

# Coercive Commerce

Global Capital and Imperial Governance at the  
End of the Qing Empire

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# Introduction

In some ways, research for this book began with a single piece of paper that rests in the British Foreign Office archives at Kew. The paper is an imposing size (nearly 21 inches in height) and is covered in large Chinese characters.<sup>1</sup> But, it is not, as its residence might suggest, a diplomatic communication or a government proclamation issued in the name of the emperor of China. It is, rather, a more quotidian record—a customs receipt that accompanied import and export goods as they traveled the Qing Empire's waterways. Even more, one cannot say it is a singular record of an eventful moment. It is a form, retained by British officials in China because it represented many more like it. Most specifically, the form is a transit pass, a document with a limited purpose: to record duties paid to the Qing Imperial Maritime Customs, and to in turn free those duty-paid goods from further taxation. The simplicity of transit pass, further research uncovered, disguised a much more complicated history.

The transit pass is an entry point into two interconnected histories. One is a history of capital. The other is a history of Qing governance. For a time in the latter half of the nineteenth century, how capital circulated and expanded and how officials of the Qing Empire policed and taxed commerce intersected in destructive and regenerative ways. One purpose of this book is to reconstruct these interactions. Along the way, it has two central concerns. One is the historical significance of regulatory features that seem, at first glance, like the transit pass, commonsensical. The other is Qing policies and actions that seem, at first glance, obstructive. Last, this book is about how commerce and its governance looked different depending on whether their purpose was the circulation of useful things or the growth of value.

It is not much of an overstatement to say that the transit pass is the most infamous paperwork in the history of Sino-British relations. As one of several tools developed to implement treaty privileges granted to Euro-American merchants, transit passes generated decades of administrative confusion, mercantile ire, and diplomatic impasse. But the transit pass is historically significant for other reasons

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1. FO 682/1168/1-3, The National Archives (hereafter TNA).

as well. It was among a handful of nineteenth-century technologies, including the steamship and telegraph, designed to speed up and cheapen global commodity circulation during an era of unprecedented expansion in world trade, built on the back of industrial production.<sup>2</sup>

Regulatory frameworks typically garner little attention from historians of global economic integration, but my purposes here are somewhat different. First, I am interested in better understanding how Qing governance changed under the framework of commercial treaties. An instrument like the transit pass marks a discontinuity between a concrete art of governance, which took measures to support the circulation of strategically important goods, to provide relief to suffering populations, or to not overburden those who lived on the margins and an art of governance that facilitated commercial circulation itself, which as a social good was largely abstracted from any particular use values or livelihoods.<sup>3</sup> This shift in governance is a key concern of this book. Second, I am interested in better understanding why commercial treaties and the regulatory apparatus built to implement them looked and functioned the way they did. In the following sections of this introduction, I will unpack some of the key assumptions in existing scholarship on the role of foreign commerce in Chinese history, on the Qing “treaty port era,” and on the practice of Qing governance after 1842, and drawing from my critical engagement with them, I will indicate the ways in which this book takes a different approach.

## Foreign Commerce in China: “A Fly on an Elephant”?

Commercial treaties with Euro-American states, which the Qing government signed in the dozens between 1842 and 1901, were a late chapter in imperial China’s commercial history. When European maritime trading companies first arrived in

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2. Recent histories of the nineteenth-century expansion of global trade include Jürgen Osterhammel, *The Transformation of the World: A Global History of the Nineteenth Century* (Princeton: Princeton University Press, 2014), chap. 14; Steven C. Topik and Allen Wells, “Commodity Chains in a Global Economy,” in *A World Connecting, 1870–1945*, ed. Emily S. Rosenberg (Cambridge, MA: Harvard University Press, 2012), 593–812. Alternative perspectives offered by earlier scholarship include Immanuel Wallerstein’s world systems theory and Eric Hobsbawm, *The Age of Capital, 1848–1875* (New York: Vintage, 1996). On East Asia’s role in particular, see Giovanni Arrighi, Takeshi Hamashita, and Mark Selden, eds., *The Resurgence of East Asia: 500, 150, and 50 Year Perspectives* (New York: Routledge, 2003); Takeshi Hamashita, *China, East Asia and the Global Economy: Regional and Historical Perspectives*, ed. Linda Grove and Mark Selden (New York: Routledge, 2008).
  3. On Qing customs operations, see Yuping Ni, *Customs Duties in the Qing Dynasty, ca. 1644–1911* (Leiden: Brill, 2017) and Qi Meiqin, 清代關關制度研究 [Research on the Qing customs system] (Hohot: Nei meng gu da xue, 2004). For examples of tax remissions during the Qianlong reign, see Helen Dunstan, *State or Merchant: Political Economy and the Political Process in 1740s China* (Cambridge, MA: Harvard University Press, 2006), 107, 396.

southern China in the sixteenth century, they anchored at the edge of a vast territory with well-developed internal and external commercial networks. For at least a millennia, Chinese producers and traders had been important participants in the creation and growth of merchant capital around the world. Between the sixteenth century and the advent of the “treaty era” (ca. 1842) that participation intensified. China became a “sink” for New World silver, brought by European traders seeking silk and tea. Qing emperors lifted a long-standing Ming-era ban on maritime trade, which allowed the “Nanyang” (southern sea) trade to swell with ever larger ships and more voyages.<sup>4</sup> Then, in the eighteenth century, increasingly large shipments of opium from India created a new pattern of global economic integration with China at its heart.<sup>5</sup>

Conditioning and reinforcing all this trade were two commercial and financial revolutions in China—the first in the eleventh century Song dynasty (960–1279) and then again in the sixteenth century during Ming rule (1368–1644). During these periods of intense market growth, the size and number of handicraft workshops grew, farmers sold more of their crops, and urban populations swelled, fed by long-distance domestic trade in grain, cloth, and salt as well as by a monetized economy that paid wages to artisans and urban service professions. From at least the mid-Ming dynasty onward, even peasants outside urban economies were often “at least partly dependent on the market for their household grain,” and earned currency through the sale of surplus cloth woven within the household. Meanwhile, domestic capital networks, organized through familial or native place ties, provided banking and credit that facilitated interregional trade.<sup>6</sup> In one scholar’s summation, apart from its connections with foreign trade, “late imperial China had its own large-scale economic networks, which created integrated macro regions larger than most countries.”<sup>7</sup>

