

Taiwan under Ch'ing Imperial Rule, 1684-1895: The Traditional Order*

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By 1684 the troops of Emperor K'ang-hsi had effectively crushed the last remnants of Ming loyalists. These loyalists had initially rallied around the brilliant and charismatic Cheng Ch'eng-kung and defeated Ch'ing armies on many an occasion, but after Cheng's death, no leader emerged amongst his sons and relatives to continue the struggle. In April of that same year Emperor K'ang-hsi confidently boasted that "Taiwan, located far out to sea, is now part of our empire. We will establish a proper administration for protecting the people, crushing all traitors, and bestowing a culture to make local customs conform to our own."¹ For the next two centuries the Ch'ing colonized and administered the island like any province within the empire. To what extent did this frontier area gradually reflect the mainland social order based upon a technically backward agrarian base? How successfully did the Ch'ing colonize this frontier area and make it an integral part of the empire? Before considering two centuries of economic development and social change which will provide some partial answers to these questions, it is necessary to examine how the Ch'ing government ruled Taiwan, imposed formal and created informal organizations to preserve peace and order, indoctrinated the populace, and maintained imperial authority and power.

Every political administrative system must provide order and security to pursue its goals. An administrative system must control, adjudicate, ideologically indoctrinate, and be financially self-supporting to perpetuate its existence. It would involve an extensive and exhaustive comparative study of Ch'ing administrative efforts in Taiwan and other provinces to evaluate the success of Ch'ing rule in Taiwan. This task awaits some future scholar. For now we must be content with a rather sketchy account of the Ch'ing control system of Taiwan and how it evolved over two centuries. What follows below is a brief account of imperial administration and local rule in Taiwan, the system of social control, the procedures for upholding law and order, the methods of ideological control and persuasion, and the means by which this administration supported itself.

* This essay is the first of a series of three articles dealing with a discussion of Taiwan under Ch'ing imperial rule. The glossary will be published at the end of the third article.

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1 Quoted in Inō Yoshinori, *Taiwan bunkashi* (A Cultural History of Taiwan), Tokoshoin: Tokyo, 1965, I, p.177.

Imperial Administration on the Frontier

At first the Ch'ing Court intended to withdraw entirely from maritime affairs and abandon Taiwan to the few Chinese settlers and primitive tribes residing there now that Ming insurrectionist attempts had been eliminated. Admiral Shih Lang, largely responsible for defeating the Ming rebel forces, took a dim view of this policy and argued that "developments in this part of China manifest themselves by sea and not by land; evil forces lurking on land possess a form but on the sea they cannot be observed as they are scattered far and wide."¹ He insisted that "without Taiwan the Pescadores could not be defended" and without the Pescadores the entire southeast coast would be exposed and vulnerable to outside attack. In the end the Court agreed with Shih Lang and placed Taiwan under Fukien's civil administration by making the Viceroy of Chekiang and Fukien and the Fukien governor responsible for Taiwan.

Taiwan became a prefecture (*fu*) of Fukien under the Fukien governor (*hsün-fu*), a judicial commissioner (*an-ch'a-shih*), a military and civil circuit intendent (*fen-hsün ping-pei tao*), and a prefectural magistrate (*chih-fu*). The Fukien governor typically remained in Foochow during the summer and fall and then toured Taiwan during winter and spring.² The judicial commissioner, responsible for judicial matters pertaining to the island, also resided in Foochow. The circuit intendent jointly responsible for civil and military matters remained in Amoy and visited the island regularly. The prefectural magistrate resided in Taiwan-fu, the new capital city, near the port city of An-p'ing which had formerly been occupied by the Dutch. The prefectural magistrate looked after judicial and economic matters in each district (*hsien*), paid rations and wages to the troops, and managed the distribution of salt and collection of salt tax.

Below this echelon lay the district (*hsien*), sub-prefecture (*t'ing*), and later in the period the independent department (*chih-li-chou*) administrative hierarchy, each with their respective staff of assistants, clerks, and runners. Chart I shows this administrative structure and its changes over time while omitting the upper echelon level located in Fukien until Taiwan became an independent province (*sheng*) in 1885.³

After Fukien troops suppressed the Chu I-kuei rebellion of the early 1720's, the Fukien governor created a new district, Chang-hua and two sub-prefectures, Tanshui and P'eng-hu, in order to tighten control over the populace. This new structure remained unchanged for roughly a century when a third sub-prefecture was added. As Chinese colonists moved northward and settled along the eastern coast-line during the early nineteenth century, Fukien officials made two prefectures, Taipei and Taiwan, and created new districts under each in order to achieve a better balance between district centers of control and population density. In 1885 the Court decided to grant Taiwan provincial status and strengthen the island against Western and Japanese aggression. It

1 Quoted in Tai Yen-hui, "Ch'ing-tai T'ai-wan liang-chuang chih she-hui ti k'ao-chi" (A Study of Village Society in Taiwan during the Ch'ing Period) in *T'ai-wan ch'ing-chi shih shih-chi* (Essays on Taiwan Economic History, Number 10), Bank of Taiwan: Taipei, 1966, p.87.

2 Inō Yoshinori, *Op. Cit.*, I, p.200. Such a tour was apparently very dangerous at this time. "On one such inspection tour of Taiwan the Fukien governor Wang K'ai-t'ai contracted malaria and had to cut short his inspection tour." p.200.

3 For an excellent summary of the changes in personnel, types of posts within the formal administration, and location of district yamen see "Taiwan kyū gyōsei soshiki enkakuhyō" (A Brief History of Ch'ing Political Administrative Organization in Taiwan), *Taiwan kanshū kiji*, 1:5 (May 1901), pp.1-23.

CHART I

Ch'ing Administrative Change in Taiwan from 1684-1895

<i>PERIOD I (1684-1875)</i>		<u>Prefecture (fu)</u>	<u>Taiwan</u>	
1.	1684-1723 District (<i>hsien</i>)	Chu-lo	Feng-shan	T'aiwan
2.	1723-1810 District (<i>hsien</i>)	Chang-hua Chu-lo	Feng-shan	T'aiwan
	Sub-prefecture (<i>t'ing</i>)	Tanshui	Feng-hu	
3.	1810-1875 District (<i>hsien</i>)	Chang-hua Chia-i	Feng-shan	T'aiwan
	Sub-prefecture (<i>t'ing</i>)	Ko-ma-pan Tanshui	Peng-hu	
<i>PERIOD II (1875-1885)</i>		<u>Prefecture (fu)</u>	<u>Taipei</u>	<u>Taiwan</u>
	District (<i>hsien</i>)	I-lan	Tanshui	Hsin-chu Heng-ch'un Chang-hua Chia-i T'aiwan
	Sub-prefecture (<i>t'ing</i>)			Pei-nan P'eng-hu
<i>PERIOD III (1885-1895)</i>		<u>Tainan</u>	<u>Taiwan</u>	<u>Taipei</u>
	Province (<i>sheng</i>)		Taiwan	
	Prefecture (<i>fu</i>)		Tainan	
	District (<i>hsien</i>)	Heng-ch'un An-p'ing	Miao-li Yun-lin Chang-hua Taiwan	I-lan Hsin-chu Tanshui
	Sub-prefecture (<i>t'ing</i>)	P'eng-hu	Pu-li	Kee-lung
	Independent Dept. (<i>chih-li-chou</i>)	T'ai-tung		

Source: *Taiwan kanshū kiji*, 1:7 (July 1906), pp.51-53.

created three prefectures, ten districts, two sub-prefectures, and one independent department on the east coast in order to exert more effective authority and mobilize the island's resources for self-defense. Ch'ing rule proved to be flexible, but administrative changes seem to have occurred only after important events had caused a crisis for the officials managing the island. Map I shows the administrative areas of Taiwan Province between 1885 and 1895.

The basic unit of control, the headquarters of the district magistrate or yamen, was located in the principal walled city of each district along with a contingent of troops of battalion size. The role and function of district officials have been aptly described and discussed by Ch'u T'ung-tsu, and little needs to be added to his account.¹ We need only point out that each yamen contained a number of buildings, some with multiple rooms for storing records and housing clerks conducting their record keeping, and others where the magistrate conducted general everyday business or conferred with local gentry on matters of administration. The typical format of the yamen in Taiwan can be seen in Chart II.² In the yamen matters of law, civil and military administration,

¹ T'ung-tsu Ch'u, *Local Government in China under the Ch'ing*, Cambridge: Harvard University Press, 1962.

² This chart is based upon Kobayashi Rihei, "Shinkoku tōji jidai ni okeru Taiwan shihō seido" (The System of Administering Justice in Taiwan during the Period of Ch'ing Rule), *Taiwan kanshū kiji*, 3:3 (March 1903), p.8. For a view of the structure of the Taiwan prefectural yamen which was located in Taiwan-fu (present day Tainan) and reflected that of the typical district yamen on the island see "Tainan kenka imin no enkaku" (A Brief Survey of Immigration in Tainan Prefecture), *Taiwan kanshū kiji*, 2:5 (May 1902), pp.6-7.

