

# Guilty of Indigence

THE URBAN POOR IN CHINA, 1900–1953



Janet Y. Chen

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1900–1953

*Janet Y. Chen*

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# Contents

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[ACKNOWLEDGMENTS](#)

[A NOTE ON CONVENTIONS](#)

[INTRODUCTION](#)

[CHAPTER 1](#)

[Between Charity and Punishment](#)

[CHAPTER 2](#)

[“Parasites upon Society”](#)

[CHAPTER 3](#)

[“Living Ghosts” during the Nanjing Decade](#)

[CHAPTER 4](#)

[Beggars or Refugees?](#)

[CHAPTER 5](#)

[Keeping Company with Ghosts](#)

[Epilogue](#)

[Notes](#)

[Glossary](#)

[Bibliography](#)

[Index](#)

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Princeton, New Jersey  
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# A Note on Conventions

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I USE THE *pinyin* system of romanization, except where names are better known in an alternative (e.g. Chiang Kai-shek, rather than Jiang Jieshi).

Between 1900 and 1950, the name for Beijing (meaning “Northern Capital”) changed four times, reflecting the revolving door of governments and the relocation of the capital. To minimize confusion, I retain the use of Beijing throughout.

One *mu* of land is equivalent to 0.165 acres.

One *liang* of food is equivalent to 1.1 ounces.

One *sui* is the equivalent of one year in the Western calendar. In the Chinese method of calculating age, a newborn baby is one *sui* and turns two *sui* at the next lunar new year, regardless of the birth date. Thus someone identified as twelve *sui* could be ten to eleven years old by Western calculations. Since age was a factor in determining eligibility for different poorhouses, workhouses, and orphanages, I have retained the use of *sui* to correspond to the eligibility requirements.

# Introduction

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ON THE NIGHT of November 24, 1922, Guo Hetang was sleeping in a Beijing alleyway when a policeman from the Fourth District Precinct discovered him. As Constable Chang Quan learned from questioning him, Guo was thirteen *sui*, a native of Handan County (about three hundred miles southwest of the capital city). His mother died when he was quite young, and after his father passed away in 1921, he lived with his uncle for a while. When the uncle left town to look for work, Guo moved in with Li Kui, a neighbor who was a former soldier. In June of 1922, Li brought him to Beijing, but when they arrived he abandoned the boy at the Qianmen train station. At first Guo wandered around the city begging. A few days later he found a job carrying water for a man named Liu, who gave him a set of clothes and two meals of steamed buns each day. “But recently Liu complained that I was eating too much and kicked me out,” Guo told the authorities. “The policeman found me sleeping on the street.” At the conclusion of the interview, Guo signed a statement summarizing his responses with an X mark. Departing from the usually taciturn police report, Constable Chang wrote that “this young child wore thin clothing and was freezing. He shivered and his voice shook as he spoke. If nothing is done he will surely freeze to death.” Five days later, the police chief inspector's office arranged for Guo to be sent to the Capital Vagrant Workhouse (Jingshi Youmin Xiyisuo), with a note explaining his history. The cover memo added that “this boy is orphaned and helpless, and deserves compassion,” and also expressed the hope that he would learn a “suitable craft” at the workhouse and no longer “wander about destitute.” <sup>1</sup>

What happened to Guo Hetang at the workhouse, and afterward? The records do not tell us. His story, described in a one-page testimony preserved in the police files at the Beijing Municipal Archive, is one ordinary example among many. However truncated and sparse, the details of this case suggest new elements in twentieth-century Chinese urban life that deserve our attention. A policeman patrolling the city streets, an orphan abandoned at the railway station, a former soldier from a provincial town passing through the capital, a young life of misery narrated to interrogators and recorded for the police file, the workhouse as a place of charitable detention—these threads underline some of the main themes of this book.

*Guilty of Indigence* seeks to understand what we can know of a life like Guo Hetang's in the context of urban poverty in Republican-era China. It traverses the terrain of philanthropy, punishment, social science, municipal governance, war, and revolution. But ultimately, the book focuses on the experiences of the homeless destitute, in a time of political upheaval and displacement. In considering questions such as how the notion of poverty as a social problem changed or how relief methods varied, this study places “the poor,” rather than their benefactors and custodians, at the center of inquiry.

In addition to asking how the turbulence of the first half of the twentieth century affected the lives of the urban destitute, the book also traces changes in attitudes about “poverty” and the policies enacted for its alleviation. As elite opinion increasingly sounded the alarm that “poverty” was a major obstacle to the nation's aspirations for progress, officials and reformers sought solutions from different sources, including Japanese penology, Anglo-American sociology, and the foreign administration of China's treaty ports. The flow of knowledge into China from multiple contexts, intersecting with existing practices, produced new institutions that endeavored to rehabilitate the nonworking poor: by punishing their criminality, reforming their indolence, and eradicating the “parasitic” dependence of those who subsisted on charity. I argue that the emergence of these ideas and practices, embodied in the advent of the workhouse, represented a fundamental reordering of the



relationship between the state, private charity, and the neediest members of society. As the concept of the “social parasite” became deeply ingrained in both the conventional wisdom and social policy, it became the rationale for the exclusion and punitive treatment of people identified as such. At the workhouse, a new regimen of detention and labor cast government officials and philanthropists in the role of wardens and caretakers of those singled out as needing punishment or deserving aid. These institutions became laboratories for the production of social citizenship, demarcating the boundaries of social belonging on the basis of labor and discipline. At the same time, the workhouse created new forms of criminality, stigmatizing those who refused to work as “vagrants” and as liabilities to the productivity of the nation.

These changes took place in the early decades of the twentieth century in China, a critical historical juncture when new possibilities emerged for imagining the relationship between government authority and the people. With the demise of the imperial regime in 1911, the floodgates opened to contestation in competing venues for political participation and civic action, the seeds of which had been planted in the late nineteenth century. Recent studies of citizenship in Republican China have analyzed its diverse forms in both ideology and practice. Historians have made clear the importance of civic rituals, sports, consumption, and education in shaping the content of political and cultural citizenship. Robert Culp, for instance, shows how secondary school students translated textbook ideals into action as they experimented with participation in Boy Scouts and military training to constitute themselves as citizens (*guomin*, *gongmin*) of the Republic.<sup>2</sup> As various other groups, old and new, found different ways to perform citizenship, they created opportunities for political action and crafted new forms of social and cultural authority.<sup>3</sup>

Yet as Merle Goldman and Elizabeth Perry remind us, “citizenship implies exclusion as well as inclusion.”<sup>4</sup> Thanks to the work of social scientists, we have a good picture of how the politics of exclusion worked in the post-1949 era. Dorothy Solinger's masterful study, for instance, explains the marginalization of rural migrants as “second-class citizens” in the urban welfare system.<sup>5</sup> As the socialist state established the parameters of its welfare regime, social citizenship, in T. H. Marshall's classic definition, constituted recognized claims for economic welfare and security.<sup>6</sup> Such parameters were not so obviously delineated in the early decades of the twentieth century. One of the goals of this study is to explore the politics of exclusion in a time when the contours of social rights and obligations were far from settled, when the practices which marked the boundaries of belonging in “society” were in the infancy of formation.<sup>7</sup> My research charts how starting at the turn of the century intellectuals and officials began to define the ability and willingness of the “common people” to labor in the service of the nation-state as one of defining attributes of social membership. Even while the legacy of Confucian paternalism persisted, assumptions about productivity, discipline, and self-sufficiency became embedded in the political economy of social welfare. At a time when China confronted relentless assaults from the forces of imperialism and global capitalism, government officials and private philanthropists considered it their responsibility to confine and discipline the “recalcitrant” and the “indolent,” and to harness their labor for the benefit of the nation.

