear. Nonetheless, within the first year, local officials were impressed with both the efficiency and effect of the foreign-modelled

force's policing ('Caiju jiefei/Trimming bureaucracy to cut fees'; Cao *et al.* 1933: 54: 20b-22a; A. W. Cross to Robert Bredon, Semi-official Maritime Customs Reports 1907-1909, No. 2 Archives, 20 February 1908, Fall 1909, Nanjing, 679 (1) 32205; Yu 1911). Increased security and attention to street circulation had engendered a commercial boom along the road.

The new police force's emphasis on creating a novel street order can, therefore, be seen as having helped extend the spatial and commercial order of the carriage road to the rest of the city itself. This was controversial and particularly difficult. Unlike the macadam road beyond the city wall, city streets were extremely narrow and crooked. Reordering an unreconstructed cityscape along the lines of a modern improved carriage-road involved a large expenditure of regulatory power and occasional brute force in removing streetside peddler stands, enforcing new sanitation codes and directing the circulation of urban traffic. Many sources note that upon its 1903 founding the nascent *intra muros* police force achieved dramatic and immediate results by carrying out frequent campaigns to disallow or regulate street stalls, which sold all manner of goods, in order to end the 'blockage' of roads caused by traditional modes of street commerce — which accounted for a sizable percentage, if not the bulk, of business activity within the city. (While not discounting real improvements in the flow of street traffic, it is worth asking what exactly these policies were promoting. Streets were so narrow and unstable that they prevented the passage of animal-drawn vehicles or rickshaws, none of which were allowed within the city.) The effects of this new mode of street regulation were so marked that, in a 1906 report, the Japanese consul approvingly reported, 'Recently, due to the strict prohibition by the city police, the open air stalls that previously took up both sides of the streets have been reduced so that there is now twice as much road space as before' (Shirasu 1907: 4).

According to the urbanist notions guiding the police regulation of street order, increased capacity for the flow of goods would provoke an increase in consumption. People therefore had to be instructed that many of the more common uses of the street, such as sleeping, conversing and threshing grain, were no longer considered proper. Certain businessmen also found that their commercial claims to the street were curtailed. Successive attempts to relocate small-scale street merchants, especially vegetable mongers, into special markets

away from the street, and to remove gates, stands, awnings, signs and any other objects extending from shop-fronts into the street's police-defined circulation corridor had varying, often temporary, effects. Such initiatives were denounced as invasive and rigorously contested. For instance, 1907 regulations that removed vegetable stands from their established spots and relocated them to state-dictated centralized locations prompted a riot in which sellers and their supporters lobbed fruits, vegetables, meat, and fish while storming a police station (Carroll 2006: 85-90). Street regulation became a regular flashpoint between sectors of the business community and the police.

This regulation, carried out in the name of promoting street circulation, sanitation and commerce, was embraced and further promoted by city merchant mandarins, who were endeavouring to encourage 'enlightened' modes of commerce. As the heads of native banks, textile factories, and major stores, which were sometimes in competition with street merchants, many commercial leaders complained that street 'blockages' prevented the circulation of goods and materials and detracted from the business of large, capital-intensive, fixed shop-front enterprises. It soon became clear that police regulation in support of increasing street circulation promoted some commercial activities and harmed others, thus truly 'aggravating the people'. This partiality begged the question as to whether police street regulation was truly for the promotion of commerce and protection of goods and capital, or was merely for the benefit of a few, or even, perhaps, antithetical to the needs of business.

For instance, in a 1909 letter informing the Chamber of Commerce of a new campaign to remove commercial blockages from the street, the police bureau wrote, 'Honorable merchants from the substantial commercial houses thoroughly understand just principles and have not usurped authority as in the past [by blocking the street with signs, stalls and other commercial implements placed in front of their store-fronts], however small-scale businessmen and ignorant, obstinate people consider only their private interest and do not consider the public good. Recently, this attitude has resurfaced and railings, signs, and other objects are being put into the road', with food establishments being the worst offenders. The Chamber of Commerce later reported back to the police that it had urged member proprietors to follow the new order and informed them that