MAP I
Taiwan Province (1885-1895)

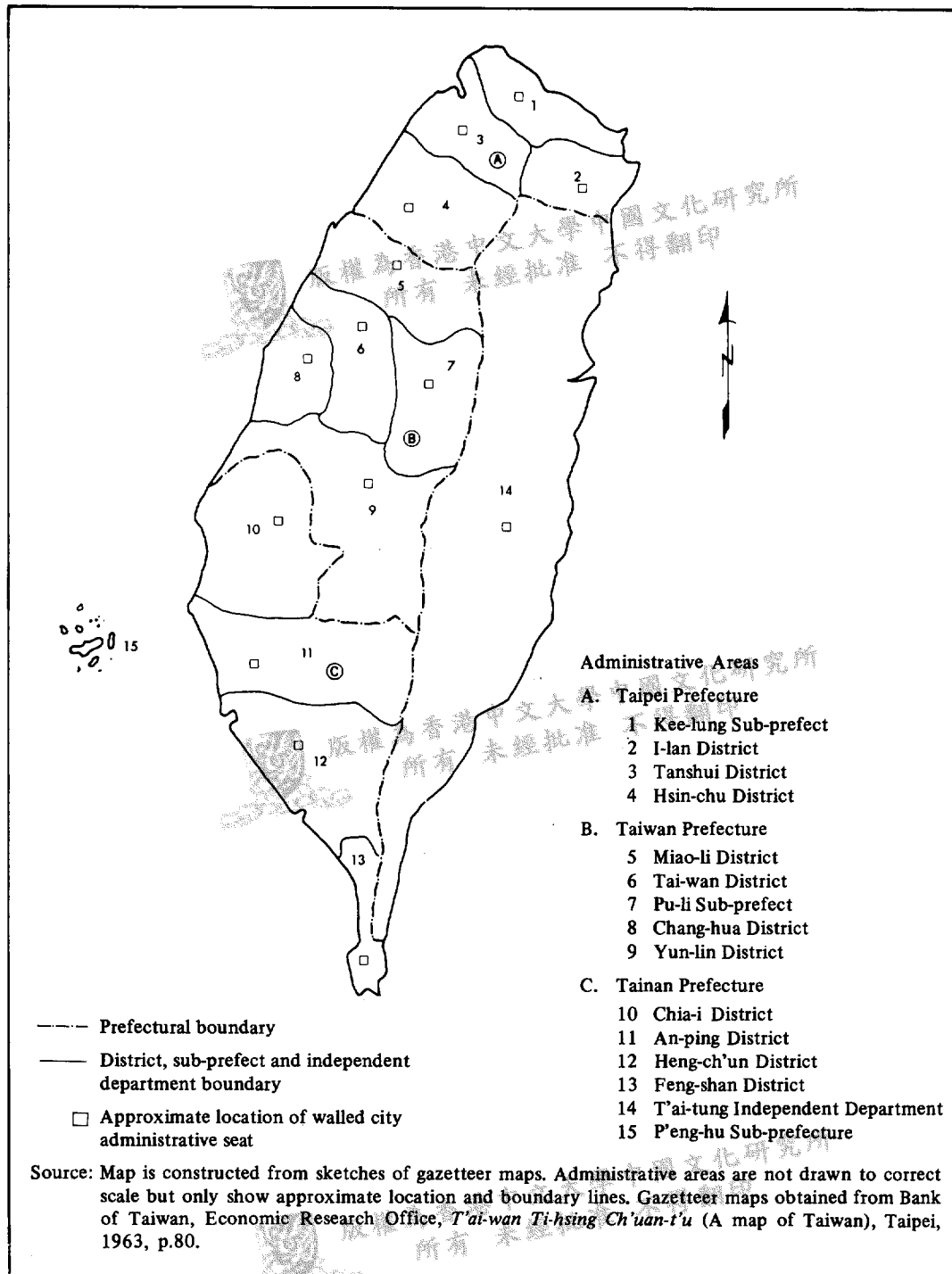
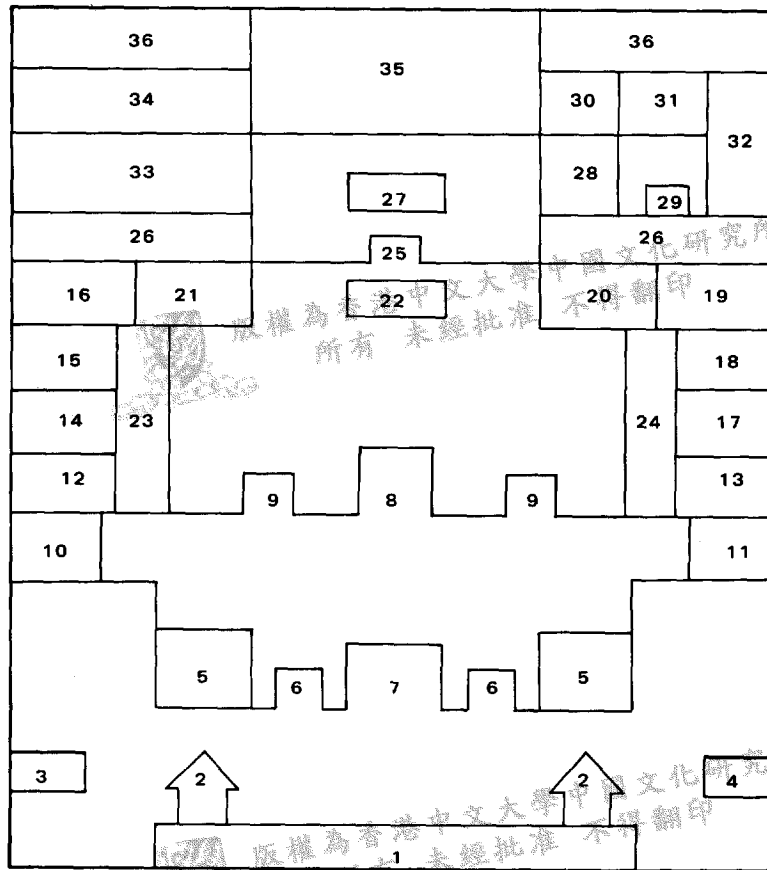


CHART II

Format of a District Yamen in Taiwan during Ch'ing Period



LEGEND

- | | | |
|---|--------------------------------------|--|
| 1 Decorated wall | 13 Office of registration | 27 Large hall |
| 2 Gongs | 14 Section for public works | 28 Small hall for trials and other proceedings |
| 3 West gate leading through a palisade before the Yamen | 15 Section for Law | 29 Stage |
| 4 East gate leading through a palisade before the Yamen | 16 Section for military affairs | 30 Detention chambers for those awaiting trial |
| 5 Guard Houses | 17 Section for rites | 31 Large hall for trials and other proceedings |
| 6 Small entrance gates | 18 Section for revenue | 32 Kitchen |
| 7 Large entrance gate to Yamen | 19 Section for civil service affairs | 33 Archive section |
| 8 Second entrance gate | 20 Office of civil affairs | 34 Bureau for collecting fines and fees |
| 9 Small entrance gate | 21 Office of military affairs | 35 Yamen interior |
| 10 Prison | 22 Large Hall | 36 Living quarters |
| 11 Treasury | 23 West hall wing | |
| 12 Office to receive and dispatch messages | 24 East hall wing | |
| | 25 Interior gate | |
| | 26 Office for clerks and runners | |

economic affairs, and communications with higher and lower officials were handled by a staff consisting of the assistant district magistrate (*hsien-ch'eng*), several dozen clerks, a score or more of runners, and some garrison troops for yamen guards. The magistrate was assisted by several personal secretaries (*mu-yu*), and he had eight offices (*fang*) responsible for performing a variety of duties. These were: the section for civil affairs (*li-fang*) which kept personal records of all communications by the yamen; the section for revenue (*hu-fang*) which collected taxes and managed granaries; the section for rites (*li-fang*) which supervised ceremonies, examinations at literati schools, and conferring of honors; a section for military affairs (*ping-fang*) which recorded the number of city guards and post station activities; a section for law (*hsing-fang*) which kept records of administration of legal matters and *pao-chia* records; a section for registration (*ch'eng-fa-fang*) which recorded documents and correspondents; a section for public works (*kung-fang*) which kept track of repairs of bridges, temples, and other structures; and the treasury (*k'u-fang*) which kept taxes and revenues from government property. This total staff probably amounted to at most a hundred people and by the late eighteenth century and after was charged with the responsibility of managing an area containing anywhere from 100,000 to 200,000 persons.¹

The Court decided to reduce the tour of service for officials in Taiwan and promote them one grade upon completion of their tour there. In 1691 officials began to serve three years instead of the normal six year posting. In 1722 officials from as high as the circuit intendent to the district magistrate were serving their first year in Fukien province after which they moved to Taiwan and worked in their new position co-jointly with resident officials for a half year, whereupon the resident officials then returned to the mainland to assume new duties.² In 1733 we learn from an official report that officials of *taotai* rank and battalion commanders served three years in Taiwan while prefectural and district magistrates and their subordinates, as well as officers of lieutenant colonel rank, served two years first in Fukien and then one year in Taiwan.³ In 1805 the tour of duty in Taiwan was extended to five years for all officials. The Fukien administration attempted to select only the very best and talented officials for tours of duty in Taiwan, and the method of having each appointee serve first in Fukien and then co-jointly with a resident official, already experienced on local matters reflects the efforts of the Ch'ing to provide continuous high quality management of the island. The reward of a single grade promotion for completing a tour in Taiwan suggests this was a hardship post, fraught with danger and quite often, long separation from family. By 1824 the scarcity of good officials for Fukien and Taiwan became acute. Instead of older, experienced, and talented officials being selected, younger officials of low grade and with little administrative experience were being dispatched to Taiwan.⁴ The tour of duty was now increased to six years, and it is quite possible that the quality and calibre of administrator serving on the island began to decline sharply.

1 In 1685 there probably were around 90,000 Chinese clustered in the south of the island and a few in the northernmost extremity around Keelung. See Lien Heng, *T'ai-wan t'ung-shih* (A General History of Taiwan), Bank of Taiwan: Taipei, 1962, I, p.152. By 1811 *pao-chia* records show there to be about two million people. See Chou Hsien-wen (comp.) *Ch'ing-tai T'ai-wan ching-chi shih* (An Economic History of Taiwan during the Ch'ing Period), Bank of Taiwan: Taipei, 1957, p.65. As there were eight districts, each averaged more than 200,000 persons, excluding the aboriginal tribesmen.

2 Inō Yoshinori, *Op. Cit.*, I, p.431.

3 Inō Yoshinori, *Op. Cit.*, I, p.432.

4 "Taiwan bunkan kanchitsu oyobi chōhorei" (The Civil Administration and Official Tours of Duty in Taiwan), *Taiwan kanshū kiji*, 3:1 (January 1903), pp.64-69.