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4. Gang Zhao, *The Qing Opening to the Ocean: Chinese Maritime Policies, 1684–1757* (Honolulu: University of Hawai‘i Press, 2013); Ng Chin-Keong, *Trade and Society: The Amoy Network on the China Coast, 1683–1735* (Singapore: Singapore University Press, 1983).
  5. Carl Trocki, *Opium, Empire, and the Global Political Economy: A Study of the Asian Opium Trade* (London: Routledge, 1999).
  6. Dunstan, *State or Merchant*, 4; William Guanglin Liu, *The Chinese Market Economy, 1000–1500* (Albany: State University of New York Press, 2015); K. C. Liu, *China’s Early Modernization and Reform Movement: Studies in Late Nineteenth-Century China and American-Chinese Relations* (Taipei: Institute of Modern History, Academia Sinica, 2009), 40; William Rowe, *Hankow: Commerce and Society in a Chinese City, 1796–1889* (Stanford: Stanford University Press, 1984), 52–62; Wu Chengming, Introduction to *Chinese Capitalism, 1522–1840*, ed. Xu Dixin and Wu Chengming, trans. Li Zhengde, Liang Miaoru, and Li Siping (New York: St. Martin’s, 2000), 1–22; Zhaojin Ji, *A History of Modern Shanghai Banking: The Rise and Decline of China’s Finance Capitalism* (Armonk: M. E. Sharpe, 2003).
  7. Kenneth Pomeranz, *The Making of a Hinterland: State, Society, and Economy in Inland North China, 1853–1937* (Berkeley: University of California Press, 1993), 1, citing G. William Skinner, “Cities



This domestic commercial activity, about which a substantial and growing literature exists, provides critical context for foreign merchant activity in China. The tea sought by British traders in the eighteenth and nineteenth centuries had been a well-established cash crop since the eighth century, when an interregional market for it first developed in China.<sup>8</sup> At the treaty port of Hankou (“among the largest urban places in the world” after 1850), key exports to foreign markets, including hides, tung oil, hemp, iron ore, and coal, originated within “an intensely active marketing system spanning thousands of miles.”<sup>9</sup> Even the unwanted opium trade depended on an opportunistic network of Fujianese brokers, who integrated opium into their existing transport business in rice, sugar, and cotton.<sup>10</sup> After treaties granted Euro-American merchants more trading privileges in China, most commerce through Chinese ports continued to service domestic markets.

The relative size and impact of Chinese commercial activity and Euro-American commercial activity in China has been an important point of conversation for historians in the China field. Some of the earliest field-defining scholarship of the Cold War era examined the Qing Empire’s “response” to treaties, foreign merchants, and Western industry.<sup>11</sup> Early economic histories, in particular, focused almost exclusively on the Chinese littoral touched by the treaty regime and foreign capital.<sup>12</sup> The field’s first engagements with questions of imperialism, likewise, focused on treaty ports, foreign actors, and unequal commercial privileges.<sup>13</sup> As a corrective, in the past forty years, “China-centered” research has both created distance between the study of China and the study of Euro-American presence

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and the Hierarchy of Local Systems,” in *The City in Late Imperial China*, ed. G. William Skinner (Stanford: Stanford University Press, 1977), 273–351. An important caveat to add is that although the absolute levels of commercial activity in Qing China were undeniably high, current scholarly consensus holds that commercial expansion alone was not capable of producing sustained real economic growth. For a recent summary of this position, see Christopher Isett, “China: The Start of the Great Divergence,” in *The Cambridge Economic History of the Modern World*, ed. Stephen Broadberry and Kyoji Fukao (Cambridge: Cambridge University Press, 2021), 1:97–122.

8. Robert Gardella, *Harvesting Mountains: Fujian and the China Tea Trade, 1757–1937* (Berkeley: University of California Press, 1994), 23.
9. Rowe, *Hankow*, 1, 82–83.
10. Peter Thilly, *The Opium Business: A History of Crime and Capitalism in Maritime China* (Stanford: Stanford University Press, 2022), 24–26.
11. Paul A. Cohen, *Discovering History in China: American Historical Writing of the Recent Chinese Past* (New York: Columbia University Press, 1984), 9–12.
12. For example, Albert Feuerwerker, *The Chinese Economy, ca. 1870–1911* (Ann Arbor: Michigan Papers in Chinese Studies, 1969); Albert Feuerwerker, *China’s Early Industrialization: Sheng Hsuan-Huai (1844–1916) and Mandarin Enterprise* (Cambridge, MA: Harvard University Press, 1970).
13. For a programmatic, if critical, survey of the scope of such inquiries, see Andrew Nathan, “Imperialism’s Effects on China,” *Bulletin of Concerned Asian Scholars* 4, no. 4 (1872): 3–8.

there and documented Chinese merchant operations of remarkable breadth and sophistication.<sup>14</sup>

Much of this more recent work has argued that in China's extensive nineteenth-century commercial world, the influence of foreign trade and traders was minimal. In his landmark social history of the Yangzi trading center Hankou, William Rowe concluded, "Not only were Western traders isolated from the greater portion of the production and marketing process, but Chinese parties to the trade were likewise isolated from both the personal influence of the foreigners and from any significant awareness that a shift to a foreign market may have occurred."<sup>15</sup> For Rowe, foreign trade was a derivative and peripheral economic activity, and even so, it was dominated by Chinese firms. Interestingly, although Rowe downplayed Hankou's status as a treaty port, his conclusion that foreign trade was not all that important echoed a conclusion offered by earlier scholarship intently focused on the treaty ports. Using a very different source base and with different goals in mind, Rhoads Murphey famously proposed treaty ports and foreign presence in China were "like a fly on an elephant"—an irritant—"but not enough to change the elephant's basic nature."<sup>16</sup>

## Historiography of Treaty-Era Commerce

To be sure, we have little reason to think that the Euro-American import-export trade played anything more than the most minimal role in the daily existence of the majority of Qing subjects—if that. Yet, other veins of research have countered that despite its relative size, the fly did change the elephant's behavior. At the very least, treaty ports became spaces of novel economic, administrative, juridical, and cultural practices.<sup>17</sup> These included unexpected combinations of Chinese and non-Chinese

14. Representative works include Rowe, *Hankou*; Susan Mann Jones, *Local Merchants and the Chinese Bureaucracy, 1750–1950* (Stanford: Stanford University Press, 1987); Madeleine Zelin, *The Merchants of Zigong: Industrial Entrepreneurship in Early Modern China* (New York: Columbia University Press, 2005); Christopher Isett, *State, Peasant, and Merchant in Qing Manchuria, 1644–1862* (Stanford: Stanford University Press, 2007); George Qiao, "The Rise of Shanxi Merchants: Empire, Institutions, and Social Change in Qing China, 1688–1850" (PhD diss., Stanford University, 2017); C. Patterson Giersch, *Corporate Conquests: Business, the State and the Origins of Ethnic Inequality in Southwest China* (Stanford: Stanford University Press, 2020); Meng Zhang, *Timber and Forestry in Qing China: Sustaining the Market* (Seattle: University of Washington Press, 2021).

