

The Late Qing
Political Consultative Assembly:
**Impeaching the Officials of
the Grand Council**
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Introduction

The final decade of the Qing regime (1644–1911) is often portrayed in a light of inevitable corruption and decline, with a dying imperial court bowing out to a brighter Republican future. However, a small but growing body of literature challenges this conception, revealing that between 1901 and 1911, China was transformed by a wave of legal, educational, and political reforms, designed to rapidly strengthen China in the face of imperialist threats. New law codes were written, new schools were established, the traditional examinations were abolished, and the top levels of governance were reorganised. The capstone of the reform programme was a plan launched in 1908 to transform China into a constitutional monarchy by 1917, complete with a constitution and parliament. Though not fully successful, these reforms had far-reaching consequences for the Republican period (1912–1949) and even beyond.

The aim of this dissertation is to bring to light a distinctive but little-known event which reflects the dynamism of the 1901–11 reforms: the impeachment of the Grand Council (*junjichu* 軍機處), who were the Qing's highest officials and the emperor's personal advisors. Over two months in 1910, members of the Political Consultative Assembly (PCA; *zizhengyuan* 資政院), a semi-elected body set up as a precursor to a future parliament, attempted unsuccessfully to unseat the Grand Council, citing abuses of power, failure to assist the Emperor, and a general lack of responsibility. This dissertation surveys the causes of impeachment, investigates why it was possible, and looks into the currents of ideology and influence permeating the event. It argues that the proponents of impeachment were able to find common intellectual ground in a shared educational experience, and that their opponents had no similar unifying glue. Furthermore, although the proponents of impeachment sported two different conceptions of constitutionalism, they were able to work towards the common

cause of impeachment, even playing complementary functional roles. And even though impeachment was ultimately unsuccessful in its aim to remove the Grand Council, it did exert considerable influence on the imperial court's decision-making process.

My argument will proceed in stages. Firstly, I will set out the study's motivations, methodology, and central sources. Secondly, I will introduce the context of institutional and constitutional reform surrounding the Political Consultative Assembly. Thirdly, I will explain how the PCA operated, explicating its rules and composition. Fourthly, I will provide a factual account of the impeachment proceedings, tracing, in detail, what happened. Fifthly, I will present the results of qualitative and quantitative analyses, with explanations and justifications. Finally, I will close with an overall discussion of whether impeachment succeeded, the imperial court's point of view, implications for understanding the late Qing period, and offer directions for future research.

Section I Methodology and Aims

Research Aims

This dissertation is guided by the following research aims:

- (1) Situate the PCA and the impeachment of the Grand Council in its proper historical context with secondary source material.
- (2) Present a comprehensive factual account of the impeachment proceedings with primary source material.
- (3) Identify broad trends within the proceedings using numerical analysis, paying special attention to the representation of different groups of actors.
- (4) Examine the goals of important members of the PCA and the strategies they used to pursue those goals by qualitatively analysing their speeches and actions.
- (5) Offer implications of findings from aims (3) and (4), seeking to explain why impeachment was possible, and why it progressed in the way that it did.
- (6) Identify future research directions.

Primary Source Material

To stay as original as possible, the main bulk of this dissertation relies on primary sources. There are three central primary texts which forms the basis of this research.

The most important text is the *Zizhengyuan Yichang Huiyi Sujilu* 資政院議場會議速記錄 ('The Recorded Proceedings of the Political Consultative Assembly'). This text is the work of stenographers who were employed by the PCA to provide an accurate account of proceedings (*see section 4*), and contains, almost word for word, every speech ever given in the first annual session of the assembly. By studying it closely, one can identify the ideologies, turning points, and key opinion leaders of every matter that came before the PCA in its first year.