The salary scale for officials serving in Taiwan compared well with other provincial salary scales, but because of the island's remoteness and general prosperity, an official post provided extra incomes somewhat higher than a comparable post on the mainland. The following table presents the annual salary and supplementary payment (*yang-lien*) for officials of different grades serving in Taiwan.

TABLE 1
Salaries of Officials Serving in Taiwan (ca. 1885)

Official Title	Annual Salary (tael)	Supplementary (tael)
Governor-General of Fukien	150	13,000
Taiwan governor	130	12,000
Taiwan judicial commissioner	130	12,000
Taiwan prefectural magistrate	80	1,600
Taiwan district magistrate	45	1,200

Source: Li P'ing-sheng, "Hōmai to yōrenkin" (Rice Allowances and Extra Allowances), *Taiwan kanshū kiji*, 3:2 (February 1903), p.59.

Observe that supplementary salary ranged from ten to twenty times the stipulated annual salary, a condition characteristic of annual salary and supplementary salary differentials in other provinces.¹ Lower and upper echelon officials naturally supplemented their salaries with bribes in order to support the retinue of staff they depended upon and to maintain the life style they had become accustomed to. It is also quite likely, given the greater opportunities of foreign trade and commercialization, that income from "squeeze" and bribery rose by the mid-nineteenth century to larger amounts than in the eighteenth century, but this assertion is very difficult to document with any firmness. Foreigners in Taiwan during the 1860's and 1870's were certainly appalled at the corruption they observed,² and even the *taotai* for the Taiwan military chain of command, Hsu Tsung-kan, wrote during the same period that "The evils of administration in every province

1 Such a comparison can be made with evidence presented in Chung-li Chang, *The Income of the Chinese Gentry*, University of Washington Press: Seattle, 1962, pp.12-15.

2 James W. Davidson quotes Mr. Swinhoe, the British consular representative on the island at this time, as saying:

The *chih-fu* or prefect, besides court-fees, lines his pockets from the immense salt-monopoly of the island which he ruled uncontrolled . . . The *chih-hsien* or district magistrates held the Petty Assizes and adjudicated in all cases of secondary importance. In these courts, by legal fees, and a process of intimidation, they generally managed to make pecuniary matters go smoothly for their own interests . . . The *tings* warmed their nests by the exaction of exorbitant port dues, all of which were set against the current expenses of their office . . . The military offices were not behind in the contest, and although the officers were known to pay as high as 2,000 taels for their positions, they still made them lucrative. (Quoted in James W. Davidson, *The Island of Formosa: Historical View from 1430 to 1900*, Wen-hsing shu-tien: Taipei, 1961, p.100.)

The procedure to measure the extent of increase in bribery and corruption over time would be to compare the prices paid for various civil and military titles between the eighteenth and nineteenth centuries. As one who purchases such a rank must at least earn enough to recoup the initial outlays, any differences observed in purchased prices for ranks or titles of same grade would reflect the change in real income earning capabilities of such ranks and titles over time.

are greatest in Fukien, and within Fukien, the evils of official administration are greatest in Taiwan."¹ Whether scarcity of good, experienced officials, or some other set of circumstances accounted for this alleged state of affairs we do not know, but by the mid-nineteenth century innumerable problems of management in Taiwan had definitely arisen. These managerial problems were endemic in local government on the mainland as well and were rooted in one striking contradiction; a growing imbalance between the socioeconomic requirements to provide peace, order, and stable living standards for a greatly enlarged population and the capabilities of small, local administration offices and a few officials to meet these new demands.

This civil administrative structure depended upon a military support base to ensure continuity of rule and enforcement of civil law. In 1685 the Ch'ing emperor dispatched new troops to Taiwan to defend each district and preserve order. These land forces (*lu-lu*) were under a general in chief (*t'i-tu*) stationed in Fukien and consisted of brigades (*chen-piao*) commanded by a brigadier general (*tsung-ping*) and officers of the rank of colonel (*fu-chiang*), lieutenant colonel (*ts'an-chiang*), major (*yu-chi*), first captain (*tsu-ssu*), second captain (*shou-pei*), lieutenant (*ch'ien-tsung*), second lieutenant (*pa-tsung*), and sergeant (*wai-wei*).² Each brigade had several regiments, each under the command of a lieutenant colonel. The Chu-lo district, for example, was defended by the northern regiment (*pei-lu hsieh-piao*) made up of several battalions of infantry and cavalry of 500 and 250 troops respectively whereas the Feng-shan district was defended by the southern regiment (*nan-lu hsieh-piao*). These regiments were subordinated entirely to the Fukien land army of five battalions and six brigades. The total troop strength in Taiwan around 1700 came to about 10,000 soldiers, and rarely exceeded that number over the period. They served three years and then returned to the mainland to serve elsewhere. In 1734 additional military garrisons were established in Tanshui sub-prefecture and Feng-shan district.³ The duty tour of officers above the rank of captain had now been extended to five years but for all officers and troops below that rank the term remained three years. After 1800 troops were being recruited from among the colonists, but how wide-spread this practice had become is not known.

Some troops remained stationed in the principal district cities housing the yamen, while others were stationed in camps (*t'un*) in more remote areas. Officers in charge of these encampments encouraged their soldiers to acquire land and farm it to support themselves. The *t'un* first appeared in 1785 and were commanded by officers of first and second lieutenant grades; the regulars were referred to as *t'un-ting*.⁴ In 1791 these *t'un* occupied 3,700 *chia* of land. By the nineteenth century most *t'un-ting* had sold their land to colonists or leased it to tenants. In addition to these encampments were areas occupied by border guards (*yai-ting*), in the main recruited from colonists reclaiming land for farming. These guards were para-military units located in the lower mountain ranges where colonists had settled to farm. They began to operate in the

1 Inō Yoshinori, *Op. Cit.*, I, p.444.

2 Inō Yoshinori, *Op. Cit.*, I, p.340.

3 Inō Yoshinori, *Op. Cit.*, I, p.365.

4 *Ch'ing-tai T'ai-wan ching-chi shih*, p.21. See also the description of this system in Wu Tzu-kuang, *T'ai-wan chi-shih* (Notes on Taiwan), Bank of Taiwan: Taipei, 1958, pp.68-69.

1740's. Guards were given land to farm from which a tax (*yai-tsu*) was collected: 40 per cent went to the civil authorities and the remainder was used to support these border guard posts.¹

As already mentioned, the local administrative unit of the district was the lowest echelon of formal administration whereby taxes were collected, matters of law adjudicated, granaries maintained, and funds disbursed for local construction projects. Below the district seat were market towns with their satellite villages.² These villages which varied greatly in size were called *li* in the south, *pao* in the area between Heng-ch'un district and the north, and *hsiang* on the east coast. Each village was governed by a group of elders who reported to an official (*liang-pao*) serving as a liaison man between the district seat yamen and villages within a designated area of the district.³ Above the villages were small towns divided into wards depending upon their size. Each ward was headed by a *tsung-ch'ien-shou* or lower level official who cooperated with members of the literati class to manage his ward. The liaison man between these small towns and the district yamen headquarters was the *ti-pao* whose responsibility was to collect taxes, press for tax arrears, apprehend criminals, and transmit orders and information from the district magistrate to the town wardens.⁴ Through this network of command the district magistrate extended his authority. This formal control system proved to be very powerful but depended greatly upon informal elements to strengthen its authority and guarantee compliance by the populace.

The System of Social Control

Frontier communities are generally disorderly, and property and person never secure or well protected. Particularly where ethnic differences are great, social conflict can be endemic and violent. Chinese from Kwangtung differed greatly in language and customs from the Chinese colonists of Fukien, and of course the Chinese bore little resemblance to the aboriginal tribes of the island's interior. Riots between the Hakka of northeast Kwangtung and Fukienese broke out repeatedly; clashes between Chinese settlers and aborigines in the hill country perpetually were occurring; and frequently, a rebellion of large scale, directed toward the official authorities, rocked certain districts of the island. The Ch'ing government weathered these incidents of unrest and managed to maintain general peace for over two centuries with only a handful of officials and a small number of troops which gradually declined as a percentage of the Chinese population. The main reason why formal control worked so effectively was that officials used informal organizations at the local level to check potential troubles before they became dangerous.

By the mid-1720's officials recognized the necessity to establish a better system of local control to prevent future violent outbreaks like that of the Chu I-kuei rebellion. In 1733 the *pao-chia* system was initiated at the district level to extend to all villages and towns.⁵ In each

1 In 1886, for example, the tax collected from 45 of these frontier guard posts totaled 22,769 *shih* of grain and 259 taels of silver. For the best discussion of this border guard system (*yai-chih*) see Tai Yen-hui, "Ch'ing-tai T'ai-wan chih yai-chih chi yai-tsu" (The Border Guard System and Taxes in Taiwan during the Ch'ing Period), *T'ai-wan ching-chi shih ch'i-chi* (Taiwan Economic History: Number Seven), Bank of Taiwan: Taipei, 1959, pp.1-36.

2 It's not known if these were periodic market towns, but the evidence suggests that marketing was conducted on an every day basis in the larger towns.

3 Inō Yoshinori, *Op. Cit.*, I, p.650.

4 Inō Yoshinori, *Op. Cit.*, I, p.650.

5 Inō Yoshinori, *Op. Cit.*, I, p.676.

community ten households were grouped into a unit called the *p'ai* with a headman; ten *p'ai* were then combined to make one *chia* under a *chia* headman. On this foundation ten *chia* were then organized to form one *pao* with a *pao* leader. *Pao* leaders were made responsible to the district magistrate's office. Each *p'ai* unit had to complete a registration form giving name of each household in the *p'ai*, the number of persons per household, their age, and family status.¹ Each form received a number to be filed in the district yamen *pao-chia* registration records. Officials used these records to trace population change and movement and determine the available labor that might be mobilized for emergencies. Households usually falsified as best they could these registration forms in order to minimize the true number of adult males. Wealthy households of high social status were registered but exempted from having to send able bodied males to provide corvee labor. By the 1820's the *pao-chia* registration forms had multiplied in number but provided a very inaccurate picture of the true number of households and their size.² In the following decades various official proposals were advanced to reform the *pao-chia* system to remedy this defect. When Governor Liu Ming-ch'uan arrived in Taiwan in 1885 and began to carry out such reforms as a land survey, he established a *pao-chia* bureau in Taipei and proposed that branches in the major cities throughout the island be created and given special powers to perform as a local police system. Governor Liu intended to use the *pao-chia* system to record accurately land ownership and population so that the administration would have the basic information to initiate a land tax reform.

