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Thesis

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Mimetic isomorphism in Meiji Japan and late Qing China

1) **Introduction**

On the 4th of May 1898, Lord Salisbury, the British Prime Minister, gave a speech on the subject of life and death of countries:

> For one reason or another- from the necessities of politics or under the pretext of philanthropy- the living nations will gradually encroach upon the territory of the dying . . . It is not to be supposed that any one nation of the living nations will be allowed to have the profitable monopoly of curing or cutting up these fortunate patients and the controversy is as to who shall have the privilege of doing so, and in what measure . . . It is a period, which will tax our resolution, our tenacity and imperial instincts, to the utmost" [jer81].

The arrogant tone of Lord Salisbury portrays the cynicism of Western imperialism in East Asia over the course of the 19th century. But primarily, the Prime Minister's rhetoric illustrates something more important: "the globalizing impetus of capitalism"[Pra98] during the nineteenth century. Up to that period, it had already become clear to the Westerners that the so-called "dying nations" will be either forced to accept the supremacy of the Western industrialized nations or manage to compete with them. Indeed, whilst through the end of the 18th century, Asian countries were leading the world in terms of productivity and prosperity[Mar02][1], over the course of the 19th century, primarily China, under the Qing rule, and secondarily Japan, under the Tokugawa rule, were forced to follow the Western diplomatic and economic order.

The dynamics unleashed during the post-Industrial and French Revolution [Gor14] era, gradually opened the gap between the West and the East. The 19th century marked a period of unprecedented social development in Europe and the US, with the emergence of capitalism and nation-states, nationalism,

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1 In particular, the work of Robert B. Marks opposes the Eurocentric narrative that most historians adopt. For example, he refers to the technological advantage of China and India over the other countries of the world during the 15th century [Mar02]. Even later, up to the 18th century, "China, India and Europe (and probably Japan as well . . .)" , he argues, "were broadly comparable in terms of the level of economic development, standard of living, and people's life expectancies [Mar02].

technological progress, scientific rationality and systematic institutionalization of the public sphere [Jur91]. At the same time, Asian powerhouses, like China, did not undergo the social transformations that industrialization accelerated in Europe. Instead, China and Japan, remained secluded from the rest of the world, clung to their isolationist policies, unaware of the technological and economic leaps that capitalism achieved in the West. Additionally, while the Western constitutions proclaimed the equality of all, the political order in Eastern Asia was still based on the Confucian classification of society between the "cultured" and the "barbarians"[Dus97][2]. Ultimately, it was the search for new markets by the Western industrialists that "unraveled" the differences between these two worlds[3].

In this research, I will discuss the encounter of Qing China and Tokugawa Japan with the Western gunboat diplomacy, the territorial ramifications of this encounter for both dynasties and the development of territorial politics in late Qing China and Meiji Japan in the semi-colonial context. The comparison between the Japanese and Chinese development during the 19th century has been discussed extensively by scholars in the field of Asian studies. In particular, the fact that Japan managed to develop into the first non-Western major industrial power in the industrialized world, while Qing China was in a state of gradual disarray over the course of the 19th century, has attracted much attention in the field of comparative research. However, what makes the comparison between the respective development of Japan and China valid? Is it the geographical proximity of these two countries that legitimizes this juxtaposition? Before we start discussing this project's topic, we need to answer these fundamental questions in order to prevent later misconceptions.

Frances V. Moulder has made some substantive comments on this methodological issue [Fra78]. Her main point is that the sociocultural factors of Chinese and Japanese development for the last two

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2 On the other hand, as I will point out later, it was the same classification, between "civilized" and "barbarians" that justified European imperialism during colonial times.

3 Or, as British capitalists, would put it "if we could add but one inch to the shirt of every Chinese, we could keep the mills of Manchester running forever" [Mar02]

centuries are too divergent to validate comparative research. Specifically, she argues that during the integration of both countries in the world economy, the comparison between the progressive, capitalistic approach of the Meiji leadership in Japan compared to the narrow-minded, self-interested activities of the Confucian literati within the Chinese bureaucracy depicts the different approaches of both administrations towards Western modernity. Furthermore, the relative territorial autonomy of Japan within a world of globalized political economy compared to the semi-colonial state of China is problematic for a comparative research.

Indeed, for this research, the modernization of the Meiji and the late Qing state, as a whole, does not compose a solid comparable framework. Instead, their respective stances toward Western modernity explain their divergent historical and economic paths up to the present day. For a relatively short-term period though, from the 1850s to the dawn of the 20th century, both administrations took similar initiatives to investigate the state institutions in the Western world. In this study, I will focus only on specific cases of adoption of Western institutions. The Meiji and the late Qing regime organized and sent overseas a string of diplomatic and educational missions in order to observe the "others".

In Japan, the Iwakura Mission has been the most prominent attempt of the Meiji state to study a number of key state institutions in Europe and the US. For eighteen months, Japan's most powerful figures in the new Meiji government travelled abroad to observe the Western institutions and practices. Such was the impact of the journey on the Japanese statesmen that as soon as they returned to their homeland, the new Meiji government set forth the modelling of the state mechanisms on the Western prototypes. Although in China, the Binchun's Mission to Europe in 1866 or the Zhingang Mission in 1867 [Hua12], is not as celebrated as the Iwakura Mission in Japan nowadays [Tho98], relevant Western scholarship has acknowledged the contribution of these initiatives to the modernization process of the Republican era [SSu63] [Tho42].

One key similarity of the previously mentioned missions, was their initial purpose. Both the Meiji and the late Qing administration prioritized the revision of the unequal treaties in their political agenda, hence they sent a number of diplomats to negotiate with the Westerners the abolition of extraterritoriality. However, research on the diplomatic records of these missions does not provide the necessary grounds for comparative research. Again, this is related to the broader fundamental differences between Qing China and Meiji Japan that Moulder's argument covers. Ultimately, diplomats, institutions and statesmen are instruments of what we broadly call policy-making, which in turn, is a subject of broader political and economic factors and do not operate unattached from the their historical and economic framework. As Karl Marx points out "…neither legal relations nor political forms could be comprehended whether by themselves or on the basis of a so-called general development of the human mind, but that on the contrary they originate in the material conditions of life, the totality of which Hegel, following the example of English and French thinkers of the eighteenth century, embraces within the term "civil society"; that the anatomy of this civil society, however, has to be sought in political economy" [Kar]. Therefore, since the comparison between the "material conditions of life" in late Qing China and early Meiji Japan becomes more complicated in the late 19th century, this research is going to focus on specific state institutions, aware of the divergent political and economic trajectories of both countries during that period.

This research argues that the problem of extraterritoriality affected in a similar way the development of the police system in both countries. Eleanor Westney has discussed extensively the "Westernization" of the police system in Meiji Japan [Wes87] [Ele98]. She argues that the adoption of the French policing model was one of the first initiatives that the Meiji government took, in order to achieve the revision of the unequal treaties. In particular, the agreements with the Westerners "denied local authorities jurisdiction over foreign citizens", therefore, "the Japanese had to develop judicial and policing organizations that conformed to Western models"[Wes87]. Likewise, according to Tong, the Qing reformers believed that "the ability of the Qing police to enforce laws consistent with international legal forms would immediately qualify China as an independent sovereign state"[Ton10].