Evolving over more than fifty years, this imperative to work was enacted at the workhouse and the relief home, intensifying under the ideology of Nationalist productivism and during wartime mobilization, reaching a crescendo in the post-1949 socialist state. As productive labor became a condition of social citizenship, how did those on the margins understand their exclusion, and how did they organize to defend their interests? My emphasis on the disciplinary power of the state is balanced by an equal commitment to understanding the experiences of those labeled as outcasts. I focus on Beijing and Shanghai, two cities where concerted efforts to clear the streets of vagrants, orphans, and drifters subjected the homeless to harassment, deportation, or detention. As inmates in workhouses

and relief homes, those guilty of indigence became experimental subjects for bureaucrats testing a newfound belief in the transformative power of labor. My analysis illuminates how people detained under these circumstances responded to the disciplinary project of making them into “citizens,” and how they coped with destitution in a period of deep social dislocation. Inmates in government custody, for instance, protested their incarceration by sending letters and petitions for release. Refugees in winter shelters resisted separation from their families as the price of receiving government assistance. Written individually or collectively, sometimes anonymously, these letters reveal both the desperation of the times and the resilience it took to survive. At the same time, sources show that punitive agencies could also function as places of refuge for those with nowhere else to turn. Petitions from desperate parents seeking asylum for their children suggest that custodial institutions served critical charitable purposes. In Shanghai, the protracted struggles of the “straw hut people” (named for the construction material of their dwellings), spanning nearly three decades, illustrate their resourcefulness in defending their homes. In a time when homelessness could be a crime, they fought tenaciously to save their huts from destruction.

These new insights into the lives of the urban destitute are documented in a wealth of materials that have survived in the archives of government agencies and private charities, but have largely been overlooked by researchers. The records of the earliest workhouses, unevenly preserved and scattered among several archives, tell primarily the story of elite motivations and offer only fleeting glimpses into the experiences of their inmates. Sources increase in scope and depth for the period after 1928, when the Nationalist (GMD) government's municipal administrations established the Social Affairs Bureau to take charge of poor relief (among many other duties). In particular, the well-preserved records of the Beijing agency provide detailed documentation of its relief institutions and include hundreds of letters that people wrote in a variety of contexts: asking for help, seeking the release of family members arrested for begging, describing starvation conditions at the government relief home.

In Shanghai, the archives of the Municipal Council, the governing authority of the British-dominated International Settlement, chronicle the efforts of shantytown residents to save their homes from demolition. In addition to police reports and administrative records, numerous letters from hut dwellers plead for the postponement or cancellation of eviction orders. Some of these petitioners wrote the letters themselves, including well-educated people who sprinkled their entreaties with allusions to the classics and semiliterate authors who wrote in the vernacular with an unsteady script. In other cases, one literate member or a professional scribe wrote on behalf of a group, and the signatories appended their name chops or cross and X marks. These first-hand accounts convey in vivid, sometimes heartbreaking detail the circumstances that reduced people to destitution, and the strategies they crafted to survive. We see how groups of shantytown residents appealed to the rhetoric of patriotism and citizenship and invoked the discourse of legal rights to claim a legitimate place in the city.

Many of these letters follow a conventional style of supplication, using the pro forma language of entreaty and stock phrases describing misery. Rendered as melodramatic narratives, sometimes with exaggerated or fabricated grievances, and mediated by the hands of scribes or literate acquaintances, these documents approximate the “voices of the poor.” They do not capture their own words in a straightforward fashion—but in many cases, they come close to doing so.<sup>8</sup> Where possible, I have corroborated their claims against a wide range of other sources: the administrative files of workhouses and other institutions, journalistic accounts, sociological studies, and police interrogation reports, such as that of Guo Hetang described above. Taken together, these records reveal facets of people's lives that historians of China have not thought possible to study. Just as important, they provide penetrating perspectives into how the language of poverty shaped broader debates about social order and the configuration of rights and obligations. They also cast into sharp relief the central tensions

between punishment and charity, illuminating the problems impoverished people confronted, as well as their hopes and their frustrations.

In tracing the interactions between concepts of poverty, social policy, and the lives of the urban poor in China, many of the issues raised in this book will resonate with historians and contemporary observers of other regions of the world. Indeed, questions that preoccupied Chinese society in the early twentieth century can be found in multiple historical contexts, from England's Poor Laws to the *favelas* of Rio de Janeiro to the American “war on dependence.”<sup>9</sup> What constitutes a “decent provision for the poor”? “What are the limits of social obligation?”<sup>10</sup> While it is beyond the scope of this study to address the voluminous literature on poverty and citizenship around the world, I am attentive to specific moments of cross-cultural fertilization—the workhouse imported from the West via Japan, the role of the Salvation Army, the idea of the “social parasite” drawn from American sociology. But in the end, my goal is to show how Chinese attempts to find solutions to problems that have vexed many other societies unfolded at a particular historical juncture of imperial demise, war, and revolution. During a prolonged period of state dissolution and state formation, contestations over the meanings of poverty and the parameters of social citizenship impinged on the lives of indigents in Chinese cities in unprecedented ways. How an orphan such as Guo Hetang became part of “the urban poor,” whether confinement and the imperative to work improved or harmed his life chances, how others scratched out a living on the streets, what it meant to be homeless in Beijing and Shanghai—these issues form the central concerns of this book.

...

Prior to the twentieth century, poverty was not yet a crime in China. Confucian elites did not view it as a “social problem” (indeed, the notion did not exist), or regard it as a barometer of moral defects and social danger. Familiar concepts from American and European history such as “the lazy poor,” “the dependent poor,” and “the dangerous poor” did not have Chinese equivalents. In the early imperial period, “poverty” was a morally neutral concept, reflecting fate rather than individual failure. The ideal of the “impoverished scholar” (*pinshi*) in fact lauded men who rejected worldly status and material success. By the late Ming, growing commercialization and concomitant anxieties about the distribution of wealth had eroded this ideal. Charitable institutions increasingly favored the virtuous poor, especially chaste widows and filial sons.<sup>11</sup> But as Philip Kuhn has concluded, even in the late imperial period, wealth and poverty remained relatively weak markers of social differentiation in Chinese society.<sup>12</sup>

Throughout the imperial era, “the poor” (*pinmin*) did not constitute a distinct social group. To be sure, there were people identified as such, most often in times of dearth and in the context of famine relief. Like “starving people” (*jimin*) and “refugees” (*nanmin*), “the poor” were those experiencing a temporary state of hardship.<sup>13</sup> A more fixed category referred to “widowers, widows, the elderly without children, and orphans” (*guangua daga*).<sup>14</sup> Imperial decrees stipulated that only these solitary people, without families to rely upon, were eligible for permanent government aid, either as residents in poorhouses (*yangjiyuan* or *pujitang*, supported wholly or in part by the emperor's generosity) or as nonresident pensioners.<sup>15</sup> Beyond help for the most vulnerable, the emperor's obligation to provide for the economic well-being of all of his subjects constituted the bedrock of the dynasty's legitimacy. Clichés of Confucian paternalism declared that as “the father and mother of the people,” the sovereign (and his officials) would ensure “the people's livelihood” (*minsheng*), while failure to “nourish the people” (*yangmin*) would fatally erode the moral-political foundation of the state.