In order to protect villages and small towns from bandits and eliminate organized crime within the district seat, home guard called *lien-chuang* were established. In the early eighteenth century these self defense corps units existed in every district with 500 persons organized in the district seat and a corps of 300 outside the seat, both units subject to orders from the military.³ The operation and effectiveness of these units depended greatly upon local leadership initiative and efforts. In 1862 in Tanshui sub-prefecture a member of the literati class, that group of individuals who by virtue of passing a series of formal examinations obtained special social status according to the degree they held, named Lin Chan-mei organized local merchants and other literati to establish a Peace Preservation Bureau (*pao-an tsung-chü*) to defend the sub-prefecture. They organized their units and provided their own weapons. Examples of this sort became more wide spread during the 1860's and 1870's. Then in 1882, a bureau was established to coordinate and mobilize additional *lien-chuang*.⁴ To pay for *lien-chuang* operations the bureau assessed households small sums: wealthy households paid 30 copper cash for each bullock owned; less wealthy households paid 20 copper cash, and small households 10 cash.⁵ The money collected went to *lien-chuang* members performing night patrol on a regular basis. Each city of any size was divided into sections or wards which were patrolled by *lien-chuang*. For example, in Taiwan-fu ten young men were paid to patrol a given area of each ward. Their tasks included watching for fires and sounding a gong if they discovered a conflagration and being on the lookout for criminals and

1 Inō Yoshinori, *Op. Cit.*, I, p.676; Kobayashi Rihei, "Hōkō seido" (The *pao-chia* System), *Taiwan kanshū kiji*, 3:5 (March 1904), pp.417-418.

2 Inō Yoshinori, *Op. Cit.*, I, pp.680-681.

3 Inō Yoshinori, *Op. Cit.*, I, p.696.

4 Inō Yoshinori, *Op. Cit.*, I, p.701.

5 For villages the assessment rate for households was much lower: .02 to .20 copper cash. See Kobayashi Rihei, part 5, p.604.

apprehending them if possible. Each patrol used signals to alert other patrols when a suspicious persons was apprehended.

The largest defense unit, typically used to protect large cities, granaries, and the buildings of officials, was the *t'uan-lien* or militia. When disorders broke out which *lien-chuang* could not suppress, the district magistrate ordered the *t'uan-lien* to be mobilized. Each village of the district provided between ten to twenty young men depending upon the number of households for a brief period, about five days, for militia service in the district city seat. Literati were exempt from *t'uan-lien*, but their members were expected to manage the militia bureau and provide leadership at crises periods. Within *t'uan-lien* groups of forty persons might be given weapons to provide law enforcement; in rural areas forces as large as two hundred might be organized.

The *pao-chia*, *lien-chuang*, and *t'uan-lien* varied in strength and quality within each district according to local leadership and official efforts to maintain discipline and provide financial support. They served as the basic informal control units which the local administration depended upon to quell minor disturbances or apprehend thieves and criminals. Vigorous steps were being taken by officials in the 1870's and 1880's to upgrade the quality of these units and establish a central agency by which they could be given formal status and serve as para-military units and police. These local defense forces very definitely played an important role in providing peace. The case of the Chang Ping uprising in Chia-i district in 1833 illustrates this perfectly. It reveals that local defense forces could maintain a staying action sufficiently long enough until troops from other districts could be mobilized and dispatched to relieve the beleaguered defenders of Chia-i district seat. This case study deserves to be discussed in detail to show the complex amalgam of economic hardship, personal rivalries, jealousies, and fears which produced many a local uprising. Much more research is necessary before a theory of popular uprisings in Chinese history can be advanced, but the cumulative force that erupted at the local level quite often nearly crushed the small, formal administration and became a major revolt spreading to other districts before military support could be massed and concentrated to destroy the rebels and restore order and calm.

The Chang Ping uprising apparently arose out of difficulties stemming from rising rice prices. In 1726 the viceroy of Fukien and Chekiang, Kao Ch'i-chuo, memorialized the throne to lift the embargo on rice exports from Taiwan.¹ Kao argued that quite frequently the coastal provinces of Fukien and Chekiang became short of rice, the price of food rose, and city people suffered greatly. Kao pointed out that Taiwan produced considerable rice, and that economic conditions would be improved greatly if the Taiwanese could sell their rice profitably as they would still have an ample surplus for consumption needs because they harvested two crops. The Ch'ing Court granted permission, and thereafter rice exports increased rapidly. From time to time, however, the rice price in Taiwan shot up greatly because of a poor harvest and stock piling. In such circumstances village headmen ordered that rice should not be sold outside the villages in order that a supply could be guaranteed for village consumers. If many villages responded in similar fashion, the price of rice in cities and district seats then increased precipitously, and great profits could be obtained if merchants could successfully get villages to sell some of their rice hoards. These conditions provide the background for the Chang Ping uprising in the fall of 1832.

1 Chang T'an, "Chang-ping shih-pien" (The Chang Ping Uprising) in Bank of Taiwan, Economic Research Office, *Ch'ing-tai T'ai-wan min-pien-shih yen-chiu* (Studies of Uprisings in Taiwan during the Ch'ing Period), Bank of Taiwan: Taipei, 1970, p.93.

Chang Ping's ancestors had come from Nan-tuan county south of Chang-chou fu in Fukien in the early seventeenth century. For three generations members of the family had operated a fish store in Tien tzu k'ou, and by the 1820's Chang Ping had become a powerful and respected leader in the village, quite able to muster 200 braves at a single call if an emergency warranted such a force.¹ In 1832 a long drought virtually ruined the rice harvest, and numerous villages in Chia-i district restricted the sale of rice outside the village; Chang Ping behaved likewise for Tien tzu k'ou: as a result rice prices in Chia-i district seat rose even higher, making it very profitable to sell rice there. A certain merchant named Ch'en Yu-kuei obtained the assistance of one of the literati, holder of a *sheng-yuan* degree, named Wu Ts'an. With Wu's help the merchant Ch'en was able to export some 50 *shih** of rice from Tien tzu k'ou. Some clansmen of Wu learned of this activity and interdicted the rice, absconding with it. Wu Ts'an learned of this attempt but arrived too late to apprehend the thieves; Wu immediately went to the yamen in Chia-i district seat. The chagrined merchant Ch'en complained bitterly to the district magistrate Shao Yung-chih of the theft, accused the guilty clansmen of Wu Ts'an, and implicated Tien tzu k'ou's headman Chang Ping as responsible for the loss of his rice. Magistrate Shao immediately dispatched troops to apprehend the thieves and summon Chang Ping to the yamen to prove his innocence. Chang Ping, on the other hand, learned of magistrate Shao's order and immediately considered Shao as being biased in favor of the "clever" merchant Ch'en and the "shrewd" Wu Ts'an. He feared he would only receive an unjust sentence from the magistrate, and his fears mounted when he heard rumors that magistrate Shao had accepted a bribe from Wu Ts'an.

Chang Ping acted quickly. He took a number of braves armed with spears and attacked the city of Yen-shui-chiang, killing the chief official and three soldiers and making off with clothing, rice, and funds taken from the pawnshops and salt office. Chang Ping mobilized more supporters after this quick military victory and decided upon an attack on the county seat of Chia-i. In a quick thrust Chang Ping killed the official Shao and several cohorts and laid siege to the city. The defenders hung on, and these units, comprised in the main of *t'uan-lien*, managed to prevent the main gates from being burned and breached. After several weeks troops from nearby Taiwan and Feng-shan arrived, and Chang Ping and his supporters fled. Thus began a long chase and search until most of Chang Ping's immediate family were killed, and Chang captured alive. He was sent to Peking and decapitated on June 26, 1833. The government meted out stern punishment to the clan that supported Chang Ping in his rebellion, and this punishment was swift and brutal. All male relatives over sixteen years of age were decapitated, and women and children below the age of sixteen were sold as slaves to military officers in Taiwan and Chinese Turkestan.² Chang Ping's clan was eliminated in a single day. This uprising had all the characteristics of the French Jacquerie peasant uprisings: spontaneous and violent. It dissipated quickly when further military victories were denied the insurgents. So ended a short lived but violent rebellion which shook central Taiwan and caused great consternation and fear among officials.

* Roughly 6,650 pounds of rice.

1 "Chang-ping shih-pien", p.95.

2 "Chang-ping shih-pien", p.111.

Ideological Control and Indoctrination

Ch'ing society consisted of two fundamental social stratas: a small elite stratum of privileged, wealthy, learned men called literati or *shen-shih*,¹ and the common people, without privileges, who earned their living in farming, handicraft, services, and commerce. The literati represented a large pool of trained, educated individuals from whom the government selected officials depending upon need and the examination success of the candidate. The literati not serving as officials instead assisted officials at high and low office levels to carry out their duties. In addition, they served as key pillars of the community, truly running the community so to speak, by providing advice, settling disputes, rendering economic aid, and giving leadership when required. Chang Chung-li has described the important functions the literati performed at the community level in nineteenth century, and his account makes it abundantly clear that the literati not only held community power but constituted a very wealthy and privileged social class.² More important, however, the training and education received by the literati to achieve their special status represented a sure means by which the state could depend upon a leadership properly indoctrinated and possessed of the proper ideology to govern; moreover, at the community level the state could depend upon this class to indoctrinate the broad masses in the proper way to live and behave. The system of producing literati was created in Taiwan after 1684, and it became the principal means by which the Ch'ing obtained officials and reliable community leaders to manage the island.