In the next section, I am going to discuss the theoretical framework that I am going to use in order to juxtapose the police systems in Meiji Japan and late Qing China. The neo-institutional approach of contemporary sociologists, points out the tendencies of organizations, like state institutions, to model their structure upon other organizations when they are surrounded by an environment of uncertainty. Ultimately, the modernization of the police systems in late Qing China and early Meiji Japan display the dramatic attempts of both leaderships to deal with the Western territorial encroachment. The purpose of this research is to connect the neo-institutional argument with an, only recently discussed, isomorphism between the police systems of late Qing China and Meiji Japan and the European colonial police systems during the late 19th century.

2) Theoretical framework

The idea of this research derives from the neo-institutional analysis of Paul J. DiMaggio and Walter W. Powell on the transfer of organizational patterns between different environments. Thus, in this section, I will discuss the foundations of neo-institutional theory and the distinctions between the different schools of neo-institutional analysis. Also, this research discusses the embeddedness of state institutions in complex political and economic networks, which in turn, shape their goals and practices. In other words, as Kallinikos and Hasselbladh contend, "organizations are not responses that evolve as detached rational calculations" but "rather, they are social entities" [Has00]. As I will elaborate later, the analysis on Chinese and Japanese institutional patterns and practices during the late 19th century is directly connected to the extraterritorial rights of the foreign powers in both countries. Thus, there is a dialectical relationship between the historical and theoretical framework of this research.

Taylor and Hall in their article "Political science and the three new institutionalisms", provide us a useful overview of neo-institutionalism and its theoretical subcategories [Hal96]. The development of neo-institutional theory during the 1960s and 1970s did not form a unified school of thought. On the contrary, neo-institutionalism comprises of three separate theoretical branches, each one of them with

distinct characteristics: historical institutionalism, rational choice institutionalism and sociological institutionalism.

Historical institutionalists stress the ability of the state to provide certain scripts of action to individuals and organizations, which, in turn, develop into distinctive national trajectories (path dependence theory). For example, the content of a proposed legislation by a national government may disproportionately affect different social groups. In this case, regardless of the outcomes of a potential social conflict, the legislature has already framed the possible interactions among legislators, organized interests, the electorate and the judiciary. What is the role of the individual then according to historical institutionalists? According to their perspective, "the individual is seen as an entity deeply imbricated in a world of institutions, composed of symbols, scripts and routines, which provide the filters for interpretation, of both the situation and oneself, out of which a course of action is constructed". This action, in turn, can rather be driven by the maximization of the attainment of a set of goals (calculus approach) or by the individual's interpretation of a situation.

Similarly to the historical institutionalists, rational choice institutionalists highlight the maximization of individual profit as the driving force of institutional creation; "a firm's organizational structure is explained by reference to the way in which it minimizes transaction, production or influence costs". However, the point of view of rational choice institutionalists, shifts from the state to the actor's behavior. That is to say, actors tend to legitimize institutions that guarantee their "profit" expectations. On that note, institutions are formed because they provide a certain set of scripts to the actors, which standardize the amount of uncertainty in their interactions. Again, this assumption resembles the calculus approach that historical institutionalists adopt, however, rational choice theorists tend to prioritize the motivations of actors who operate within an institutional framework in lieu of state-directed scripts of action.

Thus far, I have briefly summarized the key elements of historical and rational choice institutionalism, albeit I intentionally did not refer to the critiques towards those theories. This should be credited to the theoretical direction of this research. That is to say, sociological institutionalism is the field upon which I am going to build my argument and therefore I am going to discuss it more extensively. Sociological institutionalism, like other neo-institutionalists, emphasize the relation between institutions and individuals. In particular, sociological institutionalists stress the impact that institutional organizations have on individual actors. Contrary to the notions of rational choice institutionalists, sociologists contend that individuals do not always act based on rationality and personal profit but basically within a foregone range of options in a given historical framework. Similarly, institutions are not always formed due to their beneficial consequences but as contingent historical creations. In other words, institutions "are shaped by historical factors that limit the understanding of and actual range of options open to decision-makers"[Ala15]. John W. Meyer, one of the most prominent neo-institutionalists, addresses the same notion in his world society theory. In fact, he argues that institutions are reflections of the dominant *cultural models*. Accordingly, he discusses the structure of contemporary society as a product of modernity. For example, "it is unthinkable for the United Nations . . . to argue for the return of feudal arrangements, which violate cultural norms regarding individual freedom and progress" [Eva12].

It was those cultural norms that prompted Paul J. DiMaggio and Walter W. Powell (from now on, D&P) to set forth their argument about the homogenization of institutions and organizational patterns in modern societies. In particular, they contend that, since most institutions derive from the same dominant cultural models, they tend be isomorphic. D&P borrowed the term isomorphism from Amos Hawley, who describes it as a "constraining process that forces one unit in a population to resemble other units that face the same set of environmental conditions"[Mag]. Additionally, they classify the forms of institutional isomorphism into three categories: coercive isomorphism, mimetic isomorphism and normative isomorphism. This research will focus on the second category of isomorphism, the mimetic, for it

provides the theoretical tools to analyze the transfer of Western organizational patterns in early Meiji Japan and late Qing China.

According to D&P's argument, in certain occasions, institutional isomorphism is a response to symbolic uncertainty. Specifically, when organizations operate within an environment of uncertainty, due to the lack of viable solutions or external pressure, they tend to model themselves on other organizations. In other words, modeling provides an escape from ambiguity. Hence global diffusion of organizational models is enhanced during a period of political or economic crisis. However, the question is: why organizations tend to search for a solution from other organizations in turbulent times?

Meyer and Rowan argue that "institutionally controlled environments buffer organizations from turbulence" [Joh91]. In the post-Industrial world, the more rationalized the structure of an institution is, the more institutionally controlled it is considered and therefore less prone to destabilization. Indeed, "rationalism creates a tendency of many actors to be overtly organized, because it gives the outer appearance of being rational and efficient"[Ala15]. Nation states tend to adopt the institutional models that guarantee efficiency and minimization of risk. These models transform into global norms that provide legitimacy to the countries that have not enacted them yet. On that note, D&P argue that the driving force behind mimetic isomorphism is the search for legitimacy[4].

From the late 19th century onwards, the world culture can be described as rationalistic. However, in order to reach this "taken-for-granted" conclusion, nation-states with highly rationalized institutional structures promoted, or even imposed, their organizational models to feudal societies. D&P address this topic when arguing about Japan's transitional phase from a feudal model of government to a Western-style state apparatus. The ramifications of the encounter with the Western gunboat diplomacy created a turbulent political climate. Ultimately, after the overturn of the Tokugawa shogunate, the Meiji

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4 Meyer and Rowan also stress the capacity of the organizational leadership "to conform to, and become legitimated by, environmental institutions" [Joh91].

leaders decided to study and apply Western organizational patterns on the newly founded state institutions. In particular, D&P state:

> One of the most dramatic instances of modeling was the effort of Japan's modernizers in the late nineteenth century to model new governmental initiatives on apparently successful Western prototypes. Thus, the imperial government sent its officers to study the courts, Army and police in France, the Navy and postal system in Great Britain, and banking and art education in the United States. American corporations are now returning the compliment by implementing Japanese models to cope with thorny productivity and personnel problems in their own firms . . . These developments have a ritual aspect; companies adopt these 'innovations' to enhance the legitimacy, to demonstrate they are at least trying to improve working conditions [Mag].