The version of the *Recorded Proceedings* I refer to is a 2011 copy published by Peking University Professor Li Qicheng 李啟成, who added his corrections to obvious typological errors in the original text, and supplemented the work with biographical and contextual information. Fortunately, I was able to gain access to the text via the Hong Kong University Libraries, as no copy could be found in the United Kingdom at the time of writing. The existence and accuracy of the *Recorded Proceedings* is attested in other sources, most notably the *Diary of Wang Rongbao*. Furthermore, the contents of the *Recorded Proceedings* match those of United States diplomatic records of PCA meetings, which scholars have used in the past to reconstruct the content of PCA debates.

The second primary text employed in this dissertation is *Wang Rongbao Riji* 王榮寶日記 ('Wang Rongbao's Diary'). Wang Rongbao 汪榮寶 was one of the officials appointed into the PCA, and kept a daily diary from 1910 to 1911, conveniently covering the entire first session. As someone well connected with high officials, including the Grand Council, *Wang Rongbao's Diary* provides immediate context to the events recorded in the *Recorded Proceedings*. Furthermore, Wang gives us insight into what happened 'behind-the-scenes'—the private deliberations which shaped what eventually played out publicly in the assembly chamber.

The third primary text is the *Xuantong Zhengji* 宣統政紀 ('Political Records of the Xuantong Reign'). Just like records of other reign periods, the *Xuantong Zhengji* is a chronologically ordered compilation of all edicts issued during Xuantong's time on the throne (except for the period after the ROC was established). Because the *Recorded Proceedings* does not include the full text of edicts that the members debate, the *Xuantong Zhengji* is essential for filling the gap. Moreover, the *Xuantong Zhengji* allows one to look closely at the wording

of each relevant edict, a major source of information about the court and Grand Council's perspectives.

Secondary Literature

Although there isn't an abundance of scholarly literature on the Political Consultative Assembly, a number of key works have been written. Of special relevance is Professor Li Qicheng's article "Jindai Xianzheng Shiyezhong de Wanqing Tanhe Junji An" 近代憲政視野中的晚清彈劾軍機案, where he provides his own in-depth exposition and analysis of the impeachment proceedings. Although I have sought to construct my arguments directly upon primary source material, I will, at various points, refer and defer to Professor Li's expertise.

Another important source is Zhang Pengyuan's 張朋園 seminal work *Lixianpai yu Wanqing Geming* 立憲派與晚清革命 ('The Reformists and Late Qing Revolution'), which has been invaluable for tracing the context around the establishment of the PCA, and in understanding the atmosphere under which the PCA operated. Zhang's 2007 piece *Zhongguo Minzhu Zhengzhi de Kunjing: 1909-1949* 中國民主政治的困境 and Li Jiannong's 李劍農 *Zhongguo Jinhainian Zhengzhishi* 中國近百年政治史 have also proven indispensable.

Secondary literature was also employed to investigate the historical context surrounding the PCA. The 1901-11 period, dubbed the 'New Policies' (*xinzheng* 新政) era, is the subject of a number of scholarly works. Pre-existing research both within and beyond this corpus has been examined to establish the events leading up to, and continuing after, the establishment of the PCA. Important works include Douglas Reynold's *China, 1898-1912: the Xinzheng Revolution and Japan*, and numerous articles within volumes 10 and 11 of the *Cambridge History of China*.

Section 2 The Nineteenth Century Context

The context of the nineteenth century must be examined to appreciate what happened at the Political Consultative Assembly in 1910. For over 1000 years, China's civil service examination system, the *Keju* 科舉, had kept most elites loyal to the governing regime, monopolising access to power and prestige. In order to understand why elites were willing to challenge the state in 1910, we need to understand three nineteenth century trends: decentralisation of power to provinces and localities, weakening of state capacity, and the rise of a new intellectual class which did not rely on the state for survival. These three trends reached a culmination in 1901–11, producing the environment which allowed for the impeachment event to occur.