The literati can be divided into two strata distinguished by rank and title earned by passing appropriate examinations or by purchasing title or obtaining such title through military career, Chart III, based upon Chang Chung-li's analysis and findings, shows the different ranks or grades within the upper and lower literati strata achieved through examination and purchase or military career in Taiwan. Individuals who successfully passed the district or prefectural exams were classified as government students or *sheng-yuan*. These students were enrolled in colleges (*shu-yuan*) or prefectural and district schools (*fu-ju-hsüeh* or *hsien-ju-hsüeh*) and divided into three ranks: the *lin-sheng* or most privileged student who received a small stipend from the school and was qualified to take the exams to achieve *kung-sheng*, *chü-jen* and *chin-shih* status and enter the upper literati stratum; the *tseng-sheng* or second rank students who could fill the *lin-sheng* vacancies when they occurred; and finally, the *fu-sheng* or newly admitted *sheng-yuan* candidate who was permitted to study for monthly exams to qualify eventually for *lin-sheng* status.³

Commoners purchasing an academic title became *chien-sheng*; in 1831 such a title cost 108 tael of silver. Military officers could take the annual exams to become *wu-sheng-yuan*. Entry into the upper literati stratum was more difficult and associated with positions of greater prestige and power. For this reason, available positions were determined by a quota system to prevent excessive entry. *Sheng-yuan* students first had to participate in preliminary exams to achieve *kung-sheng* status upon which the candidate was then allowed to participate in the provincial capital to earn

1 I have deliberately avoided using the term 'gentry' in preference to the category of literati or learned and scholarly class.

2 See Chung-li Chang, *The Chinese Gentry: Studies on Their Role in Nineteenth-Century Chinese Society*, University of Washington Press: Seattle, 1955.

3 Andō Sei, "Jugaku shoin oyobi gakuso shoinso no kyūkan" (Traditional Customs of the Literati Schools and Rent Collected by these Schools), *Taiwan kanshū kiji*, 6:9 (Sept. 1906), part 1, p.8. This essay is continued in four later parts and provides a clear discussion of the *sheng-yuan* students and the 18 colleges operating in Taiwan in the 1880's.

CHART III
Taiwan Literati Groupings: ca. 1880's

	<i>Examination Route</i>	<i>Purchase or Military Career Route</i>
Upper Stratum of Literati	<u>Officials</u>	<u>Officials</u>
	1 <i>Chin-shih</i> rank	1 <i>Wu-chin-shih</i>
	2 <i>Chü-jen</i> rank	2 <i>Wu-chü-jen</i>
	3 <i>Kung-sheng</i> rank (with five sub-groups)	3 <i>Kung-sheng</i> (purchased)
Lower Stratum of Literati	<u>Sheng-yuan</u>	<u>Wu-sheng-yuan</u>
	1 <i>Lin-sheng</i>	
	2 <i>Tseng-sheng</i>	
	3 <i>Fu-sheng</i>	<i>Chien-sheng</i> (purchased)

the *chü-jen* title and the metropolitan exams to become a *chin-shih*. "The military *chü-jen* were less influential and enjoyed less social prestige than their civil counterparts, the civil *chü-jen*, but they belonged to the upper literati group."¹

In 1686 the Fukien governor Chang Chung-chin remarked that while literati training schools had been established in every district of Taiwan, there were fewer students than in Fukien preparing for the exams to achieve *kung-sheng* and the titles above.² Students had to journey across the Taiwan straits to Foochow to participate in such exams. It was not until 1727 that the viceroy of Chekiang and Fukien, Kao Ch'i-chuo, granted permission to hold these exams in Tainan. In 1739 a large examination hall was in use for aspiring candidates to obtain *kung-sheng* and *chü-jen* status. In 1833 it was estimated that about 2,000 students throughout Taiwan were preparing for these exams and in 1876 their number probably exceeded 3,100.³ Table 2 provides some indication of the number of upper literati trained and produced from Taiwan over the period.

Taiwan's system of literati schools only expanded gradually, and even in the third quarter of the nineteenth century new district schools were being established.⁴ More military officers

1 *The Chinese Gentry*, p.26.

2 Inō Yoshinori, *Op. Cit.*, II, p.16.

3 Inō Yoshinori, *Op. Cit.*, II, p.139. For a count of students enrolled in literati schools in 1876 by prefecture and district see "Taiwan kenka imin no enkaku", *Taiwan kanshū kiji*, 2:4 (April 1902), pp.12-13.

4 The following academies or colleges to train literati were established in Taiwan at the following dates:

<i>Place of Literati Academy</i>	<i>Date</i>	<i>Place of Literati Academy</i>	<i>Date</i>
An-p'ing district	1684	Heng-ch'un district	1877
Feng-shan district	1684	Tanshui district	1879
Tainan prefecture	1685	Taipei prefecture	1880
Chia-i district	1686	Taiwan prefecture	1889
Chang-hua district	1726	Tainan prefecture	1889
Hsin-chu district	1807	Miao-li district	1889
I-lan district	1876	Yün-lin district	1890

It is interesting to note that as late as 1889 new literati academies were being created in accordance with the new administrative changes. The above information came from Inō Yoshinori, *Op. Cit.*, II, pp.5-6.

TABLE 2
Upper Literati Produced in Taiwan by Period, Degree, and Route

Rank	Time Period	Examination Route	Military Route
		Number	Number
<i>Chin-shih</i>	1662-1722	0	6
	1723-1735	0	0
	1736-1795	2	2
	1796-1820	0	1
	1821-1850	5	1
	1851-1861	0	0
	1862-1874	0	0
	1875-1895	9	0
	Sub-total	16	10
<i>Chü-jen</i>	1662-1722	9	50
	1723-1735	6	13
	1736-1795	60	66
	1796-1820	18	33
	1821-1850	22	53
	1851-1861	18	11
	1862-1874	19	19
	1875-1895	28	28
	Sub-total	180	273
<i>Kung-sheng</i>	Sub-total	882 (all districts over period)	
	Grand-Total		1,361

Source: These estimates are calculated from information contained in Bank of Taiwan, *T'ai-wan t'ung-shih* (A General History of Taiwan), Bank of Taiwan: Taipei, 1961, pp.139-153. It is not clear if the district gazetteers listed all or omitted some literati.

obtained the *chü-jen* title than did civilians of *sheng-yuan* status. Taiwan produced a larger number of literati than did such frontier areas as Kansu, but its large military garrison enabled more officers to obtain literati status than was customary in mainland provinces. As of 1810 the total literati class probably did not exceed five thousand of a population of roughly two million. Thus, the literati comprized less than .5 per cent of the population, a ratio much smaller than on the mainland according to Chang Chung-li's best estimate. Taiwan's more rapid population growth, due to immigration, undoubtedly accounts for this lower ratio.

Aside from the formal prefectural and district literati schools, there were charity schools (*I-hsüeh*) established by literati and "people's schools" (*min-hsüeh*) where Chinese character recognition and meaning were taught. The charity schools produced *sheng-yuan* for the prefectural and district literati schools. Just as these schools functioned to indoctrinate their students with the morality and values imbedded in Chinese classical writings, so too did the literati serve to educate and indoctrinate the populace. The first Ch'ing emperor initiated a program whereby the literati were to lecture the common people in basic maxims of appropriate behavior and conduct. The *hsiang-yueh* lecture system, as this was termed, was continued by each Ch'ing emperor thereafter with varying success depending upon the vigor by which district magistrates enforced this practice.

In every rural and urban area lectures were to be called on prescribed days of the month and maxims relating to social relations, education, earning a living, and peace and order were discussed and emphasized.¹ This system was also extended to Taiwan. The local gazetteer for Chu-lo district relates that such lectures were given regularly at the district office pavilion.² After the Chu I-kuei uprising the *hsiang-yueh* lecture system was enforced more vigorously as a result of one Censor's complaint in 1724 that "the people of Taiwan are still uneducated and do not comprehend the proper path of loyalty and trust."³ This same Censor went on to urge that these lectures be given by the literati in every town and village. In 1842 there is evidence that in Tanshui such lectures were being given by local literati at the district seat temple.⁴ Given the small number of literati in Taiwan and the imbalance between their distribution and density of rural populace, it appears unlikely that this lecture system ever truly penetrated the countryside for any length of time.⁵ The very fact, however, that officials attempted to enforce this system, even in the late nineteenth century, indicates they considered it as an important ideological control device.

The literati periodically also held banquets to venerate the elders of the community, particularly outstanding individuals who had contributed to the peace, order, and prosperity of the community. They built temples, constructed pavilions, and erected edifices to commemorate the deeds and outstanding behavior of illustrious individuals of the community.⁶ When the literati prepared the district histories or gazetteers, they faithfully noted the careers and achievements of their colleagues who had earned official titles. They deliberately used ceremony and bestowing of prestige to honor such individuals in order to inspire the ordinary members of the community to emulate these great men. In this fashion, first in the cities, and then to some extent in the rural towns and perhaps the villages, Chinese culture and education accompanied colonization to become a powerful civilizing force in this frontier area.

The Ch'ing Legal System in Taiwan

The Ch'ing government possessed criminal and civil legal codes which were adjudicated within a legal system of considerable complexity and sophistication. In a society founded on the premise that the superior in intellect and propriety should rule and lead, and that the common and ordinary should work hard and diligently, live in harmony and peace, and respect their officials and elders, the government had to devise and uphold laws governing property, person, family, and the state to preserve these distinctions. The Ch'ing had inherited legal codes from preceding dynasties which they modified and enforced through a judiciary system providing both litigation to be introduced and appeals of sentencing to be made.