Thus, the final products of modeling are not predetermined; instead, during the constant struggle for legitimacy and efficiency, organizations develop their own versions of the originally adopted model. The organization of state institutions in early Meiji Japan was not a mere reproduction of the Western models. Instead, the integration of these models to the Japanese environment required organizational innovations. Some of these innovations were so successful that later, Western institutions in times of uncertainty, turned to their Japanese counterparts. Therefore, the end products of institutional isomorphism "are products of random variation, selection and retention"[Ala15] that create a transnational vicious circle of imitation-innovation among institutions.

Hence organizational success is also dependent on the level of conformity that organizational leaders display [Joh91]. Indeed, in the case of the Meiji administration, compared to the failed attempt of the late Qing reformers, most scholars agree that the ability of the Japanese state to adopt Western institutions and then adapt them to the Japanese environment was remarkable. Under the slogan of "civilization and enlightenment"[Bay12], Meiji leaders broke away from the feudal past and adopted the rationalist approach of the Western world. However, therein lies the question: what did rationality mean to the Western colonial powers? This research goes beyond the organizational level to answer this question. By examining the practices of the policing institutions in Meiji Japan and late Qing China, I argue that Japanese and Chinese policy-makers did not merely imitate aspects of the Western organizational

prototypes but also adopted the practices of Western colonial modernity [Tan97]. That is to say, the conceptualization of police as an instrument of population management derives from the police practices of European colonialists.

Before I move to the historical framework of this research, I would like to particulate the goal of my theoretical argument. In the following discussion, I will discuss the historical events that relate to D&P's theory about the mimetic tendencies of state institutions in an environment of uncertainty. Therefore, the structure of the historical framework of this research, follows the order of D&P's argument, which is: feudalism → environment of uncertainty → imitation of Western models → customization of imported organizational patterns→ exportation of customized model. Nevertheless, the conclusions of this research do not imply that Japan and China were institutionally "enlightened" by the Europeans but on the contrary, my purpose is to highlight the major contribution of the vast history of Chinese bureaucracy to the development of both European and Japanese institutions. This contribution has been largely understated in the literature about the imitation of Western institutions in both countries, and only during the last decade has been acknowledged by scholars.

3) **State-Building in Tokugawa Japan and Qing China in the early 19th century**

First of all, it is important to note that the Tokugawa and the Qing regime, in the beginning of the 19th century, were a far cry from what we consider nowadays as a state. Technically, one might say that the status of "stateness" during that period was, by and large, limited to the enforcement of taxation, the monopoly of using physical force to maintain order in the frontier regions and metropolitan areas (in case of domestic rebellions or foreign threat), control over the food supply and the formation of technical personnel [Rav95] [Liu95]. In lack of a solid national narrative during the feudal times (compared to the nationalistic narrative of the nation states in modern times) the idea of 'Japan' or 'China' comprised those

3) **State-Building in Tokugawa Japan and Qing China in the early 19th century**

who interacted with the central administration in one way or another[5]. For example, according to Brett L. Walker, the state-sponsored vaccinations of Ainu populations in Ezo demonstrate the need of the *bakufu* administration to assert its hegemony in the north, under the pressure of hostile international environment [Wal99]. Di Cosmo also discusses the paternalistic stance of the Qing regime towards the native policymakers in regions with different ethnic groups in the outer provinces of the Empire in Inner Asia. [DiC98].

Tokugawa Japan was a feudal society. The economy was predominantly agrarian and the government relied on the peasantry for its annual revenue. In his article "*State-Building and Political Economy in Early-Modern Japan*", Mark Ravina lays out a number of terms that scholars have used to determine the "stateness"[6] of the Tokugawa shogunate. Ravina contends that the Japanese political system was a concatenation of small states (ruled by *daimyo* or feudal lords) within a broader state system which comprised the Tokugawa *bakufu* [Rav95].   The administration of each domain was responsible to collect the taxes within its territorial boundaries and hand it over to the central government (*bakufu*). According to some scholars, the real concentration of power could be seen in the sub-states (daimyo) not the *bakufu* -the house of the Tokugawa shogunate controlled approximately 15% of the arable land and its annual revenue was 15% of the equivalent national income[Sng14]. The *bakufu* was predominantly responsible to supervise the loyalty of the *daimyos* -whether officially or by other means[7]- and most importantly to

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5 According to Brett L. Walker, the state-sponsored vaccinations of Ainu populations in Ezo demonstrate the need of the *bakufu* administration to frame its subjects under the pressure of hostile international environment [Wal99]. Di Cosmo also discusses the relationship between the central administration of the Qing regime and the native policymakers in regions with different ethnic groups in the outer provinces of the Empire in Inner Asia. [DiC98].

6 I borrow this term from Mark Ravina in "State-Building and Political Economy in Early-modern Japan". It actually describes the modern perceptions of the operations of the state. As I have mentioned already at the beginning of this section, I do not imply that the Tokugawa state is to be compared with the modern definitions of the state apparatus. Rather, Ravina attempts to describe the features of the Tokugawa state that resemble what we call nowadays a state.

inspect the financial condition, administration and living standards of each and every domain under its jurisdiction. [Whi88].

Although the organizational structure of the shogunate could be conceptualized as a federation of states, Ravina argues that the term "compound state" sets the most representative analytical framework. Originally proposed by Mizubayashi Takeshi, the term highlights the status of the *bakufu* as the supreme political authority which supervised a broader network of sub-states with entrusted *daimyos* who were in turn responsible for the internal administration of their sub-states [Rav95]. However, what did legitimize the Tokugawa rulers to the rest of the feudal lords? Wright argues that the legitimacy of the Tokugawa state stemmed from its ability to physically enforce its order in an absolute way (monopoly of violence) [Whi88]. Nevertheless, the policing system in the Tokugawa period was not a centralized system of law enforcement[Rav95]. This model was developed basically during the Meiji modernity. Rather, due to the lack of international war or intractable domestic upheavals during the Tokugawa period, the shogunate relied upon the bureaucratized members of the military class, the *samurai* who patrolled the streets of Edo, accompanied by "townsmen" helpers [Dra93]. The main purpose of policing, according to Dunn's research, was basically to "preserve the life and safety of those of superior rank" in a society "where the principle of the inequality of human beings was accepted" [CJD69].

Also, the Tokugawa shogunal government had the monopoly to issue hard currency for economic transactions and prohibited the use of any other money system. With the circulation of hard currency all over the country, local markets were slowly integrated to the first nation-wide market in the early modern Japan [Nak09]. Apart from the national market system, the Tokugawa shogunate had also institutionalized other critical functions of the Japanese state. Control over prices throughout the country was one of them. Similarly to modern state institutions, the *bakufu* administration had the power to regulate the economy whether by putting pressure to the merchant associations to keep the prices low in

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7 In some cases, the Tokugawa administration would even send spies to supervise secretly the feudal lords of other domains.

Edo or by buying gold from the banking system in return for silver in order to stabilize the price of gold whenever it fell [Yam70]. Furthermore, the shogunate invested in transportation infrastructure in a systematic way, in order to enhance domestic free trades and boost the local economies of the daimyos [Whi88].

Especially during the late Tokugawa period, there were also signs of proto-industrial economy[Gor14]; David L. Howell discusses the development of the Hokkaido fishery, which laid the groundwork for large-scale production in the region in the next decades [How92]. Another omen of the subsequent emergence of the money economy in Japan was the relation between the *samurai* and the merchant class. Once they managed to obtain a high economic status, the latter entered *samurai* families and vice versa through marriages or by adoption [Nor00]. However, the social status of merchants was still low; the class of *chonin* (merchants) composed the lower rung in the socioeconomic pyramid of the state. As Norman argues, at that point, "the social repercussions of the economic rise of this merchant capitalist class were far-reaching" [Nor00].