15. Rowe, *Hankou*, 83.

16. Rhoads Murphey, "The Treaty Ports and China's Modernization," in *The Chinese City between Two Worlds*, ed. G. William Skinner and Mark Elvin (Stanford: Stanford University Press, 1974), 18–71; quote on 39.

17. Representative texts include Leo Ou-fan Lee, *Shanghai Modern: The Flowering of a New Urban Culture in China, 1930–1945* (Cambridge, MA: Harvard University Press, 1999); Michael Tsin, *Nation, Governance, and Modernity in China: Canton, 1900–1927* (Stanford: Stanford University Press, 1999); Ruth Rogaski, *Hygienic Modernity: Meanings of Health and Disease in Treaty-Port*

capital—central to the story of this book—that morphed and expanded circuits of commercial circulation.<sup>18</sup> More broadly, evidence shows that treaty-era commercial reorientations intensified differences between the empire’s littoral and hinterland regions, produced “realignment of the urban structure,” and shifted imperial political economy away from long-standing concerns and practices.<sup>19</sup> Research for this book shows that for those tasked with governing China’s “commercial revolution,” significant segments of the commercial world became muddled, unstable, and disruptive. All this suggests that Murphey’s fly-elephant metaphor perhaps missed the point. The fly brought with it a rash.

One reason it has been possible to discount the effects of foreign mercantile activity in China is that the regulatory framework that structured it has been, with the exception of studies of the Chinese Maritime Customs, relatively neglected since the early decades of the postwar era. This neglect means that in important respects John King Fairbank’s work, in particular, *Trade and Diplomacy on the China Coast* (1953), remains paradigmatic. In this text, Fairbank examined what kind of trading conditions the British sought in China and why Qing leadership was so resistant to providing them. In the interpretative paradigm Fairbank advanced, which set a research agenda for at least a generation of Harvard-based scholarship. The “treaty order” was emblematic of all that was modern and progressive in the nineteenth century: a regime that recognized the importance of commerce and treated it with respect, which is to say, according to the rule of law. The treaty regime was a much-needed corrective, thought Fairbank, to the burdens and restrictions that arrogant,

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*China* (Berkeley: University of California Press, 2004); Wen-Hsin Yeh, *Shanghai Splendor: Economic Sentiments and the Making of Modern China, 1843–1949* (Berkeley: University of California Press, 2008); Marie-Claire Bergère, *Shanghai: China’s Gateway to Modernity* (Stanford: Stanford University Press, 2009); Samuel Y. Liang, *Mapping Modernity in Shanghai: Space, Gender, and Visual Culture in the Sojourners’ City, 1853–98* (New York: Routledge, 2010); Isabella Jackson, *Shaping Modern Shanghai: Colonialism in China’s Global City* (Cambridge: Cambridge University Press, 2019).

18. Yen-p’ing Hao, *The Commercial Revolution in Nineteenth-Century China: The Rise of Sino-Western Mercantile Capitalism* (Berkeley: University of California Press, 1985); Eiichi Motono, *Conflict and Cooperation in Sino-British Business, 1860–1911: The Impact of the Pro-British Commercial Network in Shanghai* (New York: St. Martin’s, 2000); Ji, *A History of Modern Shanghai Banking*; Edward LeFevour, *Western Enterprise in Late Ch’ing China: A Selective Survey of Jardine, Matheson & Company’s Operations, 1842–1895* (Cambridge, MA: Harvard University Asia Center, 1968); Susan Mann Jones, “Merchant Investment, Commercialization, and Social Change in the Ningpo Area,” in *Reform in Nineteenth Century China*, ed. Paul A. Cohen and John E. Schrecker (Cambridge, MA: Harvard University East Asian Research Center, 1976): 41–48; Robert Gardella, “Reform and the Tea Industry and Trade in Late Ch-ing China: The Fukien Case,” in *Reform in Nineteenth Century China*, ed. Paul A. Cohen and John E. Schrecker (Cambridge, MA: Harvard University East Asian Research Center, 1976), 71–79.
19. Mark Elvin, introduction to *The Chinese City between Two Worlds*, ed. Mark Elvin and G. William Skinner (Stanford: Stanford University Press, 1974), 1–16; quote on 8; Pomeranz, *Hinterland*.

anti-commercial Qing rulers had placed on trade. Namely, the treaty regime promised to free economic activity from the bonds of “traditional” Chinese culture and anti-modernization politics.<sup>20</sup> Although Fairbank’s career continued for decades, his position on the fundamental challenge “modernization” posed to Qing China did not change.

There are at least three problems, though, with Fairbank’s influential paradigm. One, initially pointed out by critics in the 1970s, is the way in which modernization, as Fairbank used it, functioned as apologetics for foreign intrusion and distortions in China’s economic development that followed in its wake. The modernization paradigm banished coercion and colonialism from view.<sup>21</sup> Second, Fairbank’s culturalist interpretation of the Chinese government, grounded in questionable theorization of Qing foreign relations, profoundly mischaracterized Qing official attitudes toward commerce and Euro-American states.<sup>22</sup> Finally, the paradigm fails to account for the historical specificity of the principles and practices that constituted the “treaty order.” All three errors result from Fairbank’s failure to see that the trade sought by British merchants and the reasons they sought it were not universal or natural. To be sure, Fairbank and those who followed him emphasized the treaty order’s novelty in the *Chinese* context, but they bracketed any interrogation of why a “modern” administrative order would prize transparency, geographic uniformity, or the diminution of personalized forms of power, all of which were key characteristics of the treaty regime. This failure to adequately historicize the treaty regime generated an imbalance within the Fairbankian paradigm: the Chinese acted from within the constraints of “culture”; the British, who were nearly synonymous with the treaty order, had escaped such a world of culture-based illusions. They merely pursued what made good sense. The more critical attention to day-to-day treaty administration offered