At the basic administrative level, the district or department, plaintiffs entered their suits. At first the magistrate conducted preliminary hearings and investigations to determine if such

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- 1 The best description of this practice can be found in the monumental study of Ch'ing control over the mainland by Kung-chuan Hsiao, *Rural China: Imperial Control in the Nineteenth Century*, University of Washington Press: Seattle, 1960, pp.184-191.
 - 2 Inō Yoshinori, *Op. Cit.*, II, p.183.
 - 3 Inō Yoshinori, *Op. Cit.*, II, p.184.
 - 4 Inō Yoshinori, *Op. Cit.*, II, p.185.
 - 5 Inō Yoshinori, *Op. Cit.*, II, p.188.
 - 6 Inō Yoshinori, *Op. Cit.*, II, pp.195-205.

litigation should even be adjudicated. If the examination findings warranted it, both parties were then called to the yamen for trial. The magistrate, after hearing both sides of the case, made his decision and rendered a verdict. In civil cases, litigation ended here, and only rarely did a party appeal the magistrate's decision to the prefectural yamen. In criminal cases where the death penalty was involved, appeal was possible at the prefectural magistrate's office and even higher at the Judicial Commissioner's office (*an-ch'a-shih ssu*) of the province and the provincial governor.¹ Appeals could then be submitted higher up to the Board of Punishment (*hsing-pu*) in Peking. Cases involving misconduct or crimes of officials were appealed and considered by the Court of Judication and Revision (*ta-li-ssu*) and the Censorate (*tu-ch'a-yuan*).

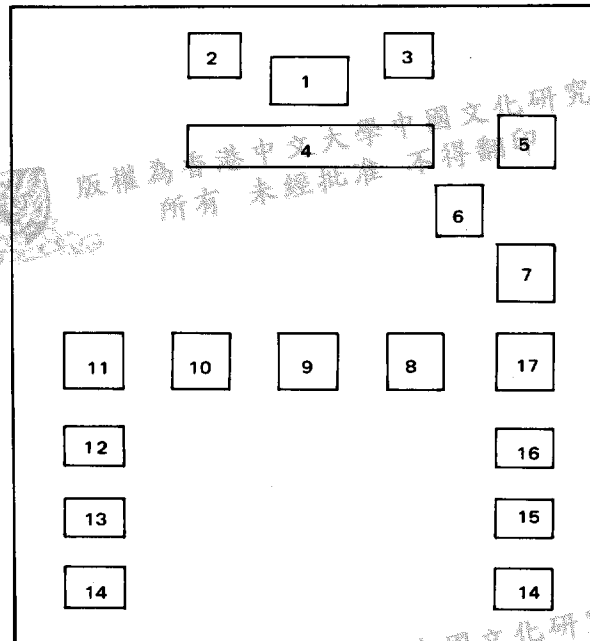
A recent pathbreaking article by David C. Buxbaum describes for the first time how civil legal procedures were enacted at the district level in Ch'ing China by taking civil cases from the legal archives for Tanshui and Hsinchu districts of Taiwan.² These districts incorporated a population of roughly 150,000 persons in 1760 which rose to 600,000 persons in 1895. The ratio of civil cases per 10,000 persons began to rise steadily after 1840, and by 1875 accelerated upward rapidly until 1885 when it declined precipitously for no clear reason.

The legal system did not operate when farmers were busy, which was from the first day of the fourth lunar month to the thirtieth day of the seventh lunar month.³ When disputes could not be resolved by third party arbitration, a plea could be presented by litigation agents on behalf of the plaintiff to the district magistrate's office requesting a trial and his decision. If the magistrate decided to investigate the case, he dispatched his runners to gather information and question witnesses, and after assessing this evidence he decided whether a trial should be conducted. Witnesses and both parties were then summoned to appear for trial at the yamen. The trial was a most auspicious and grave affair, carried out with appropriate decorum and style, with plaintiff, accused, witnesses, magistrate, and other presiding officers assembled. The format for trial proceedings appears in Chart IV which shows the arrangement and positioning of the magistrate, presiding officers, plaintiff, and accused.⁴ After hearing both sides, the magistrate wrote out his decision in vermilion brush. The Tanshui-Hsinchu legal records establish beyond all reason of doubt that a plethora of civil cases were tried by district magistrates according to a fixed manner

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- 1 For an excellent discussion of the outline of the Ch'ing legal system, and its application to Taiwan see Kobayashi Rihei, "Shinkoku seifu jidai ni okeru Taiwan shihō seido" (The System of Administering Justice in Taiwan during the Period of Ch'ing Rule), *Taiwan kanshū kiji*, 2:12 (Dec. 1902), pp.12-28. Part two of this same essay is continued in 3:2 (Feb. 1903), pp.10-25; part three can be found in 3:3 (March 1903), pp.1-13.
 - 2 David C. Buxbaum, "Some Aspects of Civil Procedure and Practice at the Trial Level in Tanshui and Hsinchu from 1789 to 1895", *The Journal of Asian Studies*, 30:2 (February 1971), pp.255-280.
 - 3 David C. Buxbaum, *Op. Cit.*, p.261; Kobayashi Rihei, *Op. Cit.*, 3:3 (March 1903), p.10. Kobayashi states that the busy farming season in Taiwan at this time was between April 1 and July 30th. As double cropping was conducted in northern Taiwan even at this time, we can only presume that this activity was not as widespread and intense as the planting and harvesting of crops during the first cropping period.
 - 4 Kobayashi Rihei, *Op. Cit.*, 3:3 (March 1903), p.9.

and routine. Between 1787-1895, the sample of court cases examined in these two districts showed that 20 per cent involved civil matters.¹

CHART IV
Format of a Trial Proceedings in a District Yamen
in Taiwan during the Period of Ch'ing Rule



LEGEND

- | | | |
|------------------------|---|-------------------------------------|
| 1 District Magistrate | 7 Recorder | 12 His assistant |
| 2 Clerk | 8 Plaintiff | 13 Coroner |
| 3 Magistrate's Servant | 9 Accused | 14 Guards |
| 4 Desk | 10 Witness | 15 Bailiff to administer punishment |
| 5 Head Clerk | 11 Bailiff who has apprehended
the accused | 16 Deputy to chief bailiff |
| 6 Chief Bailiff | | 17 Police runner |

These civil cases ranged over a wide variety of matters involving property and social relationships: missing persons, marriage, divorce, adoption, guardianship, failure to pay rent, lending of money, trespass to land, boundary disputes, financial disputes, water rights, sale of goods, mortgages, pledges, security transactions, lending of chattels, contracts, bankruptcy, etc.² These

1 David C. Buxbaum, *Op. Cit.*, p.266. I rely most heavily on Buxbaum's findings for my description of the operation of the legal system in Taiwan. But for an essay which confirms Buxbaum's findings and presents very similar information showing the procedures by which civil suits were introduced and adjudicated see Suzuki Sōgen, "Taiwan no kyū soshōhō" (Traditional Litigation in Taiwan), *Taiwan kanshū kiji*, 1:2 (Feb. 1901), pp.1-17; 1:3 (March 1901), pp.14-23; 1:4 (April 1901), pp.1-25. See also "Soshō shorui reikai" (Various Examples of Types of Litigation), *Taiwan kanshū kiji*, 1:7 (July 1901), pp.49-64 for additional examples of civil suits.

2 David C. Buxbaum, *Op. Cit.*, p.266.

matters had caused sufficient alarm and crises involving the parties that they had been vigorously brought to the attention of the district magistrate to obtain his judgement and verdict. The success upon bringing such cases to the magistrate's attention naturally depended upon the capabilities of the plaintiff to muster witnesses and obtain a skillful party to present the case at the magistrate's office. District offices had to be knowledgeable of customary law to decide fairly in such matters, and to be sure the system was open to abuse and bribery (what administrative system is not?), but the fact remains that serious disputes were adjudicated by procedures which appear to have rendered verdicts similar to that of the western legal system.

Take the example cited by Buxbaum of a dispute over a debt secured by a mortgage (*tien*) involving a woman whose husband had died.¹ The woman took the case to the magistrate's office to demand payment of the loan. The magistrate must have regarded the case as important, perhaps to render a decision to serve as an effective example to the populace of the importance to honor customary law, so he ordered a trial. The woman was able to present a deed showing how the loan had been secured by the defendant pledging land and that principle was still owing. The land in question had been inundated with water for many years, but the water had recently subsided, and the debtor now intended to cultivate the pledged land again. She demanded her rent or full payment of the original loan. The accused denied the debt. The court decided in favor of the plaintiff, permitted her to collect rent on the property, and ordered that when the debt was paid the deed (*tien-tang*) be returned to the defendant.

One remarkable feature of this legal system was that the time period per case was normally less than two years (80 per cent of cases sampled), and the same share of cases of criminal nature were completed within one year. Contrary to the view often expressed by westerners that the public was terrified to take cases to court, it appears that plaintiffs pressed magistrates on the average of 3.1 times per case, while the magistrates took action by issuing a warrant only 1.6 times per civil cases.² This finding indicates that plaintiffs came to court repeatedly to press the magistrate to take action. Where criminal cases were involved, and well known, the magistrates responded more readily to review the case. In a society characterized by backward transportation and communication the greater the distance separating parties from the district seat office, the more infrequent were such cases brought to court and tried. Where the plaintiff could continue to press the magistrate for a hearing and trial, the probability was very high that he could obtain satisfaction.

The Ch'ing legal system in Taiwan did function effectively to render justice according to the standards embodied in Ch'ing civil and criminal legal codes, and in particular, to make certain that customary law was upheld. A wide variety of civil suits were filed, and district magistrates held trial and rendered a verdict. There were courts of higher appeal where criminal case results were carefully re-examined. The inherent rationality and order of this system enabled the small number of officials administering Taiwan to command community respect and obedience. Basic ground rules governing human behavior, social relationships, and conduct were established and upheld by this legal system. Furthermore, there is no doubt whatsoever, that it operated most effectively far late in the nineteenth century.