Decentralisation of Power to Provinces and Localities

Nineteenth century China saw a major shift in power away from the central government and towards regional elites. This happened in stages, and had very much to do with the corruption of the Qing army and numerous internal rebellions which ravaged the Chinese hinterland. Qing military forces were historically governed directly by the court. Seeking to avoid the fate of the Ming regime, the founders of the Qing dynasty sought to ensure that the army was always well-funded and ready for battle.¹ By the nineteenth century, however, the corruption of the imperial forces had become painfully apparent. We have reports, for example, of soldiers who hired untrained replacements to fight in their place, as they were more concerned with their private commercial operations.²

¹ Dai Yingcong, "Yingyun Shengxi: Military Entrepreneurship in the High Qing Period, 1700–1800," *Late Imperial China* 26, no.2 (2005): 1–67.

² Ibid.

It is unsurprising, therefore, that Qing imperial forces were ill prepared to deal with the Taiping Rebellion, the largest of the insurrections which ravaged nineteenth century China. Hong Xiuquan 洪秀全 (1814–64), who failed his civil service examinations four times, believed himself to be the younger brother of Jesus Christ, and launched an uprising against Qing authorities in 1851 to create a new society based on his own interpretation of Christianity.³ Throughout the next thirteen years, Taiping forces occupied large areas of southeastern China, including Nanjing. With imperial troops unable to defeat the rebellion, the court authorised the creation of regional armies commanded by top officials. Three armies were of particular note. Zeng Guofan 曾國藩 (1811–72) assembled the Xiang Army (*Xiangjun* 湘軍), which was able to reverse the tide against the Taiping army by 1860.⁴ Li Hongzhang 李鴻章 (1823–1901) established the Huai Army (*Huaijun* 淮軍) based on Xiang army organisational patterns, and scored important victories in 1860–64. Also famous at the time was the Ever Victorious Army (*changshengjun* 常勝軍), a collaborative effort between Qing officials and merchants, led by European officers and trained in European weaponry. This ‘foreign-gun squadron’ (*yangqiangdui* 洋槍隊), as it was also known, had a reputation for defeating numerically superior groups of enemies with superior tactics and training.⁵

In the midst of the Taiping Rebellion, the Second Opium War (1856–1860) broke out. To end the war, an Anglo-French joint force entered Beijing proper on 5 October 1860 and occupied it for 18 days, burning down the Old Summer

³ Philip A. Kuhn, “The Taiping Rebellion,” in *The Cambridge History of China*, ed. John K. Fairbank (Cambridge University Press, 1978), 264–317.

⁴ Liu Kwang-Ching, “The Ch’ing Restoration,” in *The Cambridge History of China*, ed. John K. Fairbank (Cambridge University Press, 1978), 410–5.

⁵ *Ibid.*, 425–34.

Palace in the process.⁶ The successful invasion of the capital by foreign forces thoroughly humiliated the Qing court, and resulted in calls to learn and use the West's own skills against them (*shiyi changji yi zhiyi* 師夷長技以制夷, lit. 'learn the barbarian's strongest skills, then use them to suppress the barbarians'). What transpired was the Self-Strengthening Movement (*yangwu yundong* 洋務運動), during which various regions of China attempted their own military modernisation programmes in lieu of a centralised plan.⁷

Although these efforts were ostensibly part of one movement, little was done to unify them. While Japan established a centralised army staff bureau in 1871 and made the Prussian Field Service Manual standard, the disjointed efforts across China followed different instructions and specifications.⁸ As one would expect, the Self-Strengthening Movement failed to produce an army loyal to the Qing court, but instead strengthened the loyalty of regional forces to their provinces of origin, exacerbating the regionalisation that the Taiping Rebellion had engendered. Describing this outcome, Marianne Bastid-Bruguier wrote:⁹

There was *absolutely no solidarity* among the various groups officering the different armies of China...Anti-Manchu sentiment, even though it was very widespread, provided no unity. Nor was the throne's effort to unify the various forces and centralize their command successful; the officers of the territorial troops were jealous of the material privileges of the Regular Army; various factions were opposed to

⁶ Robert James Leslie M'Ghee, *How We Got Into Peking: A Narrative of the Campaign in China of 1860* (London: R. Bentley, 1862). For the burning of the summer palace, see pages 284–8.