At the same time, while being “poor” did not represent moral failure, and begging and vagrancy were not crimes, the historical record amply documents persistent distrust of transients. Such

suspicions regarded drifters—particularly young male ones—as people who had lost their mooring in the community and family structure, cast adrift into a sea of crime and possibly rebellion.<sup>16</sup> In the Qing dynasty, the *baojia* system of household registration in theory prevented such strangers and “vagrants” from infiltrating local communities. There was often a “beggar chief” who kept watch over a roster of local mendicants.<sup>17</sup> As Pierre-Etienne Will has shown, preventing people from roaming the countryside or invading the cities was a chief preoccupation of Qing officials during subsistence crises. Their priority was to keep peasants at home, so that they did not “lose their place” (*shisuo*).<sup>18</sup>

Will's landmark study also highlights the central role the Qing government played in the distribution of famine relief during the eighteenth century. The family kinship system remained the most important safety net, and private philanthropists also played significant roles. As Will convincingly demonstrates, however, the imperial bureaucracy successfully mobilized vast resources to help famine victims through a variety of mechanisms: allotting food or selling subsidized grain from public granaries, doling out cash payments, and organizing public works projects under the rubric of “substituting work for relief” (*yigong daizhen*). Work relief in the Qing dynasty meant voluntary participation, on a noncustodial basis, in infrastructure projects such as dredging rivers and canals, repairing city walls, building irrigation reservoirs—undertakings that could employ large numbers of laborers without major capital outlays. But although officials considered *yigong daizhen* a useful method, it was a supplement to, rather than the primary focus of, traditional famine administration.<sup>19</sup>

The strong administrative capacity of the High Qing provides a striking contrast to the post-Taiping era, when a weakened central government largely ceded authority to local elites, a shift that has been the subject of numerous studies. Much of this research has centered on the balance of power between local elites and the state, and the implications for civil society. William Rowe's pioneering studies of Hankou and Mary Rankin's analysis of Zhejiang, for instance, demonstrate that local leaders used philanthropy as a strategy for increasing their autonomy and influence vis-à-vis the Qing state.<sup>20</sup> The devolution of power and the fragmentation of imperial authority were crucial factors in the eventual fall of the Qing dynasty in 1911.

The demise of the imperial system and the new Republic's rapid descent into chaos under a revolving door of warlord regimes further fueled the forces of local autonomy. As many historians have shown, local elites embarked on ambitious projects to create modern cities through reforms intent on “civilizing” the urban population. New civic groups (chambers of commerce, professional associations) and transnational voluntary organizations (the YMCA, the Red Cross) blossomed; traditional charities and associations based on native place ties reinvented themselves.<sup>21</sup> All of these studies have enriched our understanding of the state-society dynamic in the late Qing and the Republican period, but for the most part, the focus on urban reform and philanthropy has largely disregarded the experiences and the perspectives of the *recipients* of charity. In these works, “poor people” make only cameo appearances, as the objects of suspicion, loathing, or compassion.

*Guilty of Indigence* argues that “the poor” were front and center in the drama of China's tumultuous history in the early twentieth century. Although they had been there all along, in plain sight, “the poor” of the cities became visible and troubling in new ways. Beginning as an amorphous category constructed from elite anxieties about the future of the nation, over time “the urban poor” became “real,” a process that Ian Hacking has called “making up people.” As a concept, “poverty” was indeed a “moving target” in early-twentieth-century China.<sup>22</sup> This was true in Hacking's sense of dynamic interactions between the classification and the people so-classified, but also in the sense of a conceptual elasticity that stretched the term to encompass diverse forms of destitution, ranging from temporary unemployment to old-age poverty. But in contrast to the expansiveness of the idea, the



interventions by and large targeted a specific manifestation of “urban poverty”: the condition of homelessness. This study focuses on the changing relationship between the discursively protean category of “poverty,” concerted attempts to intervene in the lives of the homeless, and “urban poverty” as lived experience.

By exploring the process by which “poor people” became a constituent feature of urban life, and the material reality of their experiences, my research takes the study of Chinese cities in a new direction. Over the past two decades, the trajectory of English-language scholarship has shifted away from the vigorous debate over civil society and its possibility or failure in China, to histories exploring different facets of urban cultural life. In the main, these studies have concentrated on the elite and middle classes.<sup>23</sup> Meanwhile, in Chinese-language scholarship, a subgenre loosely branded “cultural studies of the underclass” has proliferated. These histories of beggars and vagrants typically span the millennia of Chinese history, ranging freely from tales of the founding emperor of the Ming dynasty (a former beggar) to the contemporary “floating population” of migrants.<sup>24</sup> Hanchao Lu's recent book *Street Criers: A Cultural History of Chinese Beggars*, is an important addition and the only English-language work on the topic. Relying on rich collections of folklore, legends, and oral traditions, Lu describes the beggar kings and the organization of their guilds. By painting a vividly panoramic view of cultural practices from the early nineteenth century to the present, moving fluidly from Inner Mongolia to Shanghai to Canton to Suzhou, *Street Criers* emphasizes an unchanging culture of mendicancy largely impervious to political upheaval and social change.<sup>25</sup>

In contrast, *Guilty of Indigence* draws from a different and variegated source base to locate the experiences of the “urban poor” in explicitly local and historical contexts. By paying attention to finely tuned social conditions and shifting political circumstances, this book deepens our understanding of Chinese urban poverty as both lived experience and “social problem.” I have chosen to write in detail about two different cities, with the goal of highlighting the specific conditions that shaped experiences of destitution. It is illuminating, for instance, to contrast life in Beijing under a lengthy period of Japanese occupation during World War II to the divided jurisdiction of treaty port Shanghai. Furthermore, following institutions and ideas as they changed over fifty years makes it possible to underscore historical continuities and disjunctures in both discourse and practice. Where the workhouse has typically been relegated to a footnote in histories of the modern prison or in short-lived urban reform efforts, the longer view considers how these institutions both changed and persisted as appealing solutions to Qing reformers, Chinese sociologists, foreign missionaries, treaty port residents, Nationalist officials, and Communist (CCP) leaders. Finally, bringing the history of punishment and charity into dialogue suggests that the impulses to punish “the poor” and to help them were often born of the same motives.

In presenting a narrative of both significant historical change and surprising continuities, I also depart from the scholarship of the previous two decades that has reassessed more positively the Nationalist Party's years in power. Rejecting an earlier preoccupation with explaining the GMD's disintegration, leading to the Communist victory in 1949, recent studies have detected signs of strength and even vitality in the GMD's state-building efforts.<sup>26</sup> This is particularly true of the numerous works focusing on the Sino-Japanese War years (1937-45). Rather than sowing the “seeds of destruction,” as the title of Lloyd Eastman's 1984 book memorably put it, historians now emphasize how the GMD's wartime policies laid the foundation for the successor Communist regime.<sup>27</sup> While I trace continuity across the 1949 divide, my approach generally eschews the state failure-success question as an organizing framework. Instead I ask how local agents of government power (the constable on the beat, the municipal official, the workhouse warden) attempted to police, punish, or help the “urban poor,” and especially what effects these interventions had on the target populations.