1 David C. Buxbaum, *Op. Cit.*, p.267.

2 David C. Buxbaum, *Op. Cit.*, pp.270-271.

Ch'ing Economic Policy in Taiwan

How did the Ch'ing government finance and maintain its administration and troop strength in Taiwan over the period? What kind of government economic policies were enacted in Taiwan to develop the colony? Ch'ing fiscal and economic policy in Taiwan followed a similar course as on the mainland. Ch'ing fiscal policy was predicated on the scheme that provinces and districts share their revenue with the central government in such a manner that they be self supporting but provide some tax revenue to the government to assist it to make certain necessary expenditures. This scheme was at variance with modern state fiscal policy in which revenue collection is firmly centralized under the state, and that local administration be financed mainly through transfer payments from the government or states and provinces. At first the Ch'ing state relied only upon the land tax, a head tax, and various excise taxes to support its officials and armies. This system worked satisfactorily, even providing a treasury surplus, until the late eighteenth century. But then difficulties developed. Due to rising military expenditures to quell some serious rebellions, government outlays exceeded revenue over some years so that very quickly previous surpluses were exhausted and the government faced the serious problem of needing additional revenue but fearing to raise taxes for this might spark more public protest and rebellion. During the Taiping rebellion, the government successfully found new revenue sources such as the *likin* tax or surcharge on goods in transit, and later in the century revenues from customs and salt enabled the Court to balance its annual budget. By this time, however, the land tax had declined in importance as a major source of government revenue.¹

The Fukien administration established the same tax system and instituted the same fiscal procedures for the prefecture of Taiwan as it did in other prefectures of the province. Land was classified into field and garden land according to ownership and use, and within these categories tax assessments were levied according to high, average, and low grade land. All households reclaiming or buying land were supposed to register their land with the district tax office in order to secure a title. Many households evaded paying the land tax by refusing to register their land, and instead they relied upon customary procedures to exchange land, mortgage, and lease to put their land to the best economic use. Therefore, local officials failed to record accurately all land being reclaimed, farmed, and used, so that over time more land became productive but did not produce tax for the local government. At no time before 1885 did officials carry out any land survey to record land ownership and use, to appraise new land values due to rising productivity and prices, and reassess land values for the purpose of increasing tax. Instead, officials resorted to the strategy of fixing the land tax rate for different grades and kind of land as a means of encouraging more land to be reclaimed and to eliminate economic discontent. Table 3 shows the periodic changes in land tax rates between 1684 and 1885; we observe that in the early eighteenth century land tax rates were even lowered compared to their previous level and then held constant for the remainder of the period. The tax schedules established for 1744 and after applied to newly reclaimed land, whereas the schedules in force between 1729 and 1744 applied to all land registered before 1744. The substantial reduction in land tax rates in 1729 came in the wake of the great Chu I-kuei rebellion as a palliative to discourage rural protest.

1 Wang Yeh-chien, "The Fiscal Importance of the Land during the Ch'ing Period", *The Journal of Asian Studies*, 30:4 (August 1971), pp.829-842.

TABLE 3
Changes in Land Tax Rate Between 1684 and 1885 (in *shih* per *chia**)

Land Class	Time Period		
	1684-1729	1729-1744 (all land)	1744-1885 (reclaimed land)
High grade field	8.8		2.74
Middle grade field	7.4	1.7	2.05
Low grade field	5.5		1.75
High grade garden	5.0		2.08
Middle grade garden	4.0	1.7	1.75
Low grade garden	2.0		1.71

Source: Inō Yoshinori, *Taiwan bunkashi*, II, p.569; *Ch'ing-tai T'ai-wan ching-chi shih*, p.98; *T'ai-wan t'ung-shih*, II, p.191.

* 1 *chia* is equivalent to roughly 1 hectare. Fukien officials never changed the Taiwan *chia* to *mow*, and this land unit roughly equalled 11 *mow*. The *shih* is a capacity unit for grain and is roughly equal to 133 pounds weight.

The land tax or *ch'ien-liang* was collected after the harvest and sent to the district yamen. The land tax collection machinery operated as follows.¹ In each district there was a land tax office separate from the yamen which possessed records identifying the amount of registered land, grade of land, household owning such land, and the amount of tax to be collected in money for each village (*chuang*) and township (*pao*). When the district land tax office (*liang-fang*) declared its doors open for collecting tax, it also notified its agencies (*liang-kuei*) in each township to issue tax payment forms to all tax paying households (*hsiao-tsu-hu*). Prior to 1888 these forms were sent to tax paying households called *ta-tsu-hu* or large rent households. Liu Ming-ch'uan's land survey and attempts to reform the land tax system did shift tax payments in most districts from the *ta-tsu-hu* to *hsiao-tsu-hu*. See next section for a more detailed discussion of these units in the land tenure system. Each *liang-kuei* was managed by a headman called *liang-tsung* and assistants. None of these individuals held formal official rank or collected a formal salary. For carrying out their tax collecting duties they obtained fees or *tsu-yin* from the tax paying households. Upon receiving the land tax notice each household was supposed to make proper payment in money at the *liang-fang* which eventually forwarded all tax monies to the district yamen. In the event a household refused payment or was tardy in making payment, the *liang-kuei* notified the *liang-fang* which in turn informed the district yamen which dispatched runners (*ch'a-i*) to make arrests or use whatever persuasive methods were necessary to force payments. This standard tax collecting procedure existed without exception in every district of Taiwan.

Aside from the land tax, the district collected the household head tax, miscellaneous taxes (*lu-hsiang* and *shui-hsiang*),² revenue from salt sales, and revenue from government land and

1 Uchinari Hideō, "Hontō chiso choshū ni kansuru kyūkan" (Traditional Customs Concerning the Collection of Land Tax in Taiwan), *Taiwan kanshū kiji*, 1:1 (Jan. 1901), pp.35-38.

2 The *shui-hsiang* taxes were levies or surcharges collected on fishing boats, fish catches, harbor entry dues, etc. The *lu-hsiang* taxes or surcharges were collected from the sale of certain commodities in the market, production of sugar, manufacture and sale of ceramic articles, cart loads of sugar cane, etc. For a good description of these kinds of duties see Tung T'ien-kung, *T'ai-hai chien-wen lu* (A Chronicle of Things Seen and Heard in Taiwan), Bank of Taiwan: Taipei, 1961, pp.25-27.

property. The share and importance of each revenue source can be observed in Table 4 based upon information collected from Taiwan district gazetteer for 1747. The expenditures from this same district have been itemized according to outlays transferred to pay for Taiwan prefectural official salaries, office expense, and literati schools and student stipends, expenditures for Taiwan district's official salaries, offices, and literati schools and student stipends, other official outlays, expenditures for temples, rites, and temple repair, charity for the poor, upper literati fees and costs for supporting the district prison. The revenues and expenditures for this district can be regarded as fairly typical for other districts of Taiwan at this time. Feng-shan and Chu-lo also transferred part of their revenue to pay for Taiwan prefectural official salaries, office expenses, and literati schools and student stipends. Chang-hua district, Tanshui sub-prefecture, and the Pescadores sub-prefecture made no transfer of revenue to support the prefecture at this time. Presumably the reason for this was these administrative areas were still small and their fiscal surplus was also small. About 32 per cent of district expenditures consisted of transfer payments to the prefecture. Salaries, yamen expenses, and literati fees comprised over 60 per cent of expenditures. Observe that no expenditures were made for economic development of the district. Nearly 75 per cent of revenue came from the land tax, and this appears to have been quite typical throughout the island. What remains a mystery is what happened to the huge surplus, which was nearly eight times that of total district expenses? It is not clear from the records whether this remained a surplus for future years, or whether a portion of it went to support the military. As year to year local government revenues and outlays have not been recorded, it is impossible to explain how such surpluses were used.

TABLE 4
Tax Revenue and Expenditures for Taiwan District, 1747 (taels)

A. Tax Revenue	Amount	Per cent
1 land tax	15,305	71
2 head tax	681	3
3 surcharges collected from aborigines	73	1
4 miscellaneous surcharges on land (<i>tu-hsiang</i>)	2,030	9
5 miscellaneous surcharges on sea (<i>shui-hsiang</i>)	1,314	6
6 government land and property revenue	1,486	7
7 salt revenue	756	3
total:	21,645	100
B. Expenditures	Amount	Per cent
1 prefectural official salaries and yamen expense	611	26
2 prefectural schools and student stipends	155	6
3 district official salaries and yamen expenses	610	25
4 district literati schools and student stipends	161	7
5 other district official salaries	273	12
6 repair of temples, maintenance, rites, etc.	259	11
7 charity for the poor	260	11
8 district prison	30	1
9 payments to upper rank literati (<i>kung-sheng, chü-jen, chin-shih</i>)	36	1
total:	2,395	100

Source: Lien Heng, *T'ai-wan t'ung-shih*, II, pp.214-217. Figures have been rounded off to the nearest tael.

When district revenue sources are compared over this long period, it is clear that the land tax declined in importance by the late nineteenth century just as it did for mainland provinces. By the late 1880's additional sources of revenue in Taiwan had greatly reduced the importance of the land and head tax (which were combined in 1754, much later than occurred for the mainland) from what it had been in administrative revenue in the early eighteenth century. The following table shows this great change.

Table 5 is incomplete and most likely inaccurate, but it shows an unmistakable trend which is undoubtedly correct. Until the mid-nineteenth century when Taiwan began to take advantage of unprecedented trading opportunities, the land and poll taxes comprised the major revenue sources, accounting in the first instance for three quarters of revenue for some districts and in the second instance as much as three fifths of all revenue collected on the island. By the end of the century these revenues had declined enormously as a share of the total to account for only a little over ten per cent. The administration continued to undertax agriculture for it still had not carried out a land tax reform and merely levied additional taxes upon an expanding commerce and industry.