From 1644, the Qing dynasty in China was in charge of one of the largest empires in history. The administration of such a vast territory was based on the bureaucratic model that pre-existed for the past two thousand years with few changes [Liu95]. On that note, Joseph Levenson and Etienne Balazs, argue that imperial China, throughout its whole span (200 B.C. - 1900), was basically not a feudal society but a bureaucratic one, which managed to sustain a distinct model of organizational structure [Bal64]. On the top of the hierarchy were the Confucian official-scholars, who were powerful and educated men with strong local and provincial ties. Some scholars tend to refer to them "as a caste or as a closed intellectual aristocracy" [Bal64]. They composed the upper class of Qing China and their status as the "wise" statesmen among the illiterate populace provided legitimacy to their bureaucratic order. These bureaucrats were selected through a competitive civil service examination system, which promoted the Confucian doctrines of statecraft rather than the practical administrative skills of the applicants [Liu95].

The division of labor and specialization from the higher to the lower ranks of the state mechanism was also dictated by the ambiguous administrative practicality of the Confucian principles [Liu95]. Unfortunately, the lack of a "detailed exegesis of the principles of monarchical sovereignty", written originally from the official scholars of the imperial court, limits our ability to argue in detail about the technicalities of the imperial institution [Bas87]. However, a number of scholars has done extensive research on the official duties of the Qing administration. Etienne Balazs' book "Chinese Civilization and Bureaucracy" provides us a useful insight on the most important institutions of the Qing Empire.

Balazs [Bal64] highlights the lack of specialized knowledge among the state officials and their aversion towards the technical aspects of administration. Specifically, he argues that "worldly wisdom and savoir faire, and a level of general education" were preferable skills for political elites than specialized training in some profession or study. Accordingly, although most of the state institutions were not directly involved with the implementation of the state policies, their supervision was indispensable to guide the national economy; the control of rivers and irrigation canals, the calendar and the construction dikes were indispensable to protect agricultural operations and production. Moreover, the systematization of national currency as well as the organization of defense against the barbarians was also important tasks of the state apparatus.

Due to the loose involvement of the central administration to local matters, the implementation of the state policies, on a local level, was more flexible. The complexity of the regional differences due to the variety of ethnic populations (Manchus, Mongolians, Tibetans, etc.) and the vast territorial boundaries had a big impact on the implementation of the imperial rule throughout the country[8]. The Chinese bureaucracy relied heavily upon the local gentry and regional institutions to carry out their administrational tasks. Robert J. Antony and Jane Kate Leonard discuss the diversity of patterns of the imperial rule and highlight the vagueness of the boundaries of state power. According to the authors, the

8 For further research about the adjustment of the Qing imperial rule to the ethnic diversity in Inner Asia, see Di Cosmo's article "Qing Colonial Administration in Inner Asia" [DiC98].

Qing administration was a mix of "direct, centralized bureaucratic rule (the *junxian* model), albeit an extremely weak and fragile one at the local level" [Ant02].

Nevertheless, the enforcement of law and spatial order was highly organized on a local level. Dray-Novey [Dra93] argues that the organizing patterns from the early Qing-Era Beijing police display a large amount of similarities with the techniques of population management that the European and the Japanese systems applied centuries later. In particular, the huge population of Beijing (one million or more), even from the early 17th century, required extensive bureaucratization of policing. A total of sixteen forty feet high gates provided the necessary infrastructure against potential outside attacks, but it also symbolized the "presence of the government" to the city residents. Record-keeping methods were intensified spatial control by providing specific information about all residential households, temples and shops. Police (seen in Dray-Novey's article as the Gendarmerie Division) kept a detailed personal record of each person who resided in an area under their jurisdiction. During the Qing period, in Beijing, "there was approximately one police officer for every thirty habitants in the city". However, the institutionalization of police was a multilayered process. It ranged from self-policing units like families, clans or trade guilds to various customizations in the official policing methods based on the different characteristics (ethnic minorities, subcultures) of each part of the city.

The pre-industrial institutionalization of population management during the Qing era questions the Eurocentric notions of scholars who trace the roots of the 19th century police system in the post-Industrial Western urban centers[9]. Later in this research, I will refer further to this topic. Thus far, I have discussed the state institutions in imperial China and Tokugawa Japan. In the next section, I will discuss the historical causes that "dragged" Japan and China into the international arena of politics. In the case of China, this period starts with the demands of the British Empire for the establishment of open trade relationships, while in Japan, it begins with the similar demands of the US navy at the Edo bay.

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9 For examples of this approach, see Daniel V. Botsman "Crime, Punishment and the Making of Modern Japan" [Bot99]

4) Encounter with the West

The rapid capitalist development in Europe and the United States of America after the Industrial Revolution led to the expansion of the Western trade in the East in search of new markets and under the incessant pressure for new materials and food. In contrast, Japan and China had little to no interest in Western goods or imports. Prior to 1830, the only port available for foreign commerce in China was the southern port of Canton while the Tokugawa regime in Japan was trading products with foreigners (mainly with the Dutch and Chinese merchants) exclusively via the artificial island of Dejima, in the bay of Nagasaki.

The response of the emperor Qianlong in 1793 to the demands of the British Empire for the establishment of trade relations between the two countries illustrates the chasm between the two sides. "The stores of goods at the Celestial Court are plenteous and abundant; there is nothing but what is possessed, so that there is really no need for the produce of outer barbarians in order to balance supply and demand" [Nor00]. The refusal of the Qing dynasty to negotiate a more open trade policy with the British Empire resulted in the deterioration of the diplomatic relations between the two nations towards the middle of the 19th century. In like manner, the *bakufu* administration had already made clear since the 1600s that foreigners would be kept in the margins of the Japanese society. Trade relations with the Portuguese or the English merchants have been kept to a minimum for almost two hundred years (1630s-1850s). The only Westerners excluded from the seclusion policies of the Tokugawa administration were the Dutch, albeit under tightly controlled conditions [Vap14].-

Further disputes over the import of opium heightened tensions between the Qing rulers and the British Empire and a naval battle in November 1839 marked the beginning of the first Opium War. The military and technological superiority of the British, outcompeted the inadequately equipped Chinese imperial forces, and three years later the Chinese side was forced to the negotiation table in the summer of 1842. What is most important, according to Chang, is that, after the end of the military conflict, the first

Opium War evolved into a battle over jurisdiction[Cha64]. That is to say, while the demonstration of the military superiority by the British was a devastating blow for the Qing rulers, the subsequent imposition of the unequal treaties had more long-term consequences on the territorial sovereignty of the empire.

One year after the end of the war, the Treaty of the Bogue revised the legal framework of trade and jurisdiction between the two sides. According to the article 8 of the agreement, all Western nations were given the rights to trade in the five open ports opened for trade "on the same terms as the British"[Placeholder1]. Also, article 13 was the first explicit statement of the principle that would later be called "extraterritoriality"[Cas12]. That is to say, in criminal cases, the British subjects would only be subject to their own legal system. According to Cassel [Placeholder1], disputes over the interpretation of law in criminal cases would be resolved through the negotiations of the British consul and the local Qing authorities. However, the approaches to international law from the two sides were disparate. For example, while the Chinese version of the agreement reflected the Confucian-inspired terminology of the administration by using terms like "grace" or "kindness", the British text was a manifestation of rationality and modernity, by referring to "immunities and privileges"[Cas12][10]. Such a gap in the interpretation of law created a number of ambiguities in the following treaties. The fact that the agreements did not particularize under the legal framework of what country the act would be considered as criminal, left a number of questions unresolved. Ultimately, this led to the institutionalization of extraterritoriality with the establishment of the British Supreme Court for China, the United States Court for China and the International Mixed Court, all based in Shanghai.