We see that even as institutions of labor discipline became microcosms of government collapse, they still commanded enormous powers of detention vis-à-vis the homeless, exercised in the name of charity and punishment. From the perspective of the people on the streets, this dynamic had the effect of both underscoring the power of the state and exposing its impotence.

...

The chapters of this book interweave social, intellectual, and institutional histories, moving between elite perspectives, government policies, and lived experience, and navigating both national concerns and local realities. [Chapter 1](#), “Between Charity and Punishment,” examines how “poverty” (*pin*) emerged as a resonant concept for reforming elites in the early twentieth century. Deeply anxious about China's precarious future, officials and intellectuals began to view “poverty” as an issue imbued with national significance. Drawing from Japanese penology and a burgeoning industrial training movement, reformers experimented with various types of workhouses, endeavoring to revive the nation on the foundation of labor. These first workhouses initially incarcerated misdemeanor convicts and then extended detention to the nonworking poor, especially targeting “vagrants” and “beggars”—the male, mobile, and most unproductive members of society. The creation of these institutions marked a striking departure from traditional practices, anointing the combination of detention and labor as the most promising method of creating productive citizens.

In the first decade of the Republic, the advent of sociology as a new field of knowledge in China attempted to study “poverty” on a scientific basis. [Chapter 2](#), “Parasites upon Society,” explores how the metaphor equating the nonworking poor with “parasites” became ingrained in sociological thinking. As left-wing intellectuals valorized labor and foreign missionaries promoted “scientific charity” based on work relief, these ideas converged with workhouses and poorhouses that provided custodial detention in the guise of both punishment and charity. In addition, this chapter begins the story of Shanghai's straw hut shantytowns, and the protracted battles between their residents and the International Settlement's Municipal Council.

During the Nanjing decade, the subject of [chapter 3](#), ideas that had evolved since the turn of the century played instrumental roles in the formation of the Nationalist government's social policy. In *Useless to the State*, Zvia Lipkin suggested that the GMD's social engineering ambitions focused on creating a model capital in Nanjing by expunging “social deviants.” But whereas Lipkin attributes the origins of the Nationalist reform effort generally to “Western ideas and policies,”<sup>28</sup> I argue that the GMD's extractive notion of social citizenship and assumptions about poor relief continued the trajectory of Qing reformers and drew from the discourse of productivism that emerged in the previous decade.

The outbreak of World War II in China in July 1937 launched a refugee crisis that profoundly changed perceptions of “poverty” and its realities. [Chapter 4](#), “Beggars or Refugees?” follows the fortunes of occupied Beijing and the “solitary island” of Shanghai, against the backdrop of a broader national crisis. In Beijing, I show that while the collaborationist government largely preserved the existing structure of poor relief, aggressive policing tactics resulted in the large-scale incarceration of people who aroused suspicion simply because they were homeless. In a wartime climate, the provision of relief, frequently entangled with concerns about social order, now focused sharply on security. In contrast, treaty port Shanghai, which remained free of Japanese occupation until the Pearl Harbor attack, became a temporary haven for more than 1.5 million refugees. The initial outpouring of sympathy for war victims, many of them destitute and homeless, transformed the face of urban poverty. But when the crisis did not abate, the refugee issue hardened into “the beggar problem,” reconfiguring old debates about both poverty and responsibility for poor relief.

As the civil war between the Nationalists and the Communists intensified between 1945 and 1949, [chapter 5](#) shows how the GMD regime proved incapable of coping with increasing urban disorder in both Shanghai and Beijing. With refugees from battleground areas in the countryside continuously fleeing to the cities, the municipal governments tried to use relief agencies to serve both charitable and punitive purposes. In Beijing, desperate refugees starved in winter shelters and workhouses. In Shanghai, conditions in government institutions were equally deplorable, and many of the destitute preferred the squalor of their own straw huts to relief based on the deprivation of freedom. Thousands of refugees also forced their way into the coffin repositories of native place associations, choosing to “keep company with ghosts” rather than submit to government custody. By 1949, these grim examples of suffering fatally exposed the Nationalist government's inability to fulfill its own commitments.

It was on the ruins of such lives that the Communists could ride to victory. Yet as soon as the new regime conquered the cities, the CCP found itself confronting problems with homeless transients and refugees, just as its predecessors had throughout the Republican era. The Epilogue tells the story of the encounter between agrarian revolutionaries and the urban poor and shows how the methods the CCP adopted drew on institutions and ideas that had developed and changed over a half century. Although the perspective of government authority dominates the source base after 1949, some recently declassified archival materials make it possible to look behind the curtain of propaganda. We see how, fused to socialist ideology, the marriage of detention and compulsory labor became a potent combination aimed at harnessing the productivity of “social parasites” for the benefit of New China. And as old Nationalist winter shelters became new Communist detention centers, the urban poor found that in the People's Republic, as before, there would be no place for those who were guilty of indigence.

## Between Charity and Punishment

WHEN GUO HETANG, the orphan described in the Introduction, found himself in Beijing in 1922, the majestic but fading splendor of the former imperial capital stood as the backdrop to the misery of the approaching winter. In the aftermath of a major famine in north China, and in the midst of warlord battles for control of the city, homeless youngsters like Guo were a tragically common sight on the streets. When he first arrived at the train station and was separated from Li, the neighbor soldier, Guo might have walked into the lively market areas to the south, in the Outer City. Or he might have followed the crowd in the opposite direction and entered the Inner City, through the imposing Qianmen tower. Alone in a city of nearly one million people, the boy likely felt overwhelmed by the throngs of rickshaws and horse-drawn carts, awed by the vast expanse of Tian'anmen Square, or lost in the maze of unfamiliar alleyways (called *hutongs*). Eventually, Guo made his way to the East City, where he found work carrying water for Liu, his new employer. This was largely a residential area lined with stately courtyard houses, formerly the home of the Qing White Banners. When Guo Hetang worked for Liu in this neighborhood in 1922, the courtyard homes were crumbling, and many of the former bannermen had become deeply impoverished.<sup>1</sup>

The constable found Guo Hetang sleeping in the doorway of one such dilapidated house on Alley Number 9 at the end of November.<sup>2</sup> The weather was turning cold, but the city's winter shelters and soup kitchens had not yet opened for the season. Had Guo remained on the streets for a few more days until the first of December, he could have joined the crowds at the nearby soup kitchen, located at the Guandi Temple outside Dongzhimen. There, each supplicant received a bowl of watery porridge on winter mornings—hardly enough for subsistence, but one of the few forms of aid available to itinerants.<sup>3</sup> Since this was Guo's first winter in Beijing, he was unlikely to know about the temporary shelters run by private charities such as the Salvation Army, or which temples could offer refuge from the elements, or where to find a “chicken feather inn” to spend the night if he had a few coppers.<sup>4</sup>

Instead, Guo Hetang found himself taken first to the local police precinct, and from there, transferred to the Vagrant Workhouse on the opposite side of the city. His journey from homeless orphan to workhouse inmate was the result of significant changes in attitudes and policies toward “the poor” (*pinmin*) beginning in the early twentieth century. To understand why police officials identified Guo as “helpless” and “in need of compassion,” yet sent him to a punitive institution for “vagrants,” we need to step back in time, to the final decade of the Qing dynasty, when “poverty” emerged as the subject of a national discourse about the uncertain future of China.