TABLE 5
Ch'ing Government Revenue and Expenditures in Taiwan, 1756 and 1889 (Taels)

Area	Revenue			Expenditures
	Total	Land Tax*	Per cent	
A. 1756				
Taiwan hsien	21,647	15,986	74	2,374
Feng-shan hsien	27,047	13,862	51	1,927
Chu-lo hsien	36,686	15,557	42	2,197
Chang-hua hsien	11,558	9,950	86	1,577
Tanshui hsien	1,534	1,139	74	902
Pescadores	734	283	39	257
Grand Total	99,206	56,777	57	9,234
B. 1889				
Taiwan	4,402,325	511,961	12	N.A.**
<i>Other Taxes</i>				
Customs revenue		990,146	22	
Opium Tax		446,640	10	
Coal mine revenue		409,000	9	
Commercial business revenue		400,000	9	
Camphor tax		400,000	9	
		Total	2,645,786	59

* Includes land and poll tax

** Non-available

Source: Calculated on information based upon Lien Heng, *Tai-wan t'ung-shih* (A General History of Taiwan), Bank of Taiwan: Taipei, 1962, II. Data for A obtained from pp.215-229 and for B from pp.238-239. Figures have been rounded off to make whole numbers in value of silver taels.

Ch'ing government economic policy was based upon the premise that taxes should be collected merely to maintain peace and order. This meant preserving the existing social order by dispensing relief to the poor and stabilizing food grain prices in the event of poor harvests by the use of a granary system. The government recognized the importance of winning the loyalty of the people to obtain their support and obedience. Therefore the poor, the uprooted, and the cast offs had to be cared for and accommodated to the social order. Both officials and literati established agencies from time to time when conditions dictated to provide charity to helpless victims of circumstances beyond their control. In 1684 the district magistrates of Taiwan, Feng-shan, and Chu-lo districts created an office (*yang-chi-yuan*) to dispense charity to the many refugees wandering about after the wars between Ming loyalists and Manchu imperial troops.¹ In 1736 another such office was established in Chang-hua district; in the early 1800's another office was established in Chang-hua district, and in the early 1800's another office was built in Feng-shan district. In 1880 similar agencies were established in Taipei prefecture and Hsinchu district. Still another agency was the foundling hospitals (*yu-ying-tang*) for discarded babies and small children. Once restrictions upon immigrating from Fukien to Taiwan were lifted, more families settled so that this problem became more widespread and serious. Several foundling hospitals were established in Taiwan prefecture by the literati during the 1850's, one in An-p'ing harbor and two in Taipei in 1866, and another in 1867 in Chia-i.² While we know little about how many people were treated or the quality of care they received, this society possessed institutions to assist individuals to be integrated into the social order again.

In a system whereby nearly eight out of ten people farmed, harvest fluctuations were bound to produce shock waves of instability throughout the economy. The government had a fixed policy to prevent this by immediately prohibiting the export of foodgrains from the region affected by the poor harvest.³ Officials were then dispatched to dispense grain storages to the poor and admonish the wealthy and literati to open their grain storages and make free contributions to the poor.

Sometimes merchant ships were rented by officials and dispatched to grain exporting areas to bring back food. Finally, taxes and even tenant rents were cancelled for the period of crises. In Taiwan officials relied heavily upon a granary system to provide cash and grain to stabilize prices. In 1711 the circuit intendent Chen Pin built the first granary in Taiwan district seat.⁴ In 1713 the district magistrate of Chu-lo district built another, and in 1716 a granary was built in Tanshui sub-prefecture in the north. By 1800 there were 20 officially operated granaries, 43 charity or town granaries operated by literati and officials, and 56 granaries in use in areas settled primarily by aborigines.⁵ In 1831 after great winds and rains lashed the Pescadores, the second harvest failed and famine became evident the next year. The granaries in that district dispensed more than 3,500 strings of copper cash to the poor and transferred grain to military troops. In 1867 the district

1 Inō Yoshinori, "Taiwan no shinjutsusei" (The Policy of Relief and Charity in Taiwan), *Taiwan kanshū kiji*, 4:12 (Dec. 1904), p.20.

2 *Ibid.*, pp.23-24.

3 "Kyūken ni taisuru kyū seifu no sochi" (Measures of the Ancient Regime to Deal with Poor Harvests), *Taiwan kanshū kiji*, 2:1 (Jan. 1902), pp.71-72.

4 *T'ai-wan Ch'ing-tai ching-chi shih*, p.32.

5 *T'ai-wan Ch'ing-tai ching-chi shih*, pp.33-34.

magistrate of Tanshui spent 1,000 taels to buy 1,000 *shih* of grain, and literati and wealthy merchants contributed another 49,000 *shih* to local granaries in the area for distribution to the needy.

Conclusion

Taiwan remained a frontier area on the periphery of the Ch'ing empire for over two hundred years. Migration and population growth increased the number of Chinese of Kwangtung and Fukien origin to over 2 million by the mid-nineteenth century. The administration and institutions established in Taiwan closely resembled those the Ch'ing established on the mainland, so that Taiwan merely reflected, as a mirror, conditions of control, indoctrination, and adjudication throughout the empire. How successful was this administrative system?

Answering this question depends upon the definition of administrative success. Does it mean the ability of the Ch'ing to maintain their control over Taiwan, an island nearly 125 miles away from China and navigable in vessels of the day anywhere between 24 hours and a week depending upon winds and currents,¹ without losing it to another ruling elite? Does success mean the ability of the Ch'ing to control a region with little expenditure and by only a handful of officials? Or does it mean the ability of the Ch'ing to maintain general peace with only periodic clan wars, riots, and bloody encounters with aborigines? As numerous as these conflicts were they never snowballed into revolutionary movements with any success except for the several month take-over of Taiwan by the forces of Chu I-kuei in 1722. Or does it mean the ability of the Ch'ing to extend Chinese civilization to remote areas inhabited solely by primitives? If these criteria can be called administrative success, in that they constituted goals which the Ch'ing bureaucracy achieved, it would seem that the traditional order established in Taiwan was exceedingly successful. Further, as this order depended upon the prosperity of agriculture based upon a primitive technology, it is indeed a tribute to this pre-modern state that it could at the same time create an impressive legal system resembling in many ways a modern legal system, maintain social stability for long periods, educate and train a ruling elite to provide continuity of rule, and keep the island an integral element of the imperial polity.

Was the system characterized by political decay? If by political decay we mean a process by which administrative ineptness became widespread, officials increasingly discredited themselves in the eyes of the people, corruption became rampant, social instability became more pervasive, the evidence does not suggest that any of these characteristics were anymore widespread by the mid-nineteenth century than in the early eighteenth century. Further study of these facets of political activity might very well reveal different findings than suggested here; these types of changes are difficult to document and confirm even when factual information is available. The vigor by which officials after the 1870's tried to introduce new reforms does not suggest that the administrative hierarchy had atrophied and become unresponsive to change.

To be sure the administrative system never planned the improvement of agriculture, commerce, and industry prior to 1885. It allowed the people to live in peace and manage their affairs

1 For a fascinating account of maritime travel between Taiwan and Fukien, see Lawrence G. Thompson, "The Junk Passage Across the Taiwan Strait: Two Early Chinese Accounts", *Harvard Journal of Asiatic Studies*, 28, 1968, pp.170-194.

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according to local custom. The private sector remained content to use its freedom and independence to pursue those goals embodied in Chinese culture: a desire for peace, economic security, social harmony, and proper respect paid according to social status and rank. Furthermore, as will be argued later living standards appear to have been comparable to those elsewhere in the empire, and to explain why this was so we must now examine the course of economic development and the principal economic organizations responsible for economic progress.

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一六八四——一八九五年台灣之傳統政治秩序

(摘要)

馬若孟

台灣在有清一代為帝國藩籬達二百餘年。移民與人口增長使來自廣東和福建兩省的中國人由一六八〇年代之三萬人增至十九世紀中葉之二百多萬。島上行政和機關設施與清廷在大陸所設置者相類似。因此，台灣只是清帝國全國的統制、教導、與審判情況之一種反映。

本文敘述清廷如何治理台灣，特別注重知縣衙門之工作與功用，以及對農村的控制方法。縣衙是地方行政管理中心，一切經濟、法律、與政治事件皆賴知縣及其少數僚屬作決定。城市和鄉村還施行着一種非正式的管理制度。城市劃分坊里，由非正式防衛隊維持秩序和保護。鄉村則由耆老會議管理，至十八世紀中葉並納入保甲制度。

此行政制度特別着重對學者階層之獎勵與招致，以便挑選官吏及維持民間之非正式集團，從而獲得控制與理論上之支持。學校於是相繼設立，訓練士子。迨至一七二七年，貢生考選已在台南舉行，無需再赴福州。一八三三年全島大約有兩千學生準備參加科舉考試，至一八七六年可能超過三千。作者估計台灣文武貢生以上人數當逾一千三百，等而下者必遠逾此數。

台灣法律制度與大陸相類似，而縣衙審判手續亦同出一轍，殆可無疑。本文對於民事訴訟手續之敘述主要根據David C. Buxbaum氏最近在美國亞洲研究學報（一九七一年二月）發表的一篇論文，以及日人有關清代法律機關與在台灣實施之研究。作者研究結果，發現此種法制十分不簡單，其目的在尋求公正之判決，而使習慣與訴訟手續獲得支持。迨至清廷失去台灣，此種制度一直施行，順利而有效。

清帝國的經濟政策以徵收足量稅款維持全島文武官僚為原則。地稅在初期幾佔全部收入四分之三，而行政開支與公共建設及廟宇修繕耗去總支出之絕大部份。迨十九世紀中葉，由於國際貿易和新經濟活動的種種發展，使清政府得從事擴充稅收範圍。至一八八〇年代末年，地稅僅佔全省收入百分之十二，其餘則取源於商業發展中之消費稅及稅關收益。公家方面，除管理穀倉和對各種公共建設(如育嬰院、廟宇、橋樑等)之支出外，對經濟發展甚少直接促進。人民方面，但求能達到中國文化傳統目的，自由自在，便覺滿足。一般平民在與全國其他地區生活水準相類似的條件之下，對此目的似頗能達到。