The echo of the first Opium War and its territorial consequences on China, legitimately sounded as an alarm to the Tokugawa *bakufu*. High ranked statesmen forecasted that "this is happening in a foreign country, but I believe it also contains a warning for us" [Gor14]. Soon, the Shogunal government realized

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10 On that note, contemporary scholars would argue that "the Sino-Western conflict in the nineteenth century was not so much an international conflict as it was a system-to-system conflict, a mismatch between Western nationalism and Chinese culturalism" [Low93].

what the Dutch King William II had explained to them via correspondence; the East could not stay secluded from the globalizing impetus of Western capitalism. Gradually, the potential threat from the West loosened the stance of the *bakufu* towards foreign merchant vessels and accelerated the buildup of extra coastal defenses [Gor14]. Ultimately, a decade after the first Opium War, the US Navy, led by Commodore Matthew Perry, reached Uraga at the Edo Bay to demand the opening of the Japanese ports to American trade. Unlike its Chinese counterparts, the Tokugawa shogunate surrendered to the persistent demands of the Americans within two years after the first visit of the US mission. The Tokugawa rulers estimated that a fight against an obviously superior military power would be futile and could cause further damage to their legitimacy. The subsequent capitulation to the humiliating terms of the imposed treaties justified the fears of those who argued that Japan would follow China's fate. Alongside domestic upheavals by peasants in peripheral domains, increased discontent by lower *samurai* and growing anti-foreign sentiments, the Tokugawa *bakufu* started crumbling [Vap14][Gor14].

After almost a decade of gradual decay, the Tokugawa shogunate collapsed and was replaced by the Meiji government in 1868. The Meiji Restoration was led by a coalition of the merchant class and lower *samurai*, who, as noted before, have become familiar with foreign culture during the late Tokugawa years. The new leadership was determined to transform Japan from a feudal society to a modern nation state based on the Western standards. The Charter Oath of April 1868 outlined the spirit of the new government. On foreign policy, the fifth article of the Oath set the guidelines for the new administration: "Knowledge shall be sought throughout the world so as to invigorate the foundations of imperial rule" [Wal15]. This particular segment of the new constitution emphatically drew the line between the past isolationist policies of the Tokugawa era and the new leadership.

However, for the Meiji leaders, the problem of extraterritoriality contradicted their proclamations of a modern and territorially sovereign Japanese state. A prominent member of the early Meiji administration, Iwakura Tomomi, stressed the importance of territorial independency in his private correspondence:

> We must defend our imperial country's independence by revising the trade treaties we recently concluded with Great Britain, France, Holland, America and other countries. Currently. Foreign countries' troops have landed in our ports, and when resident foreigners break our law, they are punished by their countries' officials. It can be said that this is our countries greatest shame [Mic04]

Iwakura's dissatisfaction with the inherited treaties from the Tokugawa regime stemmed from his deepest concerns that the "international law" operated basically as a justification of the use of imperialist force[Mic04]. Instead, in this letter, he contends that a renegotiation of the treaty agreements should be based on natural law and hence "the good and the bad [of the treaties] must be decided based on reason, then when one wants to rely on military force, war can be decisively embarked upon"[Mic04]. According to Austin, the bellicose overtones in Iwakura's letter were not a patriotic overstatement but primarily a well-targeted rhetorical appeal to engage the nationalistic samurais to the government's strategy[Mic04].

It was those nationalistic samurais, with aggressive anti-Western feelings, in areas where Westerners resided, who posed a constant threat to the restored relations of the Meiji state with the foreign powers[Wes87]. For example, in 1870, 4 days after the attack on two British teachers of English in Tokyo, Takayoshi Kido, one of the prominent figures of the Meiji government, recorded in his diary:

> In recent days an intensive search for the men who made the assassination attempt on the Englishmen has been conducted; and there has been talk that we should organize a police system in accordance with the laws of the European countries. In response, 1 said that if the government and the people are in perfect harmony, every single person in Tokyo will serve it as an informer. If the two are not in harmony, even though we raise a police force numbering in the thousands, we cannot check such violent actions. Why, I wonder, does the government become seriously concerned about protecting human life only when a European meets disaster? It is essential that it also conduct an exhaustive investigation when one of our countrymen dies by violence. But, whereas the investigation is painstaking out of a sense of responsibility when a European meets with a mishap because his country's minister applies pressure, when one of our people falls victim, the inquiry is neglected [Tak83]

Takayoshi concerns about the violent incident in Tokyo reveal two things: first of all, the growing debate about the adoption of a foreign model of law enforcement due to the inefficiency of the Japanese

security system and secondly, the level of pressure that those violent anti-Western acts caused on the Meiji administration.

However, the rise of anti-Western violence, in the second half of the 19th century, was not an exclusively Japanese phenomenon. After the humiliating defeat of China in the First Sino-Japanese War in 1895, in provincial cities such as Chengdu, "crowds destroyed all mission properties…and the thirty-one foreigners in the city were forced to flee for their lives to the Huayang magistrate's yamen" [Sta00]. The attacks were not only targeted towards the Westerners but also against the officialdom of the Qing bureaucracy. Specifically, a wave of urban based anti-government attacks caused panic among the officialdom during the last decade of the Qing rule. For example, in the summer of 1905, a well-planned but failed attempt to assassinate a delegation of high-ranking Qing bureaucrats in Beijing confirmed the fears of the Chinese political elite [Ton10].

Additionally, by that time, the European and Japanese imperial powers had succeeded to effectively "deterritorize" the Qing Empire[Ton10]. The inability of the Manchu government to protect its sovereignty and to halt Western expansion in Asia sparked a period of skepticism among the members of the imperial court. Official scholars could not but admit the military and diplomatic superiority of the Western powers and argued about whether the Chinese should adopt or reject Western techniques and policies. Over the next decades, many high ranked Chinese intellectuals in the imperial court argued that traditional Chinese world will either go extinct or transform to a modern nation state according to the Western standards[MaL90][11]. Others opposed passionately Western learning and the teaching of Western techniques and languages in total[SSu63]. According to some scholars, the infighting within the Qing

11 During the same period, several candidates for the imperial examinations in Beijing (with prominent figures such as Liang Qichao and Kang Youwei among them), did something "unprecedented in the history of politics in Qing China"; frustrated by the incompetence of the regime, signed a petition that called for the total transformation of the economic and educational system and forwarded it to the Empress Dowager [Mis12] [Kwo84]. During the late Qing period, these incidents piled on the pressure towards the government, which responded a few years later with a set of reforms that I will investigate later in this discussion.

administration towards modernization revealed the inherent mismatch between the foundations of the imperial institution and the Western blueprint of policy-making [Low93]. Ultimately, similar to the reaction of the Meiji leadership, the Qing officials realized that in order to lay claims on their indigenous territories, they had to align with the Western norms of territorial politics. The abolition of extraterritoriality thus required a re-assertion of sovereignty through the establishment of a set of modern policing institutions and practices.