...

Just after the turn of the twentieth century, the aftermath of crushing defeats in the Sino-Japanese and Boxer Wars prompted fears that China would soon be partitioned, “carved up like a melon.” In the context of intense pressures from foreign powers, especially mounting national debts owed to foreign creditors, worries about the impoverishment of the people centered on the urgent issue of China's precarious existence, transcending the realm of individual welfare. As an editorial in the influential journal *Eastern Miscellany* lamented in 1904, “In China today there are two great perils. The first is poverty (*pin*), and the second is ignorance (*yu*). One of these alone is enough to destroy the nation and



exterminate the race, and yet today we have both.... The present situation has reached the upper limit of extreme poverty and extreme ignorance. Beyond this point we will no longer be a nation.”<sup>5</sup> To many observers, nothing embodied national decay more viscerally than the ubiquitous presence of homeless mendicants and starving orphans in cities around the country.

In this context, proposed solutions to the problem broadly identified as “poverty” aimed to revive the nation on the foundation of labor. The final years of the Qing dynasty witnessed the beginning of major shift in approaches to poor relief. Reformers started to view work as a panacea, seeking to transform the people into a productive force for the sake of national salvation. The movement for industrial training coincided with penal reforms that initiated prison labor and established workhouses for convicts guilty of misdemeanor offenses. Soon incarceration extended to the noncriminal poor, especially targeting vagrants and beggars—considered the most unproductive elements in society. The penal roots of the Chinese workhouse crucially shaped the assumptions that informed its operations. But from its advent, the workhouse also incorporated charitable motives. Most notably, some of the earliest institutions allowed “the poor” (*pinmin*) to apply for entry on a voluntary basis. This association of “the poor” with convicts in a system of custodial detention linked the condition of economic hardship to criminality. As “workhouses for vagrants” and “workhouses for the poor” emerged out of movements to build new industrial training centers and modern prisons, they began to change the concept and language of poverty. The transformation in thinking about “poverty” and the birth of institutions that put the ideas into practice are the focus of this chapter.

## IN SEARCH OF WEALTH AND POWER

Before there were workhouses, and well before the Boxer Uprising, reform-minded officials had already been pondering the question of how to fortify the Qing state against new challenges. In the years after the defeat in the Opium Wars and the dynasty's near collapse during the Taiping Rebellion, reformers launched a program of “self-strengthening” to defend the country against foreign encroachment and restore its domestic stability. With myriad ideas and projects—ranging from sending young men to study abroad to building arsenals and railways—they hoped to discover the secret to the “wealth and power” (*fuqiang*) of the West and emulate its success. The question that Feng Guifen posed in 1861 was one that his contemporaries also repeatedly asked: “Why are the Western nations small but strong? Why are we large yet weak?”<sup>6</sup>

In the search for the answer to these vexing questions, Feng Guifen and his fellow reformers emphasized the economic prosperity and military prowess of Western nations, using “wealth and power” as twin benchmarks. But although China's “poverty” might have presented the logical contrast to the apparent “wealth” of the West, it did not emerge as a distinct concept in the discourse of self-strengthening. Instead, reformers focused on the country's “weakness” (*ruo*) as the negative parallel to the Western “power” (*qiang*). Even Zheng Guanying, who wrote prolifically on issues centering on political economy, did not reference “poverty” as a salient concept. In his influential book *Warnings for a Prosperous Age*, Zheng argued that China needed to learn to wage “commercial warfare,” pursue industrial development, as well as adopt major institutional changes in politics and education. “If China is content to remain inferior and weak (*beiruo*), indifferent to national wealth and power (*fuqiang*),” he declared, “then it can never become a great nation in the world.”<sup>7</sup>

Like Zheng Guanying, journalist Wang Tao believed that creating wealth through industrial development was a prerequisite for national strength.<sup>8</sup> But apart from modernizing transportation, banking, and communications, Wang also reiterated a Confucian ideal: “The foundation of enriching the country and empowering the military depends only on the people.” He improvised on a familiar

theme: “If we get rid of all vagrants (*yumin*), useless people (*feimin*), lazy people (*duomin*), and wicked people (*yumin*), and return them all to agriculture, then there will be no uncultivated lands under heaven, and all will be prosperous!”<sup>9</sup> Here Wang took an ancient adage about “vagrants” (from the *Book of Documents*) and added the “useless,” the “lazy,” and the “wicked” (to him, self-evident categories that required no explanation). Thus while Wang considered industrial development to be crucial, it was no less important to return people to the land, where they belonged, as the basis for the country's prosperity.

In their writings, Wang Tao and other reformers sometimes invoked the term *pin* to describe the condition of individuals experiencing economic hardship. They rarely used it, however, to characterize the state of the nation. Then, in the waning years of the nineteenth century, the Qing dynasty's unexpected defeat in the Sino-Japanese War prompted a sharp shift in the tenor of the reform agenda. As is well known, Japan's victory sharpened the sense of national peril and galvanized political dissent.<sup>10</sup> For reformist elites in this period, the nation's woes also began to coalesce explicitly around the notion of “poverty.” For instance, in his seminal essay “On Strength,” Yan Fu introduced the idea of Charles Darwin and Herbert Spencer, casting China's struggles in a social Darwinian framework. In the first version of the essay, published in 1895, Yan referred to China's “longstanding poverty and weakness.”<sup>11</sup> A revised and expanded version of the essay (published five years later), elaborated, “Whether a nation is weak or strong, poor or wealthy, in turmoil or well-ordered, can be judged by three points of evidence: the energy, knowledge, and morality of its people.... If the people are poor the nation will not be wealthy; if the people are weak the nation will not be strong; if the people are confused, the nation will not be well-ordered.”<sup>12</sup>

After the traumatic events of 1900, when the Boxer rampage and Allied vengeance left the fate of both the Qing ruling house and the nation in doubt, those searching for ways to save China from dismemberment began to reference “poverty” as one of its most debilitating characteristics. In 1902, Yan Fu wrote, “Among our country's greatest perils, are they not ignorance (*yu*), poverty (*pin*), and weakness (*ruo*)?”<sup>13</sup> The same year, when Governor Zhao Erxun outlined a ten-part reform program for Shanxi province, he declared that “throughout the entire nation, ignorant people (*yumin*), wicked people (*yumin*), vagrants (*yumin*), and poor people (*pinmin*) comprise more than half of the population.” Therefore,

We must awaken the ignorant, compel the wicked to become good, settle the vagrant and lazy ones in place, and provide for the poor.... If they are not brought under control, even if our troops are well-trained and equipped with sharp weapons, looking dazzling from the outside, the nation will be decayed within and infested with worms (*chong*).... If throughout the nine realms there are no ignorant, wicked, vagrant or poor people, then even if we encounter external difficulties, our roots will not be shaken.