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20. John King Fairbank, *Trade and Diplomacy on the China Coast: The Opening of the Treaty Ports, 1842–1854* (Stanford: Stanford University Press, 1969), especially pithy statements of this position can be found on 5, 20–21, 31–33, 53, 83, and 468; John King Fairbank, “Synarchy under the Treaties,” in *Chinese Thought and Institutions*, ed. John King Fairbank, with contributions by T’ung-tsu Ch’u (Chicago: University of Chicago Press, 1957), 204–31; Katherine F. Bruner, John K. Fairbank, and Richard J. Smith, eds., *Entering China’s Service: Robert Hart’s Journals, 1854–1863* (Cambridge, MA: Council on East Asian Studies, Harvard University, 1986), 1–12.
  21. James Peck, “The Roots of Rhetoric: Professional Ideology of America’s China Watchers,” *Bulletin of Concerned Asian Scholars* 2, no. 1 (1969): 59–69; Joseph Esherick, “Harvard on China: The Apologetics of Imperialism,” *Bulletin of Concerned Asian Scholars* 4, no. 4 (1972): 9–16. A new version of this argument appeared in the 1990s; see Tani E. Barlow, “Colonialism’s Career in Post-war China Studies,” in *Formations of Colonial Modernity in East Asia*, ed. Tani E. Barlow (Durham, NC: Duke University Press, 1997), 373–412.
  22. For alternative accounts of Qing coastal trade management, see Paul A. Van Dyke, *The Canton Trade: Life and Enterprise on the China Coast, 1700–1845* (Hong Kong: Hong Kong University Press, 2005); Zhao, *The Qing Opening to the Ocean*. For critique of Fairbank on these grounds, see James L. Hevia, *Cherishing Men from Afar: Qing Guest Ritual and the Macartney Embassy of 1793* (Durham, NC: Duke University Press, 1995), 9–25.

here does not so much dislodge what we know now of Chinese and non-Chinese commerce in China as it disrupts the triumphal modernization narrative associated with the treaty-based regulatory order. To return to the metaphor proffered above, if foreign merchants and their places of trade were the empire's flies, the treaty-based regulatory regime was its rash.

## Treaty Regime as Virus

The Qing Empire's treaty ports originated in the first Sino-British treaty, which itself originated in war. From 1839 to 1841, military forces of the Qing and British Empires fought a series of coastal battles in an altercation known as the Opium War.<sup>23</sup> Qing officials' seizure of British-owned opium cargos precipitated the war, but its deeper causes included long-injured British pride and speculative commercial ambitions. Since the end of the eighteenth century, the British government had struggled to station a diplomatic resident in Beijing and to persuade Qing authorities to allow British traders access to more Chinese ports. These particular frustrations mixed with a miasma of conjured orientalist truths about China—that it was a lawless place suffering under local despotism and arrogant imperial incompetence—as well as bourgeois fantasies about civilization, barbarism, and universal law.<sup>24</sup> The combination was explosive.

British victory in 1841 led to a “Treaty of Peace, Friendship, and Commerce” (Eng: Treaty of Nanjing, Ch: 江寧條約 *Jiangning tiaoyue*, 1842), which ceded Hong Kong to British control and gave British traders long-sought commercial privileges. Fifteen years into the new arrangements, a second round of hostilities erupted over Chinese policing of these privileges. The Treaty of Tianjin (Ch: 天津條約, *Tianjin tiaoyue* 1858), which concluded this war, was an even more an even more

23. Hsin-pao Chang, *Commissioner Lin and the Opium War* (Cambridge, MA: Harvard University Press, 1964); Maurice Collis, *Foreign Mud, Being an Account of the Opium Imbroglia at Canton in the 1830's & the Anglo-Chinese War That Followed*, 1st American ed. (New York: A. A. Knopf, 1947); Peter Ward Fay, *The Opium War, 1840–1842: Barbarians in the Celestial Empire in the Early Part of the Nineteenth Century and the War by Which They Forced Her Gates Ajar* (Chapel Hill: University of North Carolina Press, 1975); Glenn Melancon, *Britain's China Policy and the Opium Crisis: Balancing Drugs, Violence and National Honour, 1833–1840* (Burlington, VT: Ashgate, 2003); Michael Greenberg, *British Trade and the Opening of China, 1800–42* (Cambridge: Cambridge University Press, 1951).

24. Lydia Liu, *Clash of Empires: The Invention of China in Modern World Making* (Cambridge, MA: Harvard University Press, 2004), 31–691; Li Chen, *Chinese Law in Imperial Eyes: Sovereignty, Justice, and Transcultural Politics* (New York: Columbia University Press, 2016); Teemu Ruskola, *Legal Orientalism: China, the United States, and Modern Law* (Cambridge, MA: Harvard University Press, 2013).

transformative agreement to regulate China's foreign trade.<sup>25</sup> When the last Qing emperor abdicated in 1912, the government had officially designated fifty-one treaty ports where Euro-Americans could live, often under some form of self-rule, where their merchant and military vessels could call, and where their businesses could conduct affairs. These were also the places where steamships could load and unload cargo, whether flying a Chinese or non-Chinese flag.

Once the Treaty of Tianjin took effect, much of how the Qing Empire governed foreign trade and managed relations with Europe and the United States changed. The agreement allowed permanent embassies in Beijing and elaborated an alternative regulatory apparatus for Euro-American trade, often referred to as the "treaty port system." The treaty port system was, on paper, a regime of institutions and rules separate from those that governed Chinese merchant activity. But this nominal regulatory segregation did little to keep foreign capital from mingling with domestic commerce and governance. Recent work by Anne Reinhardt on steam transport networks has shown that although treaty ports were often conceptualized as "self-contained points of entry" into China, in practice they became nodes in "an emerging transport system whose complex social, economic, spatial, and temporal effects extended well beyond arenas of foreign activity and involvement."<sup>26</sup> Here, I examine how the circulation of imports and exports connected to global trade carried with them the coercive force of this alien regulatory regime.