police enforcement would be strict (Zhang K. et al. 1991: 695, 696. Xuanton91/1909). As it was indeed. Having issued several orders — all blithely ignored — to the shops in the southeast quarter of the city to remove shop stalls illegally occupying the street, the police were angered when they arrived to inspect the area and found the situation unchanged. Feeling provoked, they threatened the proprietor of a shop which was blocking a good portion of the street; they told him to take the offending stall down by nightfall or face prison. The neighbouring shop owners, indignant at what they viewed as mistreatment by the police, immediately closed their shops and struck in protest. According to a newspaper account, the large numbers of bystanders on the street at the time all complained that the police were 'arbitrary, unreasonable, and brutish in their actions. They maintain an enormous gulf with businessmen, thus this incident' ('Xunjing yu chai guilan bashi zhi fengchao/Police demolish stall market strike controversy'). While the police's actions may have been judged excessive by bystanders and shop owners, it is unclear if the witnesses on the street shared the merchants' sense that, in addition to being imperious, the constables had un-rightfully transgressed accepted means of doing commerce. Yet, to the merchants who fell afoul of police regulations — who were, more often than not, small-scale sellers and the 'ignorant and obstinate', who often sold common, low status goods such as food or small items capable of being peddled — the police ordering of the street proved to be an attack on commerce. As such, it seemed to contravene one of the police force's *raison d'être*.

Few commodities possessed meaner status than nightsoil (human waste collected and sold as fertilizer), though not many other industries were either as necessary — Suzhou had no sewerage — or as reliably remunerative. After the creation of the police, nightsoil businesses (which held state-issued franchises to collect human waste from specific areas of the city) and their workers faced an unprecedented increase in regulation: citing health and traffic concerns, the police required the carriers, who collected waste from household commodes and public latrines into large buckets carried on shoulder poles, and the barges on which the combined nightsoil was shipped out of the city to complete their business and remove their cargo at increasingly early hours of the morning. In addition, the nightsoil companies were required to maintain higher standards of sanitation at the public latrines by washing them down twice a day.

Infractions detected by the police received fines. Originally resistant — the companies cited precedent and complained that they could not complete their collection by the increasingly early deadlines of 10, 9, and 8 a.m. — the nightsoil operations quickly conformed (by necessity) to the police force's active enforcement. As the regulations and police enforcement grew more stringent, unsurprisingly, confrontations, sometimes violent, would break out between police and morning nightsoil collectors accused of tardy collection, spilling their cargo on the street, or various other infractions. These confrontations began to be reported to the Chamber of Commerce and in the press. In one particularly egregious incident, a nightsoil collector in his sixties was brutally beaten by a policeman and arrested. Allegedly, injuries from the incident left him, for a certain time at least, unable to move, let alone resume work. In its letter of complaint requesting that the Chamber of Commerce intervene with the police, the nightsoil business guild asked, 'Since the police were originally established for the purpose of protecting businessmen, how can there be such lawless incidents as audaciously bullying ignorant people on a busy street?' (Zhang K. et al. 1991: 687, 688. GX33.1/Dec. 1906 – Jan. 1907).

In addition to raising concerns regarding basic decency, this resonant question touched upon the fraught relationship between the Suzhou police force, perceived as and here proven violent, and the citizenry they protected. Could such lawless incidents be legitimate to the exercise of power by the modern police and, by extension, the modernizing state? As a confrontation between the state and its citizens, this incident shows that the police, though powerful and violent, were not perceived as inviolable. The nightsoil company heads invoked new (police?) regulations on behalf of the injured nightsoil carrier and sought either monetary damages or hard labour for the violent constable as compensation for the beating. The final outcome of the case is unclear, though the few extant documents suggest that an official investigation produced reports, which provoked an exchange of letters, which then led to some unknown juncture or conclusion. Nonetheless, the fact that the nightsoil companies sought damages from the police raises interesting questions regarding the relative power of police constable, citizen, and the business community, as well as the extent and effect of contesting the operation of modern police in the city.

More particularly, and perhaps more immediately troubling for the nightsoil guild heads lodging their complaint with the Chamber of Commerce, was the question whether such 'regulation' conformed to the police's basic function to protect merchants, their goods and commerce as a whole. If so, it seemed improper that one of the city's most essential and highly remunerative industries should suffer at the hands of those dedicated to improving the commercial order. What these men may or may not have realized was that police ordering of the urban environment, like the greater regime of modernist urban development, tended to favour business deemed modern and progressive. As such, in practice, the police offered seemingly little protection to nightsoil carriers or small merchants as a whole.<sup>10</sup> This bias did not, however, convince large-scale businessmen that the police and, by extension, the state could be trusted to act as a reliable guardian of commercial interests.