In a nutshell, the encounter with the Western forces was not only an isolated military conflict but rather a triggering event that reset the whole spectrum of domestic and foreign policy-making for both administrations. Also, the imposed unequal treaties and the subsequent extraterritorial rights of the Western residents posed a question of sovereignty in both countries. It was this lack of autonomy that sparked the anti-Western feelings among the Japanese and the Chinese populace. However, in many cases, the Western powers capitalized on the illegal actions of native residents against foreigners, in order to justify their imperialist belligerence. For example, in Beijing, the violent anti-foreign and anti-Christian attacks during the Boxer Rebellion resulted in the military occupation of the city and the port city of Tianjin to the east[12][Sta00]. Ultimately, during the late 19th century, the establishment of an efficient police institution was considered not only as a mean to constrain anti-Western violence but also as a stepping stone for the Chinese or the Japanese diplomats in order to re-open the discussion about the abolition of extraterritoriality[Ume02].

In the next section, I argue that the institutional changes of the police system in both countries was a rational response to the similar pressures of both the international and domestic environment. That is to say, extraterritoriality, anti-Western and anti-government attacks were the basic sources of uncertainty for both political environments until the end of the 19th century and therefore the

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12 The article 9 of the Boxer protocol, signed in 1901 after the failed attempt of the Qing state to put down the Boxer Rebellion and the subsequent intervention of the Western powers, gave the permission to the foreign powers to territorially "occupy certain points…determined by an agreement between them, for the maintenance of open communication between the capital and the sea" [UCL04]

establishment of an efficient nation-wide police system was seen as a reclamation of territorial sovereignty and a demonstration of legitimacy towards the foreign powers and the domestic political opponents. Thus far, the lack of stability in both environments "fills the requirements" of what D&P's would call "an environment of symbolic uncertainty". However, before we move on, there are certain limitations that need to be been taken into consideration.

First of all, the Meiji rulers, after the overthrow of the last feudal government, immediately laid the basis for a modern nation state while the Qing Empire was still operating as a semi-feudal institution. For the most part of the late Qing period, the dynasty was facing continuous internal and external challenges: the Taiping Rebellion in 1850, the Sino-French War in 1884, the First Sino-Japanese War in 1895, the Boxer Rebellion in 1899 and a series of minor conflicts that prove the overall turbulence the late Qing period. At the same time, the Meiji leaders were working towards their goals, unhampered by internal political turmoil unlike their Chinese counterparts. Therefore, a series of crucial factors towards the end of the 19th century make the comparison between the two states more complicated.

Secondly, the Western encroachment on China's territory after the Opium Wars had severely undermined its territorial sovereignty compared to Japan's relative domestic autonomy. Most scholars agree that the late Qing China was a mix of a semi-feudal, semi-colonial state. The ramifications of the unequal treaties were a much heavier burden for the Qing administration to handle compared to the case of Japan; the Western invasion seized control over a big part of the central government's revenue, developed a new institution (the treaty ports system) and governed their own economic activities based on their own legal framework [Ste01]. In fact, there were little to no constraints to the activities of the Western nations in the treaty ports [Ste01].

Therefore, as I pointed out earlier, I do not attempt to draw generic parallels between the modernization of the late Qing and the Meiji administration. China, at the end of the 19th century, resembled the "fortunate patient" that Lord Salisbury described in his speech. On the other hand, Japan

gradually emerged as a "living nation", which demonstrated its willingness to learn from the West and cut its ties from the feudal past[13]. In the following discussion, this research will narrow down its focus to the historical linkage between the policing institutions of Meiji Japan and late Qing China and how that intertwines with what Tani E. Barlow refers to as "colonial modernity"[Tan97].

5) The police system as a response to extraterritoriality[14]

According to this research, in the aftermath of the Western territorial encroachment, the modernization of the national police system was a response to a similar set of social phenomena that occurred in both countries, such as: a) the tensions between the foreign and the native residents in regions close to the treaty ports b) the growing anti-Western feelings among the Chinese and the Japanese population, c) the violence of the domestic upheavals and d) the potential threat of an anti-government terrorist act. In the following discussion, I argue that the restructure of the police system in both cases aimed to: i) restore public order ii) the enhancement of the state legitimacy in the eyes of the foreign powers and the political opponents of the regime and iii) the use of a nation-wide instrument of law enforcement as a symbol of territorial sovereignty in fear of further colonial intrusion.

Under the foreign pressure for a modern and efficient security system[Ume02] Etō Shimpei, Japan's first Minister of Justice, during the year 1872, took a number of decisive initiatives to restructure the whole set of legal and security institutions in Japan. In September 1872, the government sent Kawaji Toshiyoshi, along with a number of young members of the Japanese administration, to Europe in order to study and conduct a report about the legal, judicial and police system of the European nation states

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13 In 1873, Doctor Erwin Baelz, after a visit to the Imperial Academy in Tokyo, noted in his diary: "The Japanese have their eyes fixed exclusively on the future, and are impatient when a word is said in the past. The cultured among them are actually ashamed of it. 'That was in the days of barbarism,' said one of them…" [Loc56].

14 A detailed analysis of the police system in the early Meiji period can be found in Westney [Wes87] from whom I borrow heavily in this section.

[Wes87]. A month after the departure of Kawaji to the West, Ishida Eikichi, the superintendent of police for the Kanagawa prefecture, returned from his mission in Hong Kong, Shanghai and Macao, where he was sent for 5 months to investigate the British colonial police system [Ume02].

The next year, while Kawaji was still abroad, the emergence of Japanese imperialism sparked a major intergovernmental crisis, causing the resignation of Shimpei and other prominent members of the cabinet. Five years later, the resigned members of the government would organize the last rebellion against the Meiji regime, known as the Satsuma Rebellion. In the meantime, the widespread changes of the early Meiji social reforms triggered a series of rural upheavals. The violence of the "Blood-Tax Rebellion" towards outcastes and officials in Mimasaka area, the riots in Fukuoka against the high food prices and the anti-conscription movement in rural areas against military service, all in the same year, created an environment of uncertainty among the Japanese political elite [Wal15]. Ultimately, the crisis accelerated the reforms in the policing system; the officials agreed to adopt the French police system, not solely based on the Kawaji's report, who also suggested the adoption of the French model, but, as Westney points out, for two other reasons: first, the highly centralized, nation-wide and standardized structure that the French model provided, matched the intentions of the national government to eradicate the last remnants of feudal localism across the country [Wes87] . Secondly, the Ministry of Justice had already emulated the French judicial system in its courts and legal codes and therefore promoted the adaptation of the French organizational model to a closely related organization, such as the police[15] [Ele98]

The positioning of the head of the mission, Kawaji Toshiyoshi, as the first superintendent of the new Tokyo Metropolitan Police Department (*Keishi-cho*) demonstrated the determination of the Japanese administration to follow the blueprint of the French police system [Wes87] [Ray93]. In his personal

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15 Prior to that, the Meiji administration had already hired French legal experts to contribute to the drafting of the first Japanese legal codes. Richard Sims' research underscores the contribution of the French professor Gustave-Emile Boissonade and Ambassador Paul Louis de Turenne, in the modernization of the system of law[Sim98].

correspondence, Ito Hirobumi, Home Minister of Japan at the time, explicitly stated: "the *Keishi-cho* entirely follows the French Police rules, and it is desirable these should be imitated in both spirit and form"[Sim98] Indeed, Kawaji was requested to transfer his first-hand experience of the French model to the Japanese one and according to most scholars he successfully full filled his task. Westney argues that the organizational setting of the *Keishi-cho* was heavily based on the template of the Paris police department with some minor diversifications during the first decade. She points out that the financing, surveillance techniques, administration tasks and a number of features were directly transferred from the French police system until the reforms of the mid-1880s when the institution began to customize the imported patterns according to its needs and gradually exhibited some notable organizational innovations (spatial dispersion, new communication technology) [Wes87].