A viral model of historical change, suggested by the rash metaphor, is helpful in this account in so far as it can accommodate gradual, site-specific change in which initial entry leads to processes of replication and spread. A virus begins as an event but becomes systemic through its colonization of cells. During this colonization it inserts its own DNA into the structure of the host cells, which then redirects the reproductive functions of the cell. Host cells, which had been busy reproducing their own components, now reproduce the viral components. Using this hermeneutic, we can rethink treaties as a set of regulatory prescriptions that entered through the treaty ports but did not remain there. Instead, as protocols and instruments that governed commercial circulation, they traveled wherever foreign goods and foreign capital did. During this movement, the treaty regime reshaped practices of local governance with which they came into contact.

The viral model is helpful in a second way as well. During the period of this study, British merchants remained chronically disappointed by their gains in China. According to one study of this sentiment, mercantile folklore held that "China was

25. J. Y. Wong, *Deadly Dreams: Opium and the Arrow War (1856–1860) in China* (Cambridge: Cambridge University Press, 1998). The Qing government signed four nearly identical treaties at Tianjin, with the governments of Great Britain, France, Russia, and the United States.

26. Anne Reinhardt, *Navigating Semi-colonialism: Shipping, Sovereignty, and Nation-Building in China, 1860–1937* (Cambridge, MA: Harvard University Asia Center, 2018), 101.

the Eldorado never fully explored, whose riches in concessions and customers were immeasurable.<sup>27</sup> Like a body that offers trillions of cellular opportunities for reproduction and growth, so too did China's millions of acres and hundreds of millions of persons provide incalculable opportunities for British capital's reproduction and growth. If only these people and places could be reached and at the right price. In this vein, the viral model also captures what theorists and historians alike have shown to be essential to capital's existence: as it grows, it endlessly appropriates ever more resources, commodities, and consumers and thereby reengineers landscapes, human needs, and human desires to its own ends. These three metaphorical registers work together as this book thinks about the treaty regulatory apparatus. On the surface, there are regulations, procedures, and paperwork. Beneath these manifestations of rule and order are desires and anxieties of the human actors who created and used them. Shaping these in their particular insatiable and abstract form was capital, in a specific sense of the term.<sup>28</sup>

## Capital

"Capital," admittedly, can mean many things. In a classic proverb, six blind men, each of whom has touched one portion of an elephant, disagree about what an elephant is. "It is a wall," says the one who has touched its side. "It is a spear," says the one who has touched its tusk. "It is a giant cow," says the one who has touched its four legs. And so on.<sup>29</sup> The proverb gives an elementary lesson in how people with different perspectives arrive at different conclusions. As such, it also provides a helpful

27. Nathan Pelcovits, *Old China Hands and the Foreign Office* (New York: American Institute of Pacific Relations, 1948), 3.

28. The cast of British merchants, consuls, and diplomats in this story play the role of what Marx termed *traeger*—that is, the "conscious bearer" of capital (*Capital: A Critique of Political Economy*, vol. 1, trans. Ben Fowkes [New York: Vintage Books, 1977], 253–55). In taking this approach, I draw inspiration from studies that have traced how capitalist social relations shaped a new form of "common sense." An idiosyncratic bibliography of such work includes Theodor Adorno, "On the Fetish Character in Music and Regression of Listening," in *The Essential Frankfurt School Reader*, ed. Andrew Arato and Eike Gebhardt (New York: The Continuum Publishing Co., 1982 [1938]), 270–99; E. P. Thompson, *The Making of the English Working Class* (New York: Vintage Books, 1963); David Harvey, *The Condition of Postmodernity: An Enquiry into the Origins of Cultural Change* (Oxford: Blackwell, 1989); Mary Poovey, *A History of the Modern Fact: Problems of Knowledge in the Sciences of Wealth and Society* (Chicago: University of Chicago Press, 1998); Leslie Salzinger, *Genders in Production: Making Workers in Mexico's Global Factories* (Berkeley: University of California Press, 2003); Andrew Sartori, *Bengal in Global Concept History: Culturalism in the Age of Capital* (Chicago: University of Chicago Press, 2008); John Comaroff and Jean Comaroff, *Ethnicity, Inc.* (Chicago: University of Chicago Press, 2009); William H. Sewell Jr., *Capitalism and the Emergence of Civic Equality in Eighteenth Century France* (Chicago: University of Chicago Press, 2021).

29. For one retelling, see <https://www.peacecorps.gov/educators/resources/story-blind-men-and-elfphant/>.

touchstone for thinking about the historiography of capitalism. By selecting different archives and examining different research sites, historians have produced varied histories of capitalism. But capital's different forms of appearance is not just the result of methodological choices by historians. Unlike the elephant in the metaphor, concrete forms of capital expansion have varied considerably depending on time and place. This historical variability has led to historiographical debates about what capitalism is or is not and what its origins are or are not. It has also led to analyses that reject the proposition capitalism "has [any] inherent nature [or] essential features."<sup>30</sup>

This study argues that capitalism does have an essence. This essence, however, is not identical with closely associated phenomenon such as free labor, industrial factories, and global commodity chains. Rather, I make use of a reading of Karl Marx's *Capital*, offered by Moishe Postone, that unpacks what Marx thought to be the structure of capital and its immanent historical dynamic.<sup>31</sup> Neither Postone nor Marx, in his mature critique of political economy, offer an account of how capital shaped historical change around the world, but they do offer a categorical analysis of capital that allows us to identify its historical forms of appearance.

Two aspects of capital are of particular importance in this study. The first is the unique form of wealth capital entails. Marx's theory of the commodity attempts to explain how, in addition to a mass of goods, capital entails a form of wealth that is not consumed but rather accumulated ad infinitum. This form of wealth Marx called value, and he theorized that in the capitalist formation value mediates socially foundational activities, such as what gets produced and who gets to consume it. The second aspect is the historically specific form of coercion capital produces. Marx's theory that social wealth in capitalist society is both material and nonmaterial also suggests that it is the social role played by the nonmaterial form of wealth that helps to explain key characteristics of capitalist society. Among these characteristics is the appearance of a form of coercion that appears otherwise, what Postone calls "abstract domination." Postone reads Marx's category of capital as a theory of social mediation, and he points out that when value is the dominant form of social wealth, social processes that had been mediated by custom, lineage, or overt forms of personal power come to be mediated by impersonal laws.<sup>32</sup> The upshot of this mediation for those living in a capitalist social formation, according to Postone, is that "social relations are social in a peculiar manner." "They exist," he writes, "not as overt

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30. Gary Hamilton and Chang Wei-an, "The Importance of Commerce in the Organization of China's Late Imperial Economy," in *The Resurgence of East Asia: 500, 150, and 50 Year Perspectives*, edited by Giovanni Arrighi, Takeshi Hamashita, and Mark Selden (London: Routledge, 2003), 173–213, here 176.