⁷ James L. Hevia, "Western Imperialism and Military Reform in Japan and China," *Frontiers of History in China* 7, no.3 (2012): 404-414.

⁸ Ibid.

⁹ Marianne Bastid-Bruguier, "Currents of Social Change," in *The Cambridge History of China*, ed. John K. Fairbank (Cambridge University Press, 1978), 547.

each other, sometimes on the basis of personal loyalties..., sometimes provincial loyalties, and at others, loyalty to the same school.

(emphasis mine.)

Faced with a dire situation, Qing officials forsook the old path of finding military leaders amongst the ranks of those who had passed civil examinations, and instead directly appointed those who showed prowess on the battlefield.¹⁰ Respect for the military increased rapidly, dampening prestige surrounding civil officialdom and examinations. Examinations were no longer the only path to a high social position, and they never regained their former glory.

As James Townsend wrote in his 1996 article on Chinese nationalism, “unity [in imperial times] was preserved by the presence of political elites who constituted *a true national community* and tied localities indirectly to the imperial system by their participation in both local and national affairs”.¹¹ This “national community” was quickly fragmenting in the late-nineteenth century as elites participated less and less in “national affairs”, and allied themselves to “local affairs”. It would take the common experience of overseas education, considered below, to draw elites together again, albeit in a way which set them up to challenge, instead of affirm, central authority.

A Gradual Weakening of State Capacity

Decentralisation of power greatly damaged the ability of the imperial court to implement policies and objectives. Qing state capacity was further weakened by a new economic reality constructed by western imperialism. China had been part of an international system of trade for centuries, with high european

¹⁰ Bastid-Bruguiere, “Social Change,” 539–40.

¹¹ James Townsend, “Chinese Nationalism” in *Chinese Nationalism*, Jonathan Unger ed. (Australian National University: Contemporary China Papers, 1996), 26. Emphasis mine.

demands for goods such as tea and porcelain. Material goods flowed west, while silver flowed east. So constant was the inflow of silver that by the end of the eighteenth century, China had accumulated an impressive trade surplus.¹² Europeans, meanwhile, found little demand in the Chinese market for their goods. Searching for a solution, European companies, especially the British East India Company, found that opium was sufficiently addictive to catch on in the Chinese market. With opium, these Western corporations, and later Western countries themselves, were able to reverse the balance of trade.¹³ By the mid-nineteenth century, silver was leaving China just as it faced a series of costly insurrections and uprisings. These rebellions mostly happened in southeast China, which boasted its most fertile soil and most productive commerce. The reverse of trade, coupled with the loss of lives, resources, and trade, dealt a major blow to the Qing treasury.

The imperial powers only exacerbated the Qing's financial difficulties. Hefty reparations were imposed on China after every war: 21 million taels for the First Opium War, 6 million taels for the Second Opium War, 230 million taels for the Sino-Japanese War, and 450 million taels for the Boxer Rebellion.¹⁴ A vicious cycle of state weakening ensued. Faced with an emptying treasury, the Qing government focused on collecting import and export duties at ports such as

¹² Barry K. Gills and A.G. Frank, "The Modern World System Under Asian Hegemony: The Silver Standard World Economy 1450–1750," in *Andre Gunder Frank and Global Development* ed. Patrick Manning and Barry K. Gills (Routledge, 2011).

¹³ Mike Davis, *Late Victorian Holocausts: El Niño Famines and the Making of the Third World* (London: Verso, 2001), 300–1.

¹⁴ Treaty of Nanking (*Nanjing tiaoyue* 南京條約, 1842), Treaty of Tientsin (*Tianjin tiaoyue* 天津條約, 1858), Treaty of Shimonoseki (*Shimonoseki jōyaku* 下関條約, 1895), Boxer Protocol (*xinchou tiaoyue* 辛丑條約, 1901).