### The State Attack on Businessmen

On March 27, 1912, a large group of soldiers from units permanently assigned to urban defense and policing were unsuccessful in forcibly gaining free admission to the evening opera at the Daguan Chunxian Theatre along the horse-road beyond the city's northwestern Chang Gate. Angered at the management's refusal, a good number stormed in during the performance. The arrival of M.P.s, who attempted to deter them, only stoked the intruders' rage. In the ensuing brawl, arms were brandished and shots fired, spreading the panic from inside the theatre out into the street, and, shortly thereafter, throughout the Chang Gate horse-road corridor, Suzhou's premier shopping and entertainment district. Word of the altercation quickly spread back to the army barracks and brought hundreds of soldiers from different units to the scene, where they joined the melee and set to assaulting pedestrians and relieving them of their clothes, money and other valuables. The bulk of the soldiers' ire, however, was directed toward the area's shops, native banks, hotels and brothels, which the rioters pillaged and burned. From 9 p.m., when the riot began, until 5 a.m. the next morning, when it finally petered out, the night was punctuated by almost constant gunfire. Civilians, a mix of night-time revellers, merchants, brothel and bar staff, and residents were forced to make the difficult decision of when and how to flee, or, if particularly unlucky, how to face the

marauding mob of soldiers, who violently entered some houses and shops a half dozen times or more. By dawn, several hundred businesses within a 3-4 *li* radius had been looted or destroyed. Seven people, including a teenage boy shop assistant shot while attempting to escape, a prostitute, and a girl toddler, among others, had lost their lives. Also, an uncertain number of women had been raped. Chang Gate stayed shut and most area businesses remained shuttered for several days. By the end of the following week, some 200 soldiers had not yet returned to camp. Generally believed to be perpetrators of violence, they became subject to arrest and execution (Ma and Su 2004: 609-10; 'Suzhou bingbian jinghao' (Shocking report on Suzhou soldiers' mutiny); Suzhoushi dang'an guan 1986: 114-15, 124).

The damage immediately became an *affaire d'état* and media sensation. The haphazard violence against city residents and, as some perceived, the pointed fury against the business community highlighted the inability of government forces to secure the city and encourage commerce. Disillusionment, in Suzhou and elsewhere, with the state was exacerbated by the fact that police units had been deployed in the area, but they had refused to intervene in the light of the number and ferocity of the marauding soldiers. Area business militia (*shangtuan*, former *tiyuhui*) had similarly neglected to quell the gathering violence, though they redeemed themselves in the immediate aftermath. Noting that they had been betrayed by the military and police, the business community took matters into its own hands. The Chamber of Commerce dispatched the *shangtuan* to police the area and seek out rioters who remained at large.<sup>11</sup> Their efforts were supported by a variety of contributors, including the official Shanghai Armory (*Shanghai zhizaoju*), which sent five Gatling guns, ammunition and other supplies to help the *shangtuan* keep the peace. In the wake of the riot, city officials were so eager to restore normalcy that within a few days they ordered all businesses to re-open and threatened to fine those that did not. In the light of the damage suffered by various enterprises and the complete failure of the police to act, this directive seemed not only punitive, but shameless. One *Shenbao* commentator noted with understated incredulity, 'The state cannot protect people's lives or property, yet it will impose fines if businesses do not operate. How this could be a policy for recovery, I don't know' ('Ziyou tan: wu bugan zhi/Free talk: I don't dare to believe'). Within days of the riot, the

business community had assessed the damage and demanded restitution from the state. Some 499 business claimed more than 500,000 yuan worth of damage (actually, more than 700,000 yuan by one tally), and by August the state had paid a couple of hundred thousand yuan in compensation — but this remuneration did little to improve the standing of state security forces among Suzhou merchants (Suzhoushi dang'an guan 1986: 124–25, 135–47). On a national level, similar outrages in Beijing and Tianjin during the first months of the new Republic highlighted concerns that urban policing needs should be met by specially trained police forces, not soldiers ('Yangbing weiyan/Warning re: training of soldiers'). In Suzhou, the conflagration additionally underscored the popular lack of satisfaction with the quality and effectiveness of the police force and reinforced the notion that perhaps only merchant militia could be entrusted with guarding commercial property and economic interests.