31. Moishe Postone, *Time, Labor, and Social Domination* (Cambridge: Cambridge University Press, 1993).

32. Postone, *Time, Labor, and Social Domination*, 154.



interpersonal relations but as a quasi-independent structure that are opposed to individuals, a sphere of ‘objective’ necessity and ‘objective dependence.’<sup>33</sup> I find the concept of abstract domination helpful in thinking about Euro-American coercion in China. To be sure, gunboats were a tool used at moments of heightened tension to pursue commercial gains in China. But more routine, and so arguably more decisive, efforts to rewrite economic and political power in China employed less overt forms of coercion. These inhered in treaties and mechanisms of commercial administration deployed to grow circuits of capital.<sup>34</sup>

Up to this point, forms wealth and abstract domination have not been axes for studies of China’s “history of capitalism.” The robust “sprouts of capitalism” debate in China in the 1950s looked to metrics of industrial production as well as specialization in agriculture and commerce. These metrics remained central some decades later in the now classic study, *Chinese Capitalism, 1522–1840*, edited by Xu Dixin and Wu Chengming first published in China in 1985 as *Zhongguo zibenzhuyi fazhan shi* (中國資本主義發展史).<sup>35</sup> *Chinese Capitalism* was a self-consciously Marxist query into China’s economic history and followed a traditional Marxist methodology, examining agricultural productivity, technological development in handicraft industries, and the socioeconomic role of commercial capital.<sup>36</sup> In the United States, Sucheta Mazumdar’s monumental 1998 study *Sugar and Society in China* foregrounds the question of capitalist transformation by following the model of Marxist historian Robert Brenner, examining legal rights, noneconomic strategies of accumulation, and Chinese production for the world market.<sup>37</sup> “Can there be a China-centered history even as this history is being shaped in the crucible of

33. Postone, *Time, Labor, and Social Domination*, 125.

34. Earlier attempts to make sense of the peculiar nature of Euro-American coercion in China include Jürgen Osterhammel, “Semi-colonialism and Informal Empire in Twentieth Century China: Towards a Framework of Analysis,” in *Imperialism and After: Continuities and Discontinuities*, ed. Wolfgang Mommsen and Jürgen Osterhammel (London: Allen & Unwin, 1986), 290–314. For a recent iteration of Osterhammel’s framing of the problem, see Bryna Goodman and David S. G. Goodman, “Colonialism and China,” in *Twentieth Century Colonialism and China: Localities, the Everyday, and the World* (London: Routledge, 2012), 1–22.

35. Arif Dirlik, “Chinese Historians and the Marxist Concept of Capitalism: A Critical Examination,” *Modern China* 8, no. 1 (January 1982): 105–32. Important representative work includes 中國資本主義萌芽問題討論集 [Collected essays on the question of the sprouts of capitalism in China] (Beijing: Xinhua shudian, 1957); Jian Bozan (翦伯贊) 中國歷綱要 [Outline of Chinese history] (Beijing: Renmin chubanshe, 1962).

36. Xu Dixin and Wu Chengming, *Chinese Capitalism, 1522–1840*, trans. Li Zhengde, Liang Miaoru, and Li Siping (New York: St. Martin’s, 2000).

37. Sucheta Mazumdar, *Sugar and Society: Peasants, Technology, and the World Market* (Cambridge, MA: Harvard University Asia Center, 1998); Robert Brenner, “The Agrarian Roots of European Capitalism,” in *The Brenner Debate: Agrarian Class Structure and Economic Development in Pre-industrial Europe*, ed. T. H. Ashton and C. H. E. Philpin (Cambridge: Cambridge University Press, 1985), 213–328.

# Conclusion

This book has discussed many topics not typically gathered into one study. In order of the chapters, these include Qing interdomainial relations and international law, the Imperial Maritime Customs (IMC) and bureaucratic innovation, Qing strategies and techniques of trade management, Sino-British commercial competition and cooperation, *lijin* and extra-bureaucratic participation in local administration, opium management, and “New Policy” era changes in fiscal management. My work on each of these topics is indebted to the specialist studies cited throughout, and yet also suggests that each of these fields of historical activity and historical change became connected histories through their incorporation into capital’s reproductive process.

In the viral metaphor I introduced at the beginning of the book, I argued that capital, like a virus, appropriates existing institutions and practices and incorporates them into its own reproductive process. If this book has at all succeeded, I have shown, for each of the topic areas listed above, how capital “infected” Qing governance, taking what it needed from its host. The viral metaphor has its limits, though. Strictly speaking, a virus kills its host cells. My claims are more measured. At each site of infection, capital encountered resistance from Qing authorities, and at the end of Qing rule, while capital’s advance was significant, it was also limited. For instance, imperial cosmology remained important even as enthusiasm grew for technocratic governance of the sort modeled by the IMC. Kang Youwei, a leader of the 1898 reform movement, advocated wholesale reorganization of the central government’s bureaucracy, at the same time he called upon the transformative power of the sage-king. Imperial rites and the imperial calendar were not discontinued until 1924.<sup>1</sup> The emperorship endured throughout the treaty era, but operated within new limits. During the period covered in this book, even Qing relations with Choson Korea,

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1. Richard Horowitz, “Breaking the Bonds of Precedent: The 1906 Government Reform Commission and the Remaking of the Qing Central State,” *Modern Asian Studies* vol. 37 no. 4 (October 2003): 775–97, here: 782; Peter Zarrow, *After Empire: The Conceptual Transformation of the Chinese State, 1885–1924* (Stanford: Stanford University Press, 2012), 35–36, 261–62.

which long affirmed Qing suzerainty, shifted away from universal rulership to the norms of international law.<sup>2</sup> With regard to commercial activity, my claims have less to do with the course of China's economic history or the making or unmaking of merchant operations and more to do with how commercial activity and regulatory frameworks interacted. In these interactions, I observe how regulatory frameworks catalyzed forms of multinational capital, and I point out how established strategies and tactics to police and tax this behavior became in many cases less workable, less lucrative, and contributed to the court's ongoing problems with foreign diplomatic pressure.