Although the majority of the literature written about the modernization of the Japanese police system up to the 2000s, tends to emphasize exclusively on the impact of Kawaji Toshiyoshi's report[Wes87][Sim98][Mit92][Bro93], later studies shift their focus to the report of Ishida Eikichi, which was compiled around the same period [Ume02]. While Kawaji advocated the French model as the most suitable for the Japanese police forces, Ishida was in favor of the British model in semi-colonial China. The divergence of their preferences stemmed from the different features and practices of each model. Both Westney and Umemori agree that the French policing system represented the continental model of policing while the British model in Hong Kong the British colonial one [Wes87] [Ume02]. The former model provided a highly-centralized network of "wide-ranging political surveillance and control" while the later focused primarily on local supervision and a more limited range of functions [Wes87].

According to Umemori, although the French police system has been undeniably the model upon which the Japanese police forces were based, "in terms of actual practices, the Meiji police had many more similarities with the colonial police in Hong Kong than its putative European model" [Ume02]. In particular, he contends that we should look beyond the institutional level and shed light on the "concrete practices of policing" in early Meiji Japan in order to have a better understanding of the character of the

Japanese policing system, [Ume02]. In particular, he argues that the development of surveillance technologies by the Metropolitan Police through registration records was partially inspired by the practices of the British colonial police system in Hong Kong. [Ume02]. Kawaji proposed something similar to the registration system in Hong Kong. In fact, he referred to it as the "passport system" (*ryoken*), which was supposed to provide detailed information about the name, age, status and of its holder [Ume02]. Moreover, the author refers to the "civilizing" mission of the Japanese policing practices, which resembled the discriminatory practices of the British police forces towards the natives of Hong Kong. Although the Japanese police could not legitimize its dominance under the pretext of racial superiority, likewise the British, Japanese police men were encouraged to supervise closely traditional people's customs and to castigate those who behaved in an "uncivilized" manner [Ume02]. Another feature of the Japanese police system that Umemori highlights is the intentional alienation of the Metropolitan Police Office personnel from the residents of Tokyo with the almost exclusive recruitment of this institution with ex-samurai members from the countryside. Umemori contends that this alienation is similar to the policies of recruitment in the British colonial model in Hong Kong, which primarily consisted of Indian and European members [Ume02].

Furthermore, the practices of the British colonial police were not transplanted from the original English police system. As a matter of fact, the British colonizers integrated patterns of order from the traditional Chinese security system to the British colonial police institution in Hong Kong[Ume02]. As I have already mentioned in the previous discussion, according to studies on spatial order and police in imperial Beijing, the household registration systems that the British colonial administration applied, already existed in China for many centuries. The known as *baojia* system was an intensive record keeping method that the Qing Empire applied throughout its whole span in order to keep track of the residential households, shops and temples, all of which were listed in groups, continuously updated and checked [Dra93]. On that note, Norton-Kyshe argues that the British registration system in Hong Kong was basically inspired by the traditional *baojia* security practices[Ume02]. Thirty years after the Meiji leaders

imitated the practices of the British colonial police, the late Qing dynasty, under the pressure of domestic rebellions and colonialism, re-introduced the *baojia* system.

In the aftermath of the turbulent post-Boxer Rebellion years, the Qing reformers decided to establish a nationwide police system. In October 1905, the Ministry of Police was founded, and thenceforth it was responsible for a set of administrative tasks such as sanitation, public works, statistics compilation and household registration [Ton10]. According to Tong, the organization of the new nation-wide system was modelled on the Japanese system [Ton10]. Much of the duties of the new police system aimed to form a primary database that would provide more detailed surveillance on households and individuals, similar to the British colonial and Meiji police practices that I have mentioned before. Ultimately, although the new Chinese police system was a re-fashioned version of the *baojia* system, in the eyes of the Qing bureaucrats the adoption of the Japanese police model symbolized modernity. However, both the Hong Kong and the Tokyo police department also applied methods reminiscent of the traditional Chinese *baojia* system. Thus, scholars arguably maintain that "the Qing rulers found it easier to modernize military and police organizations by adding institutions than by transforming those that already existed"[Dra07].

Therefore, this study points out the following paradox: the "civilizing mission" of the modern police system in Meiji Japan, late Qing China and British Hong Kong adopted practices from the vast bureaucratic heritage of the "outdated" and "barbaric" Chinese institutions. Thus, one might argue that the refashioned *baojia* model was, predominantly, part of the dramatic attempt of the crumbling Qing state to portray itself as a civilized member of the nation-state-based empires club[Ton10]. On that note, according to Stapleton, the Chinese "borrowed the Japanese concept of *bunmei* ('civilization; Chinese: *Wenming*) to characterize the new values they wished to instill. *Wenming* evoked Japan's success in establishing itself as a world power by selected borrowing of ideas and institutions from Western Europe and the United States. It implied the not a rejection of China's own great and ancient civilization but a desire to re-energize that civilization by infusing it with innovative institutions and ideals"[Sta00]. The

practices of the medical police in Meiji Japan and late Qing China also illustrate the adoption of colonial police practices from both states.

Benedict's analysis of the police-directed model of public health during the New Policies period, supports this argument[Ben93]. In fact, he maintains that "the police-directed model of public health that emerged in China in the early twentieth century was . . . driven by a state-oriented utilitarianist doctrine that was international at scope". Germany was one of the first countries that introduced the concept of "medical police" during the 18th century. The administrative duties of the institution were primarily the regulation of disease control activities, the supervision of the state medical personnel, sanitation and environmental conditions. Likewise, in the New Polices period, the police institution during public health emergencies had a closely monitoring role. The newly founded Sanitary Department of the Ministry of Police, was central to the efforts of the government to establish a network of local health departments across the country. On a practical level, the police officers were responsible to detect the sick during epidemics and quarantine the patients in hospitals. In some cases, the authorities offered a reward to those who would "turn in" plague patients.

Recent studies argue that the policing system in the New Policies period (1900-1911) was transformed from an instrument of law enforcement to a "broader project of population management"[Ton10]. In modern theoretical terms, the modern police system became an ideolocial state apparatus [Lou71] of the late Qing regime. Similar to the Japanese police practices, the role of the security forces was not limited to the narrowly defined restoration of public order, but it was also entasked with a civilizing mission. However, as I pointed out before with the paradigm of the Ainu vaccinations, Japan had a precedent in the Tokugawa years in state-sponsored healthcare. The encounter with the Western healthcare customs though, added a "civilizational tone" to the personal hygiene habits of the Japanese people [Bay12]. It was during that time when, according to Susan Burns, medical police in Meiji Japan shifted human body and health from a private matter to a possession of the state[Bay12].

Indeed, it seems that in early Meiji Japan and late Qing China "having a disease was no longer a private matter, but a public affair, publicized in the newspapers"[Rog04]. Japanese police forces would post public notices on the doors of cholera patients that announced "Cholera Here"[Rog04]. Similarly, in Fengtian, China, local newspapers would publish "lists of those who have died of plague, including their names (when known), age, sex, native-place, and occupation [Ben93]. Again, Western policing practices, was not only a mean to gain legitimacy in the eyes of the Western powers, but it also offered a blueprint of population management. On a par with medicine and law enforcement in Meiji Japan and late Qing China adopted the "civilizing" methods of disciplinary modernity[16].