The recriminations of the Chang Gate incident were revived a year later in August 1913. In response to an upsurge of banditry along city and suburban canals, the provincial government dispatched soldiers on anti-crime manoeuvres with city police. Harsh words between the forces of order led to a violent clash on Guanqian Street, the main central city shopping street, and caused the entire market to shut down for prudence's sake and in protest. The disorder did not end there. That same day, a contretemps between soldiers and businessmen provoked a commercial strike on the Xu Gate horse-road. Assessing the damage, the Chamber of Commerce caustically noted that as Suzhou businessmen had recently been left bereft on far too many occasions, the police and military force amongst them made them feel anxious and 'battered by storm winds' (Ma and Su 2004: 322–24, 18–19 Aug. 1913). Rather, it seemed that other guardians might better protect the people — both the general urban populace and, more particularly, the city's merchants.

### Conclusion

The establishment of a novel, modern police force was intended to serve as an instrument for transforming urban infrastructure, society and economy in pursuit of the New Policies vision of Qing imperial rejuvenation and transformation. In Suzhou, the police force's many practical achievements were strikingly counterbalanced by the

popular suspicion that the police could not be trusted to safeguard the public weal. This dissatisfaction was particularly pronounced among businessmen, who criticized the police and the military for being hostile towards merchant interests and the conduct of commerce. The Chamber of Commerce thus called out for police reform and promoted the shangtuan as a special adjutant to and trusted substitute for the police. Indeed, due to financial strictures and manpower shortages, the police would, over the next two and a half decades, delegate special responsibilities for business district security to the shangtuan, which effectively became a key component of the urban police force while remaining ambiguously autonomous of the state. The tensions between Suzhou business interests and the police highlighted the more general competition between the state and business elites for urban supremacy, a contest that extended beyond the late Qing to throughout the Republican period and ended only with the consolidation of economic and political power in the hands of the CCP in the early 1950s.

### Notes

1. The city was also the seat for a prefecture and three counties. As with many Ottoman cities, the city did not have juridical status as a coherent political entity and thus did not have a municipal government. Urban infrastructure, security and various other services were provided by the provincial- and county-level administrations and a variety of civil society groups. Suzhou affairs were also overseen by a viceroy seated in Nanjing.
2. The 'New Policies' period refers to the last decade of Qing rule, when a host of political, administrative, educational, legal and other initiatives were promoted by central and provincial authorities in the wake of an imperial edict of Guangxu [GX] 26.12.10/29 Jan. 1901 requesting reform measures. Note: Dates, if originally calculated according to the Chinese lunar calendar, are given as such in year-month-day format, followed by the Gregorian calendar equivalent. Thus, the above date is the 10th day of the 12th lunar month of the 26th year of the Guangxu reign.
3. Traditional butterfly-bound Chinese books are divided into 'juan', which can variously correspond to chapter, section, and volume. Pages numbers are given in terms of the verso (a) or recto (b) side of the numbered page.
4. This function became even more pressing after the Court bowed to popular pressure in 1908 and announced a schedule of successive political

reforms leading to the promulgation of a constitution, which included provincial, city, town and village 'local self-government'—narrowly understood by the Court and many officials as granting rights of consultation and limited self-regulation instead of a full sharing of power. Indeed, as local business and gentry leaders were being trained to take on limited self-regulation of education, public works and other areas, the Suzhou police assumed responsibility for several public welfare initiatives theretofore under gentry control.