Using a generic term for “worms” (*chong*), Zhao identified “the poor” as one among several types of vermin corroding the country, threatening to destroy its foundation. But through appropriate interventions, the governor expressed his optimism that the peril could be neutralized. The situation called for urgent action, Zhao concluded. The ruling houses of the Han, Tang, Song, and Ming dynasties had met their ignoble ends because they failed to “hold on to the teachings of the classics,” especially the injunction to “nourish and teach the people.”<sup>14</sup>

Writing from exile in Japan, Liang Qichao drew on different intellectual traditions to analyze the situation. During this formative period of his life (1898-1902), Liang immersed himself in Western political theory (Mill, Smith, Rousseau, Hobbes, Bentham) and read Japanese authors widely (Fukuzawa Yukichi, Katō Hiroyuki, Tokutomi Sohō, Nakamura Masanao).<sup>15</sup> At the time, Japanese newspapers featured regular stories about “social problems” (*shakai mondai*); journalists visited the “nests of the poor” and penned long articles depicting the misery of urban slums. Liang Qichao

himself established three different journals in Yokohama and Tokyo, and through his prolific writing he became an influential voice for reform both in China and abroad.<sup>16</sup>

Among Liang's notable works from his exile years is "Discourse on the New Citizen," published serially in *New Citizen Journal* from 1902 to 1904. The most celebrated of these essays set forth his ideas about nationalism, citizenship, and education in a systematic fashion. Less known, but pertinent to the subject at hand, is part 14 of the series, titled "On Production and Consumption."<sup>17</sup> Taking political economy and social utility as the central concerns, Liang begins by asking, "Is China a poor nation (*pin guo*)? Is China a wealthy nation (*fu guo*)?...Although this is debatable, we cannot conceal our country's poverty." In his analysis, Liang divides the population into "producers" and "consumers." The producers are the farmers, workers, and some merchants and officials. The consumers, on the other hand, include those who do not work at all (beggars, thieves, drifters, most women), as well as "nonproductive laborers" (slaves, servants, prostitutes, "men of learning"). Citing both the Confucian classic *Great Learning* and Adam Smith (specifically, Yan Fu's translation of *The Wealth of Nations*), Liang explains that national wealth depends on the accumulation of capital, which in turn rests on a favorable ratio of productive citizens to nonproductive ones.<sup>18</sup> Within his painstaking descriptions of different kinds of productivity, Liang also singles out particular groups for especially severe criticism. He compares "beggars" to "insects" that survive on the sympathy of others. He describes the profligate sons of wealthy families as "vermin upon the nation." As for the "men of learning," Liang calls the majority of them "parasites" (*jisheng chong*), preying like "moths (*du*) on the people and vermin (*mao*) on the nation." Finally, to conclude, he estimates that among China's 400 million people, 210 million are "consumers," meaning more than half of the population subsists on the labor of others.<sup>19</sup>

In his disparagement of prodigal sons, beggars, and men of learning, Liang Qichao followed Yan Fu's translation of *The Wealth of Nations*; indeed, Adam Smith himself had identified these groups as economically unproductive. But here, invoking biological parallels, Liang's critique far exceeded the original (and the translation) in its derision. To an existing vocabulary of vermin (*mao*, *du*) commonly used to vilify people (especially rapacious bureaucrats), he added the notion of unproductive people as "parasites," echoing the words of prominent Meiji intellectual Fukuzawa Yukichi.<sup>20</sup> At the same time, Liang's reference to vermin resonated with Zhao Erxun's "worms"; the calculation that more than half of the country's population did not contribute to the nation's overall productivity also accorded with the Qing governor's conclusions. These convergences, between the spokesman of the new liberal intelligentsia and the Qing reformer, suggest that emerging ideas about political economy shared common ground in the premise of labor productivity. And as we shall see in the chapters to follow, ideas about the importance of work and the pestilential nature of nonproducers would resonate throughout the first half of the twentieth century.

At the time, circa the turn of the twentieth century, Liang Qichao was better known for his treatise on citizenship and education than his writings on political economy. The causes that he supported during this period of exile, particularly constitutional monarchy, also earned him the enmity of Chinese revolutionaries concurrently living in Japan, who favored more radical solutions. In Tokyo, Sun Yat-sen called for a nationalist revolution to overthrow the Manchu dynasty, a political revolution to restore the people's sovereignty, and a social revolution to equalize wealth. Sun called these three aims—nationalism, democracy, and the people's livelihood (*minsheng*)—the Three Principles of the People. As Margherita Zanasi has shown, in imperial rhetoric the government's duty to provide for "the people's livelihood" and to "nourish the people" linked the legitimacy of the empire to the material prosperity of the populace. While invoking this imperial precedent, Sun also imagined *minsheng* as a distinctly Chinese path toward achieving national wealth and power.<sup>21</sup> In the inaugural

issue of *People's Journal*, the Tokyo-based publication of his Revolutionary Alliance, Sun explained,

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Recently, patriots have exhausted their breath seeking ways to make China as strong as Europe and America. But although they are strong, in reality their people live in dire hardship. The ailments of European and American society were latent for decades. They have surfaced today and cannot be quickly eradicated. Our country will be the first to develop the Principle of the People's Livelihood. We can stop the evils prevalent in the West before they germinate, and actually accomplish a political and a social revolution at once. Then we can glance back to see Europe and America looking to us.<sup>22</sup>

In short, Sun believed that by promoting the welfare of the people, *minsheng* would prevent the kind of social turmoil plaguing the West and allow China to leapfrog these nations in development.

Other would-be revolutionaries in Japan echoed Sun's call to action. Writing under a pseudonym in *People's Journal*, Huang Kan (later a renowned philologist), condemned the government as “a nest of robbers,” and those who enjoyed wealth at the expense of the impoverished as “thieves in disguise.” Poor relief was a farce: the rich gave out watery gruel and bragged about their generosity, but in reality this was merely the redistribution of what had been stolen from the people in the first place. Proclaiming his willingness to die for “equality,” Huang exclaimed, “Alas! Let the poor (*pinmin*) rise up!”<sup>23</sup>

But who were “the poor” and what, precisely, was “poverty”? Even as revolutionaries, liberal intellectuals, and Qing officials invoked these familiar terms with increasing frequency, they did not define them—leaving ambiguous, for instance, whether *pin* was a symptom or a cause of the nation's woes. Although rendered without explicit explanation, “poverty” was contextually correlated to scenarios of possible national extinction, and inflected with a new valence of national deficiency.<sup>24</sup> In the parlance of political economy, China was a debtor nation, whose “annual produce of land and labor” was insufficient to support the people. Cast in social Darwinian terms, China was also a hopeless failure in the competition of nations. Yan Fu's translation of *The Wealth of Nations* into elegant classical Chinese could hardly take the sting out of Adam Smith's words, initially penned in 1776 but sharply resonant when they appeared in Chinese more than a century later. Since the time of Marco Polo, “China has long been one of the richest, that is, one of the most fertile, best cultivated, most industrious, and most populous countries in the world,” Smith wrote. But today, “the poverty of the lower ranks of people in China far surpasses that of the most beggarly nations in Europe.”<sup>25</sup>

Given this woeful state of affairs, what should be done? Taking the long view, liberal intellectuals such as Yan Fu and Liang Qichao advocated education, constitutional reforms, and new modes of political participation, recognizing that such changes would not be swift or easy. At the same time, as these ideas about “poverty” circulated in intellectual circles, officials and reformers were crafting specific solutions with the potential to deliver speedy results. Experimenting with different relief and penal methods, they drew on the notion of “poverty” as a contributing factor to the possible disintegration of the Qing dynasty, requiring new kinds of intervention. We turn now to the industrial training and workhouse movements that began to flourish in the first decade of the twentieth century.