The gravity well pulling at merchants and administrators was the regulatory regime administered by the IMC, which I argue was an alien institution not because it was run, at its highest levels, by Europeans and Americans but because it introduced a program of maximum revenue growth, fueled by accelerated value circulation and bureaucratic protocols designed to promote trade. In this context, it was not only highly visible novel technologies such as steamships that changed time and cost distances, but also the less visible pieces of paper that traveled with the cargo—transit passes, drawbacks, and exemption certificates—that advanced capital's paradigmatic “space-time compression.”

The IMC did not kill off its counterparts, the *changguan* and *lijin* collectorates. When, in the final two decades of the dynasty, the IMC began to assimilate *lijin* and *changguan* into its own mass, it was because circuits of commercial capital within the Qing Empire had become integral to the government's participation in global circuits of finance capital and because Qing leaders had internalized the idea that a regulatory apparatus designed to work *with* the movement of goods would yield greater returns for the state. Michel Foucault, in his work on eighteenth-century France, has described this shift in statecraft as one from discipline to security.<sup>3</sup> With some adaptation, Foucault's description seems apt here as well, particularly with reference to opium taxation. Into the early 1890s, to fix problems within commercial tax collection, Qing authorities focused on methods to cultivate the discipline of merchants and officials. But by the end of the decade, new and rearranged apparatuses increasingly incorporated what was known of patterns in opium movement. The reality of opium in the empire, rather than ideals of moral behavior, became the starting point for securing a larger revenue from the drug.

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2. Seonmin Kim, *Ginseng and Borderland: Territorial Boundaries and Political Relations between Qing China and Choson Korea, 1636–1912* (Berkeley: University of California Press, 2017).

3. Michel Foucault, *Security, Territory, Population: Lectures at the Collège de France, 1977–78*, ed. Michel Senellart, trans. Graham Burchell (Basingstoke: Picador, 2009).

## Elites and the End of the Qing

The strategic shift from discipline to security in the Qing Empire had at least one effect, the full repercussions of which intersected with what we already know about the end of Qing rule. Throughout the nineteenth century, elite participation in new spheres of government responsibility expanded significantly. Gentry and wealthy merchants became formal components of local tax police and tax collection, organizers of militia and the sea transport of grain; they led post-rebellion reconstruction and compiled local gazetteers, creating narratives of their locality and their place within it.<sup>4</sup> *Lijin* collection was part of this expanded field of activity. Even where taxes were not farmed to merchant groups (“undertaking tax authority”/*renjuan/認捐*), *lijin* bureaus were often staffed with local gentry recruited outside normal bureaucratic channels. Gentry performance of these duties, historians have argued, was part of a Chinese “liturgical tradition.”<sup>5</sup> When run on the strength of elites’ interpersonal relations, *lijin* bureaus at times resisted efforts by provincial authorities to standardize and regulate their operations.<sup>6</sup> It is this elite participation in policing and taxing commerce that the treaty-based regime of commercial governance rejected and proscribed. Whether in the form of empire-wide trade facilities, limits on local taxation, or bureaucratic “mechanical correctness,” the treaty regime offered an alternative modality of organizing commerce and governance.

What can this finding tell us about the end of Qing rule? A generation ago, pathbreaking scholarship looked to local elites to explain how dynastic rule lost its legitimacy. Using newly available local archives, historians examined elite political activism, changes in state-society relations, and long-term trends of commercialization and urbanization.<sup>7</sup> Collectively, these studies make the case that the imperial court was unable to keep up with or satisfy local demands for change. Agitated by calls for constitutional self-government, the empire was, in the words of Susan Naquin, “fast disintegrating” with few resources available to shore

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4. Philip Yuen-sang Leung, “Crisis Management and Institutional Reform: The Expectant Officials in the Late Qing,” in *Dragons, Tigers, and Dogs: Qing Crisis Management and the Boundaries of State Power in Late Imperial China*, ed. Robert J. Antony and Jane Kate Leonard (Ithaca: Cornell East Asia Program, 2002), 66–67, 73.
  5. Susan Mann Jones, *Local Merchants and the Chinese Bureaucracy, 1750–1950* (Stanford: Stanford University Press, 1987), 95.
  6. Philip Kuhn, *Rebellion and Its Enemies in Late Imperial China: Militarization and Social Structure, 1796–1864* (Cambridge, MA: Harvard University Press, 1970), 161–62.
  7. Mary Backus Rankin, *Elite Activism and Political Transformation in China: Zhejiang Province, 1865–1911* (Stanford: Stanford University Press, 1986); R. Keith Schoppa, *Chinese Elites and Political Change: Zhejiang Province in the Early Twentieth Century* (Cambridge, MA: Harvard University Press, 1982). Research in this vein also includes work by Zhang Pengyuan, Zhang Yufa, John Fincher, Joseph Esherick, and Edward Rhoads.

it up.<sup>8</sup> More recently, historians have re-emphasized the significance of administrative and legal reforms in Beijing after 1906, arguing that while Qing-era constitutional reforms were “depressingly short lived”, administrative innovations such as the creation of a ministerial system of government left in place important building blocks for the postimperial order.<sup>9</sup> Neither approach has completely resolved the question of why the Qing dynasty so quickly dissolved in 1911, and in important ways, these studies speak past one another. But reading across them leaves one with the sense that there was a deep disconnect between the efforts of local activists to build a better future and Beijing’s work to reinvigorate state structures.

For the most part, the history told here figures peripherally in previous scholarship’s attempts to explain what happened in 1911. Yet, the treaty regime, authorized in Beijing and operative wherever “foreign” goods traveled, cut across Qing governance at all scales: local, provincial, and central. The regime fostered an alternative arts of governance that by the first decade of the twentieth century both barred local participation in certain domains of governance previously open to it and rejected the principles of local autonomy and local suitability that were important political considerations before but especially during the constitutional debates of the “New Policies” era.<sup>10</sup> Even before delegations sent by the Guangxu court to investigate political institutions in Europe and America brought back recommendations for a constitutional system, the empire’s governing processes had been reshaped by capital circulation and Euro-American political economy. If the Qing Empire, as many historians have argued, was ultimately torn apart by the opposing forces of centralization and decentralization, the treaty regime was a significant factor in aggravating that tension and giving it forms of expression around issues of local rule-making and commercial taxation.<sup>11</sup>

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8. Susan Naquin, *Peking: Temples and City Life, 1400–1900* (Berkeley: University of California Press, 2001), 685.