5. The police did not replace *baojia*, which continued to exist nominally to the end of the dynasty, was reinvigorated during the Republic, and effectively continued, though on a variant Japanese model, during the first decades of the PRC.
6. This stopgap plan contradicted the principle that the adoption of modern policing signalled a fundamental disavowal of military forces as the state's prime means of domestic social control. As the 1902 set of centrally recommended police regulations noted, it was essential to distinguish between the military, which was to be used for defense against foreign enemies, and the police, which deployed a novel set of security and investigatory techniques for keeping domestic peace, especially in densely settled cities. In addition, during the first decade of the twentieth century, the police increasingly assumed an exclusive prerogative over weaponry and coercive force, signalling a reorientation of state policy away from the proliferation and importance of elite-led citizen militia (*tuilian*) as an augmentation of state military power in response to the mid-nineteenth century Nian and Taiping rebellions. Consolidation of domestic security in state hands was now a fundamental, if elusive, state objective. The Court forwarded Yuan's regulations with an accompanying edict to each province, making them the template for police reform throughout the empire (Yuan 1987, Vol. 2: 604. GX28.7.5/8 Aug.1902).
7. This calculation seems wise, as the den closure particularly affected the mass of the urban poor, whose relations with the police were markedly antagonistic. As elsewhere, lower-class people bore the brunt of police violence and had rioted against successive new urbanist economic and sanitation measures. Poor people generally could not afford to purchase their own pipe and other equipment necessary for the private consumption of opium, which remained available to those of means—including, according to contemporary rumour, not a few Chamber of Commerce worthies and officials—through licensed opium shops. As a result, lower-class people constituted the vast majority of those who died from withdrawal (A. W. Bredon to Robert Cross, Semi-official Maritime Customs report, 20 Sept. 1907, No. 2 Archive, Nanjing, 679 (1) 32204; Cheng 1990: 224; Zhang K. et al. 1991: 702–03. GX33.1.27/11 March 1907, GX33.4/1907).
8. Kristin Stapleton's work on urban reform in Chengdu, in which she describes the introduction of new style policing as relatively rancour-free, provides an interesting counterpoint to the experience of Suzhou. Stapleton argues that the Chengdu police quickly secured the goodwill and acceptance of the general population. While certainly not devoid of social tensions, such as upper-class resentment of the authority and official state position of the new police, whom many viewed as their social and intellectual inferiors, the deployment of police in Chengdu seems to have been largely placid, with relatively little initial contestation of the goals and methods of policing. In both cities, however, the advent of muscular urbanist reform promoted by state and business actors alike increased ambitions for police administration. In Suzhou, these ambitions engendered a fair amount of social conflict, especially during the Republican period. To some extent, this may be due to the particularities of Suzhou: the differences between the ambitions and capabilities of late Qing Jiangsu and Sichuan administrators (Chengdu seems to have been blessed or cursed, depending on your attitude toward state regulatory capabilities, with more conscientious and gifted planners), the high level of Suzhou social violence and resultant public anxieties, the police administration's activist stance towards street regulation, and the role of the city's powerful Chamber of Commerce (Stapleton 2000).
9. Starting in the late 1890s, principles of urbanist street order, which emphasized the importance of roads as a vector of economic development, and thus at the crux of nation-building, became an explicit topic of theoretical and policy discussion in Jiangsu provincial and national circles. For instance, in their reports on conditions in Japan, the US and Europe, the commissioners sent abroad to study constitutions in 1905–06 identified road administration as one of the signal achievements of foreign governments in recent decades, the lack of which left China in a precarious condition. The commissioners identified modernist road administration as one of the most important tasks of government to enhance urban sanitation and economic growth. In addition, they argued that improved transport would alter the balance of power: under local self-regulation, local authorities and community figures would gain greater responsibility and autonomy for local governance, yet modern roads would assure that the central state preserved the power to supervise local conditions.
10. Regulation of nightsoil operations became a protracted point of contention between police and the Chamber of Commerce. During the 1920s and 1930s, police vigilance against 'bandits', communist and otherwise, made nightsoil carriers particularly vulnerable to suspicion and arrest. The fortunes and power of nightsoil rackets began to wane by the mid-1930s, as city authorities and the merchant establishment considered

nightsoil as an important but irredeemably backward business unsuited to the modernist aspirations of the commercial establishment.

11. The tiyuhui had been reorganized and renamed in 1911, when the militia stood in the breach and helped police the entire city when local military units decamped in a campaign to bring Nanjing to the side of the revolution.

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## Formal and Informal Mechanisms of Rule and Economic Development: The Qing Empire in Comparative Perspective

R. Bin Wong

### Two Problems: A Theoretical Prologue

The creation of stable political systems and economic development share certain important abstract characteristics. Both depend, at least in part, on different parties satisfying the expectations of others. Effective rule requires officials to strike understandings with elites and common people about the acceptable parameters of their relationships. When these exist, peace and order are more likely; without such understandings, the likelihood for conflict rises. Turning to economics, commercial expansion depends in part on people believing that those with whom they buy and sell will honour their agreements. If people fear that agreements are likely to be broken, they will not easily enter into them; the number of transactions taking place will be correspondingly fewer and commercial expansion therefore limited.

It often seems as if the most important way in which mutual expectations are stipulated and enforced in most societies today is through the force of law. Regulations and legal mechanisms are formal means through which people specify both political and economic relationships. Many influential theories about modern state formation and economic development give pride of place to the development of formal rule-governed mechanisms. Think only of the role of Weberian bureaucracies in many accounts of historical change and the stress on property rights in the new institutional economics, and one can quickly recall the key role that formal enforceable rules play in explaining political and economic change. What we see, of course, is the identification of modern states and economic growth with institutional features discerned in European history. This comes