## INDUSTRIAL TRAINING AND NEW POLICIES

In the aftermath of the Boxer War, the onslaught of foreign industry and growing debts prompted Qing officials to intensify the search for concrete ways to shore up the empire's precarious economic foundation. As part of a burgeoning vocational education movement launched during the New Policies reforms, hundreds of handicraft and industrial training centers (*gongyiju*) were established.<sup>26</sup> These institutions varied widely in longevity, sponsorship, and scope, but they shared the common goal of creating a more productive workforce by teaching indigents and the unemployed skills to make a



living.

Although enthusiasm for industrial training peaked after the turn of the century, such projects had earlier precedents. Some nineteenth-century institutions, such as orphanages (Chinese as well as Catholic) and the venerable Hall of Universal Relief in Tianjin, had taught their residents to do simple handicrafts. Many proposals for self-strengthening had also included various forms of vocational training.<sup>27</sup> The Boxer catastrophe, however, created a sense of crisis and intensified these nascent efforts. In 1901, with foreign armies occupying the Forbidden City and the Qing court in exile, metropolitan official Huang Zhonghui memorialized the throne with the idea of creating the Beijing Industrial Training Bureau (Beijing Gongyiju). In the aftermath of the uprising, Huang wrote, people flocked to the capital seeking protection. But with commerce at a standstill, local residents and new arrivals all struggled to make ends meet: “[T]he strong and able-bodied wander about as robbers and thieves; the elderly and weak have ended up in the ditches.” According to Huang, the majority of Beijing's residents had always been obedient subjects “content with their lot” (*anfen*). Since the foreign occupation, however, they “sit idly and cannot help but drift into the world of crime,” and the number of indigents overwhelmed soup kitchens, shelters, and other channels of relief. In this dire situation, an industrial training bureau could “receive and train vagrants (*yumin*), expand the people's knowledge, redeem their economic power, and change existing customs.” With the encroachment of foreign armies paralleling the invasion of foreign products, Huang believed that expanding the nation's productive base could strengthen native industries.<sup>28</sup>

Established in 1901 with the approval of the Qing court, the Beijing Industrial Training Bureau gave priority to homeless people from “respectable families,” followed by those who used to have jobs but now “wander about destitute and homeless.” “Habitually lazy” opium addicts and those who “willingly dwell among the lowlife” were the last to be admitted. Apart from such “vagrants,” orphans or children from impoverished families seeking job training could also register. In all cases, the regulations required a background check and guarantors to vouch for the applicant's conduct.<sup>29</sup>

The Beijing Bureau was an early example of hundreds of similar institutions (variously called *gongyiju*, *chang*, or *yuan*) that proliferated in the first decade of the twentieth century, in nearly every province. Some were government-sponsored projects; others were private workshops; while still others were cooperative ventures funded with government capital, but managed by local gentry and merchants, who might also contribute money for operational expenses. A few centers offered technical crafts (metalwork, chemicals, heavy machinery), but the majority focused on simple handicrafts requiring little capital investment (embroidery, sewing, weaving).<sup>30</sup> While the meaning of the term *gongyi* expanded from “handicrafts” to encompass “industrial training,” reflecting aspirations for modernizing industry, traditional handicrafts remained the mainstay of these projects.

For the most part, *gongyi* workshops provided rudimentary job training, recruiting apprentice workers on a voluntary basis. Some, however, also functioned as penal reformatories. For example, Jiangxi's Gongyiyuan detained the “unfilial sons” of “respectable families” at the request of the elders, in order to “restrain their wild hearts and admonish their indolent conduct.” Only those who repented and “turned over a new leaf” were allowed to depart to seek their own living.<sup>31</sup> In Chengdu, the Sichuan Provincial Bureau for Promoting Industrial Training combined several different functions in one facility: the “industrial crafts factory” focused on technical and skilled labor, an affiliated workshop for “vagrants” offered instruction in “easily learned” trades, and a reformatory taught rudimentary skills to convicts to “transform their character.”<sup>32</sup>

In Shanxi, Zhao Erxun likewise underscored the penal component of industrial training. According to Zhao, the *gongyichang* compelled local “vagrants” and “beggars” to work, in order to prevent them from becoming “bandits.” At the same time, the governor considered industrial training centers less

punitive than the criminal reformatories (*zixinsuo*, *qianshansuo*) that he and other officials had championed. Therefore, he recommended that convicts who performed well in reformatories be transferred to the *gongyichang* as reward for good behavior; in turn, those who excelled there could be promoted to become instructors in the reformatories. “By this kind of rotation,” Zhao wrote, “those who have not committed crimes will not mistakenly break the law, and convicts may have the chance of gradually becoming obedient.”<sup>33</sup>

As Frank Dikötter has noted, the mixture of the noncriminal poor and convicts in industrial training settings blurred the boundaries between vocational and penal institutions.<sup>34</sup> Indeed, Zhao Erxun's enthusiasm for “industrial training” overlapped with his support for prison labor, the subject of a memorial he sent to the throne in 1902. A year earlier, Governors-General Liu Kunyi and Zhang Zhidong had first broached the topic in a series of three memorials that set the agenda for the New Policies.<sup>35</sup> Zhao's proposal further specified replacing banishment and exile sentences with compulsory labor in a “criminal workhouse” (*zuifan xiyisuo*).

In his memorial, Zhao described the existing penal system's myriad problems. Many of the convicts were “in reality deeply impoverished (*pinqiong*) and also do not have any skills,” he wrote. Banished or exiled to places far from home, they received one year of food rations, after which they had to support themselves. Since most could not make a living, they tried to escape. In the past such fugitives had nowhere to hide; but “since today one can travel to the four corners of the earth,” escaped convicts could easily conceal themselves among the “vagrants and impoverished beggars found everywhere.” In sum, “there is no place where they can be kept under supervision, and they have no wages or food. Therefore there are many fugitives, and fewer than two or three out of ten are captured.” In contrast, the workhouse offered many advantages, including close supervision, deterrence (“a warning to the masses”), and self-sufficiency (“they will be able to support themselves through the skills acquired”). Moreover, custodial detention meant that convicts would not be further “polluted by bad habits,” “goodness will be born out of labor,” and laziness and diligence could be rewarded or punished accordingly. With fewer runaways, good commoners would not be contaminated by fugitives, and “evil and wickedness will not proliferate.”<sup>36</sup>

Zhao Erxun's proposal received immediate attention in the capital. Five days after its submission, the local daily *Shuntian Times* praised the proposal as “good fortune for the people of Shanxi, as well as a blessing for all under heaven.” The editorialist opined, “Today the number of poor people in our nation can be said to have reached an extreme,” with unemployed vagrants, widows, widowers, orphans, and cripples found everywhere. “When foreigners see this, how they must collapse in laughter!” Workhouses, therefore, could partially salvage China's battered international reputation by alleviating “the nation's poverty” (*guojia zhi pin*).<sup>37</sup>

Zhao's memorial also introduced a new institution into the lexicon of penology: the workhouse (*xiyisuo*). In 1895, as the Judicial Commissioner of Anhui, Zhao had earlier coined the term when he proposed a reformatory called a “renewal workhouse” (*zixin xiyisuo*), but this had attracted little attention.<sup>38</sup> In 1902, his proposal to the imperial court was quickly broadcast to a wider audience through government gazettes, journals, and newspapers. By merging penal functions with industrial training, Zhao intended his “*xiyisuo*” to serve disparate purposes simultaneously.<sup>39</sup> But lest anyone misconstrue his proposal as too much of a radical departure, Zhao described it as an “imitation” of the Han dynasty practice of “hard labor.”<sup>40</sup>