9. Horowitz, “Breaking the Bonds of Precedent,” 797; see also contributions by Roger Thompson, Luca Gabbiani, Julia Strauss, and Jerome Bourgon in *Modern Asian Studies* 37, no. 4 (2003): 769–73, 799–862.

10. William Rowe, *Hankow: Commerce and Society in a Chinese City* (Stanford: Stanford University Press), 185. Rowe notes merchants in Hankou specifically complained about “the progressively smaller voice allowed merchant representatives in the making [of *lijin*] collection policy.” Philip Kuhn, *Origins of the Modern Chinese State* (Stanford: Stanford University Press, 2002), chap. 2; John E. Schrecker, *The Chinese Revolution in Historical Perspective* (New York: Greenwood, 1991), 128–35; Tu-ki Min, *Men and Ideas in Modern Chinese History* (Seoul: Seoul National University Press, 1997), 152–53; Frederic Wakeman Jr., *Telling Chinese History: A Selection of Essays*, ed. Lea H. Wakeman (Berkeley: University of California Press, 2009), 380.

11. For a review of the state-society approach dominant in the 1980s, see Mary B. Rankin, John K. Fairbank, and Albert Feuerwerker, “Introduction: Perspectives on Modern China’s History,” in *The Cambridge History of China*, vol. 13, *Republican China, 1912–1949, Part 2*, ed. John K. Fairbank and Albert Feuerwerker (Cambridge: Cambridge University Press, 1986), 1–73, esp. 49–63.

One place where we can see the extent to which the schisms shaped by the treaty regime animated an emergent arts of governance are the fiscal plans that immediately followed the revolution of 1911. Many studies now argue that a deeper story of state building bridges the imperial and Republican periods. A look at taxation supports this periodization, at the same time it points to the treaty regime as a key pillar of this bridge. A full story of the Republic of China's first budgets exceeds the space and purposes here. What is of interest are proposals put forth in 1912 and 1913 by the Ministry of Finance to codify differences between "local" and "national" administration, with specific reference to revenue streams and responsibilities. The proposals show that while the republic engaged with the question of how to best reorganize local governance, its engagement with the world continued on terms inherited from the Qing.<sup>12</sup>

The national allocations recommended by the ministry proposed to codify what had de facto evolved out of existing precedent during the treaty port era. These revenue allocations drew heavily from commerce and included customs duties, which were now under the exclusive control the IMC; the salt gabelle, which was "reformed" after 1911 by another British bureaucratic innovator—Sir Richard Dane; and consumption-based taxes on the model outlined in the 1902 Mackay Treaty.<sup>13</sup> The funds, in turn, were to continue to be allocated to the new nation-state's geopolitical survival and geoeconomic obligations: indemnity payments, foreign loans servicing, and military expenses. From the standpoint of fiscal management, the Republic of China was a unit inscribed by capital circulation and geopolitical competition. Alternatively, the ministry's proposals recoded revenue from land—previously the court's largest source of revenue—as a source of provincial and local revenue. Taxes on land as well as business operations were tapped to fund a wide range of projects whose effects would be immediately felt at the local level: education, police, public works, and public industry among them. In departure from imperial practice, the costs of each level of administration would be borne separately. The new government discontinued the "common purse" and interprovincial transfers of revenue that created problems in the treaty era.

## A History of Capital

Although it is possible to place a history of the treaty regime within the framework of late-Qing tension between imperial and local authority, it is also the case that

12. Ch'üan-shih Li, *Central and Local Finance in China: A Study of the Fiscal Relations between the Central, the Provincial, and the Local Governments* (New York: Columbia University, 1922), 73–79.

13. On salt, see S. A. M. Adshear, *The Modernization of the Chinese Salt Administration, 1900–1929* (Cambridge, MA: Harvard University Press, 1970).

the history of the treaty regime, as a history of capital, exceeds the categories and narrative boundaries that framework provides. Treaties were a technology of commercial governance that multiplied the ways in which capital was present in the Qing Empire. After 1842, foreign trade did not remain the same. As written, Qing commercial treaties permitted foreign firms to be in more places with fewer restrictions on their movement and their dealings with Chinese firms. In practice, the expanded circulation of Euro-American ships, their flags, and their nationals mixed Euro-American capital with a wider array of Chinese goods, persons, and resources. These collaborations manifest as changing patterns of commercial activity as well as administrative problems. “Smuggling” and revenue fraud proliferated under a regulatory framework predicated on the separation of Chinese and foreign trade. I have argued that these administrative difficulties were more than just trouble for Sino-British relations; they also expressed the deterritorializing and reterritorializing processes of capital.

Treaties were a technology of commercial governance that reconditioned how territorial officials governed trade. Euro-American capital in China was, fundamentally, capital that was vulnerable to Qing sovereignty. Beginning with the creation of the treaties themselves, which recoded active, moral officials as servants of prescribed scripts, treaty administration demobilized a range of strategies used by the Qing state to generate order and prosperity and narrowed Qing commercial governance to forms of instrumental reason. Obligated by treaty to admit Euro-American consuls and ministers as collaborators in trade administration, the Qing government endured repeated consul that good governance meant allowing capital reproduction to govern government action. From within its own customs office, Qing employee inspector general Robert Hart sought to reformulate fiscal practice around capital growth and to hive off commercial administration from the larger set of concerns that typically centered governance, including the specific utility of goods as well as temporally specific local circumstances.

The paradigm shift in Qing commercial governance was indeed most starkly visible in the offices and operations of its new maritime customs agency, the IMC. Here, a cadre of foreign employees of the court cultivated paperwork, procedures, and reporting protocols that modeled disinterested administration and the “mechanical” application of ends-means reasoning. Aside from the important work the IMC did to combat smuggling and to develop the empire’s harbor infrastructure, a core project pursued by the customs was the twinned growth of trade and revenue—a purely quantitative rather than qualitative concern. The tax structures administered by the IMC deterritorialized and reterritorialized ports into nodes of coordinated bureaucratic action connected by paths of capital circulation. Under the direction of Hart, moreover, IMC commissioners sidelined the participation of territorial officials in the agency’s day-to-day operations, lest