Conclusion

DiMaggio and W. Powell, argue that organizations tend to model on other organizations when they are in an environment of uncertainty. In the previous discussion, I have argued that the modernization of the police system in early Meiji Japan and late Qing China was a response to a sequence of events during the late 19th century that resulted in both regimes feeling they were in an environment of uncertainty. The encounter with western gunboat diplomacy resulted in the encroachment of the territorial sovereignty of both countries. In China, the imposition of the unequal treaties by the Western powers undermined the monopoly of territorial jurisdiction with the establishment of foreign consular courts in Shanghai. In Japan, attacks on western residents in the treaty ports piled foreign pressure on the Meiji government to establish an efficient police system that would protect foreigners. Arguably, the semi-colonial status of both countries created an air of uncertainty in the political climate.

Consequently, submission to the western powers questioned the legitimacy of both regimes. In Japan, "the danger of revolt and assassination was all too real in the early Meiji period"[Sim98]. This danger was confirmed nine years into the Meiji Era with the Satsuma Rebellion. In late Qing China, a

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16 For studies on public health during colonial disciplinary modernity, see *Manderson, Lenore. 1999. "Public Health Developments in Colonial Malaya: Colonialism and the Politics of Prevention." American Journal of Public Health* 89, no. 1: 102-107. *Academic Search Premier*, EBSCO*host* (accessed December 13, 2016).

string of military defeats enhanced the anti-government and anti-foreign sentiments. The Taiping and the Boxer Rebellion, on a par with foreign imperialism, had devastating effects on the government's legitimacy. In both countries, the regimes felt their legitimacy was threatened and tried to bolster this.

Neo-institutional sociologists emphasize the mimetic tendencies of institutions when they are in search of legitimacy. However, during the 19th century, the right to be sovereign was interrelated with the legitimacy of the state leadership in the eyes of the foreign powers. As Sims points out, "over and over Meiji leaders were told by foreigners, when they sought to regain the right of full jurisdiction over them, that this would be only possible when they had introduced a new legal structure"[Sim98]. That is to say, the western powers would allow Chinese and Japanese government to have sovereignty if these regimes adopted the legal framework of the West. But why would this guarantee the right to be sovereign? The answer lies in the positivist perception of international law in the western world. According to the Western legal theorists of that period, Western "states could create doctrine to affirm and perfect their claims over indigenous territories as a matter of international law and treat the indigenous habitants according to domestic policies, shielded from outside scrutiny by international law itself. . . Late nineteenth and early twentieth theorists relied upon the positivist construct of international law to provide the imprimatur of law for conditions of dubious legitimacy" [Ana00] Therefore, the adoption of the European legal system was a prerequisite for any diplomatic talks over the abolition of extraterritoriality.

As has been described at length earlier in this thesis, French legal experts contributed extensively to the new legal codes adopted in Meiji Japan. The structure of the new police institution, which was initially under the jurisdiction of the Ministry of Justice, was a part of the harmonization of Japan's legal and institutional systems with the legal and institutional norms of western modernity. As the previous discussion has also shown, the modernization of the policing institutions in China was a byproduct of the Japanese isomorphic mimicry. In 1906, Shu Hongyi and Zhang Lansun spent four months in Japan, as representatives of the newly founded Ministry of Police. They investigated the organizational structures of the Japanese police system [Ton10]. Ultimately, the new nation-wide police system was modelled on

the *keisicho*. However, this study has also argued that the new police system established in the last decade of the Qing rule was not a mere reproduction of the Japanese model. Instead, many of the policing practices of the new institution originated from the traditional Chinese *baojia* system.

Since the police force of the late Qing era was a re-fashioned version of the *baojia* security system, why would the Qing officials assume that this new model is going to enhance their legitimacy? D&P's theory focuses on the organizational aspect of mimetic isomorphism and hence this question is perhaps beyond the scope of their research. This study found that the answer lies in the world society theory of another prominent neo-institutional sociologist, John W. Meyer. Meyer contends that isomorphism can be explained as conformity to dominant, legitimated or 'taken for granted' views, which, in turn, create *cultural models[Eva12]*. However, cultural models are not independent from history, but are a product of it. In the 18th and 19th century, major historical events in Europe, such as the Industrial Revolution and the Enlightenment, "formed the basis for an emergent European culture"[Eva12]. The military dominance of the European powers and the colonial expansion during the 19th century promoted the institutionalization of the Western cultural models on a global scale. This study has found that the late Qing and the Meiji administration did not aim to enhance their legitimacy by merely imitating the organizational patterns of the western policing institutions, but instead they combined elements of these western models with more local concepts. This is demonstrated in the way that when reforming their police force, as well using western ideas, the Qing also adopted traditional Chinese policing practices. Whilst using some Chinese practices, they also wanted to imitate the disciplinary culture of colonial modernity.

Prasenjit Duara discusses the dual nature of nation-states in the 19th century, which unlike those in the 20th century, were both "nationalist and imperialist in nature" [Ton10]. Indeed, the policing practices of the Meiji regime, like the so-called "civilizing mission" of the police forces, reflected what was about to unravel during the next decades: the colonial character of the Meiji governance. As contemporary scholars who study the policies of Japanese imperialism during the 20th century have argued, the Meiji

reformers initially attempted to colonize Japan from within before expanding their rule to other Asian countries [Dud05][Ess09] [Bay12]. Thus, it is argued that the Meiji state imitated what was considered as the global cultural model during that period, which had been institutionalized in the form of the international law. By imitating features of the Japanese police system, the Qing officials embraced the segments of the very ideology that justified their colonization. In Foucauldian terms, the new policing practices of the Japanese and the late Qing police system embodied what the French philosopher would describe a century later, "*a permanent coup d'état*" [Fou16] [Ton10]. That is to say, subjugation is an inherent element of the modern nation state; therefore, "the *coup d'état*", he argues, "is an assertion of *raison d'état*, and a self-manifestation of the state"[Fou16].

Thus, the policing practices in both countries borrowed elements from the dominant disciplinary models of the West. However, Umemori's research challenges this Eurocentric approach. When discussing the connection between the Japanese and the American institutions, D&P argue that a century after the adoption of Western models, the American auto industries "returned the compliment" to their Japanese counterparts by implementing Japanese techniques of production. Accordingly, based on the previous discussion, I contend that the Japanese "returned the compliment" to late Qing China, via British colonial Hong Kong. That is to say, Umemori's work connects the Japanese police practices with the practices of the British colonial police system. In turn, the British colonial police authorities borrowed policing practices that existed in Qing China from the early years of the Empire. Therefore, this study points to a repetitive pattern of policing practices that begins from the early Qing years, continues in British colonial Hong Kong, moves to the early Meiji years and, finally, returns to China during the late Qing period.

The aim of this study is to enrich the dialogue among sociological neo-institutionalists with historical examples that prove the gradual homogenization of the state institutions across the globe. This research has analyzed the transnational adoption of police practices and organizational patterns within the theoretical framework of mimetic isomorphism. Thus, after following the steps of D&P's analysis, from

uncertainty to legitimacy, I contend that the approach of sociological neo-institutionalism is accurate enough to analyze the similar norms of the late Qing and early Meiji police systems. However, this study has not been confined merely on the organizational level. Therefore, I highlighted the *cultural models* that both administrations adopted from the West, in order to justify the "civilizing mission" of the police forces. In further research, it would be interesting to look at other aspects of territorial politics in these countries, like the modernization of the military system during the same period.

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