In response to Zhao's memorial, the Qing court instructed the Board of Punishment to evaluate the idea. Several months later, in April 1903, the Board recommended that Zhao's proposal be adopted: with the exception of bandits, violent criminals, and repeat offenders, all banishment and exile sentences would be commuted to six months to twenty years of compulsory labor in a workhouse.<sup>41</sup>

Inmates who “created disturbances” or “refused to work obediently” could receive an additional three to ten years, while “those who are steeped in evil and refuse to repent” could be imprisoned indefinitely or executed. The Board expressed some reservations about potential problems with custodial detention, but it endorsed the plan as compatible with the principles of imperial law.<sup>42</sup>

## JAPAN FEVER

Although the Qing court signaled its approval of Zhao Erxun's proposal, the imperial bureaucracy moved slowly. Zhao himself was transferred soon thereafter to assume the governorship of Hunan, and there he made plans to establish industrial training programs and a “criminal workhouse” in the provincial capital.<sup>43</sup> Meanwhile, in Zhili province, Governor-General Yuan Shikai (the future first President of the Republic) also began to experiment with the promise of rehabilitation through labor.<sup>44</sup> In April 1903, Yuan sent a large delegation on a study tour of Japan to investigate its legal, educational, policing, and penal systems. In particular, he instructed Tianjin Prefect Ling Fupeng to focus on techniques and methods of punishment. Within the next year, Ling returned to Japan twice more, specifically to inspect workhouses and industrial training programs.<sup>45</sup> Upon his return from the final trip, he described the fruits of his investigation in a detailed account.

Japanese prisons, Ling reported to Yuan Shikai, functioned according to the principle of differentiation. Four types of prisons housed distinct inmate populations: suspects awaiting trial, convicted criminals serving long-term sentences, debtors and defendants in civil cases, and “lazy vagrants and scoundrels” (*youduo wulai*) who stir up trouble. Within each prison, inmates were assigned to different workshops based on the severity of their infractions. Petty offenders were given easy tasks such as sewing and working in the print shop, while more serious offenders carved stone or cleaned chamber pots. The classification extended to food rations, where nine grades determined the precise amount each inmate received. (Troublemakers had their rations reduced by 10 percent for every offense—by the ninth level, only “one small bite” remained.) The exactitude, devotion to detail, and orderliness of Japanese prisons were qualities that Ling most admired. And in an echo of Bentham's Panopticon, he noted that while the architecture of different prisons varied (with buildings in the shape of stars, fans, and crosses), all were designed to maximize surveillance and control.<sup>46</sup>

In sum, Ling Fupeng praised penal administration in Japan as “leniency within an organized structure, and severity without cruelty,” noting that the emphasis on labor training was especially worthy of emulation. Turning to the Chinese context, he observed that while the people of Zhili were generally honest, there were many “indolent drifters” who relied on relief every year, and so grew accustomed to handouts. These people have “degenerated into beggars and do not heed warnings or punishment.” Revising the criminal law was imperative: a new system emphasizing rehabilitation through labor would transform society's liabilities into productive forces. In short, “in the villages and towns there will be fewer bandits, in the workshops there will be more hands to work, and in the cities there will be fewer lazy people.”<sup>47</sup>

From his three tours of Japanese prisons, Ling Fupeng brought back translations of regulations, administrative procedures, even copies of the forms used to record statistics. At around the same time other Chinese visitors and students were flocking to Japan, eager to learn the secrets of its successful modernization. Official delegations (such as the one Yuan Shikai dispatched from Zhili) and private travelers scrutinized Japan's government structure, legal system, schools, and industrial development. Many, like Ling Fupeng, focused on prisons as one of the crucial elements of Japan's new order. They learned that on the eve of the Meiji Restoration, advocates of penal reform found inspiration in Dutch

English, and American prisons, particularly the emphasis on education and labor. In 1871, Ohara Shigechika (later known as the “father” of Japanese prisons) spent six months in Hong Kong and Singapore studying their criminal justice systems. In the two British colonies, Ohara was introduced to the work of Jeremy Bentham and the concept of rehabilitation through labor. Upon his return to Japan, Ohara compiled his notes into a set of “Prison Rules,” which became the basis for national law in 1872. Its provisions included replacing flogging with imprisonment and hard labor, as well as establishing reformatories (*chōjikan*) for “poor, unregistered persons who are not easily returned to their place of origin,” and juveniles without proper guardianship (“idle, begging, or under the influence of evil persons”).<sup>48</sup>

Chinese fervor for Japanese institutional models swelled in the first decade of the twentieth century with “Japan travel fever” peaking between 1903 and 1908.<sup>49</sup> Visitors nearly always included prison tours as part of their itinerary; like Prefect Ling Fupeng, they recorded favorable impressions of the penal system. They noted, for example, that convicts at Tokyo's Sugamo Prison worked in twenty-seven types of industrial crafts, and all of the inmates appeared to be obedient and diligent. One traveler remarked that Sugamo resembled a “first-rate factory”; others described the facilities and amenities as superior to schools in China. Chinese visitors were also impressed by the emphasis on moral education. With lectures based on Buddhist teachings, a curriculum stressing “self-cultivation,” and uplifting messages posted everywhere, an aura of positive transformation prevailed. The prison also boasted a library of five thousand books, and each inmate was permitted to keep two in his cell. Finally, Chinese travelers admired the scientific approach to penology. In order to discover the cause of criminality, Japanese administrators compiled statistics on inmates' background, behavior, and progress, in order to find remedies for “society's shortcomings.” The data also enabled them to classify the inmate population and devise rehabilitation programs accordingly.<sup>50</sup>

In the nineteenth century, Chinese officials and visitors had expressed similar admiration for European and American penitentiaries, particularly London's Pentonville Prison. As Frank Dikötter has shown, knowledge of foreign penal practices and pressures stemming from extraterritoriality stimulated the reform of the Qing legal system in the early twentieth century. Informed by European concepts of crime and punishment, and inflected through Japanese interpretations thereof, Qing officials adopted the custodial sentence and rehabilitation as new penal principles. These ideas were implemented in China with the assistance of Japanese experts, who helped to draft new civil and criminal codes and took leading roles in legal education and prison administration. In the process, the modern prison was born in China. The historical significance of the prison has magnified the importance of the few institutions actually built in the first decade of the twentieth century: only five modern prisons were in operation before the 1911 Revolution.<sup>51</sup> By contrast, dozens of workhouses (*xiyisuo*) and poorhouses (*jiaoyangyuan* or *ju*) proliferated in the shadow of the penal system. Directly influenced by Japanese penology at their inception, they evolved to occupy a tenuous place at the intersection of punishment and charity.

## THE BIRTH OF THE WORKHOUSE

Back in Zhili, after receiving Ling Fupeng's report, Yuan Shikai ordered him and Police Chief Zhao Bingju to set up a prison workhouse in Tianjin, to be based on Japan's “established laws and methods.”<sup>52</sup> In addition to the burgeoning network of industrial training centers, Tianjin already had a small poorhouse, where the police sent local beggars to learn handicrafts.<sup>53</sup> According to Chief Zhao, however, the city teemed with thieves, hoodlums, “evil people” (*youmin*), and “evil beggars” (*e'gai*).



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