Canton.¹⁵ The Chinese hinterland, including the historically essential Grand Canal, was left to waste away.¹⁶

Slowly but surely, the Qing court lost the means to effectively govern inland areas. And since the sea trade was dominated by foreign firms such as Jardines and Swire, the Qing government had little sovereignty there, too. Even the customs duties which the Qing became so reliant on were collected by a foreign-led organisation, the Imperial Maritime Customs Service (established 1854; defunct 1949). Though the available evidence suggests that the service was an honest organisation loyal to China, its very existence served to demonstrate the inability of the Qing government to enact its own policies at a time of national crisis.¹⁷

A New Class of Intellectual Elites

I mentioned above that the military was becoming a new avenue into the elite class. Foreign education also arose as an alternative to the civil service examinations. Increasingly, elites were earning their qualifications overseas. Many of the first Chinese students to study abroad returned to China as specialists in ‘foreign affairs’ (*yangwu* 洋務). One prominent example was Yung Wing (Pinyin: “Rong Hong” 容宏; 1828–1912), the first Chinese person to graduate from an American University (Yale College, class of 1854). After spending a decade in America, Yung Wing returned to China and served as an advisor during the Self Strengthening Movement. Yung was instrumental in

¹⁵ Davis, *Holocausts*, 302–3.

¹⁶ *Ibid.*, 371–3.

¹⁷ Bickers, “Chinese Maritime Customs” in *Twentieth-century Colonialism and China*, ed. Bryna Goodman and David S.G. Goodman, 25–36.

From its early days, Inspector-General Robert Hart had taken great pains to stress to the Inspectorate’s employees that it is a Chinese institution, and that they are to serve the Chinese state first and foremost.

convincing top Qing officials to establish the Chinese Educational Mission (*Zhongguo liu Mei youtongjihua* 中國留美幼童計畫), in which 120 Chinese students were sent to the United States for education at government expense.¹⁸

Although many of the western educated elite returned to China, their views and interests were not necessarily aligned with those of the Qing court. The elite in China had historically been allied with the government in a mutually beneficial relationship: the state provided prestige and influence, while the elites provided administrative talent. The mechanism for choosing members of the educated elite was the *Keju* civil service examination system. These new intellectuals, however, gained their prestige and influence by virtue of their overseas experience and foreign qualifications. This not only undermined the monopoly that civil service examination degree holders enjoyed over the top echelons of power, but also spawned a new group of young thinkers who were not afraid to criticise, jab, and ridicule Chinese governance.¹⁹

Following the examples of forebearers like Yung Wing, a flood of students travelled overseas for education. Japan became by far the most popular destination for a number of reasons: Firstly, it was geographically closer to China than the West. Secondly, the Japanese and Chinese languages both employed Chinese characters, meaning Japanese resources and materials would be more accessible than western ones. Thirdly, Japanese culture was considered to be very close to that of China, easing integration and learning. A term in use

¹⁸ Yung Wing, *My Life in China and America* (New York: H. Holt and Company, 1909). The Chinese Educational Mission lasted from 1872 to 1881, and included several people who would later make significant contributions to China. One worth noting is Zhan Tianyou 詹天佑, who is known as the pioneer of railways in China (*tielu zhi fu* 鐵路之父).

¹⁹ Bastid-Bruguere, "Social Change," 571.

at that time to describe the relationship between the two countries was *tongwen* (j. *dōbun* 同文), meaning ‘common culture’.²⁰

The exact number of Chinese students who studied in Japan during the last fifty years of the Qing dynasty is unclear, but what is clear is that there was a significant boom after 1896. Conservative estimates by Sanetō Keishū 実藤惠秀 (1896–1985) suggest that there were only about 13 Chinese students in Japan in 1896. This grew to 1000 in 1903, and rapidly ballooned to 8000 in 1906.²¹

Chinese students largely lived together in Tokyo’s Kanda 神田 district, and formed a smattering of politically-oriented student associations. An early example was the ‘Guangdong Independence Association’ (*Guangdong duli xiehui* 廣東獨立協會), whose name betrayed its intentions.²²

Although provincial groupings such as the Guangdong Independence Association remained highly relevant, linkages which crossed regional boundaries gradually strengthened into national consciousness(es). One prominent national association was the Chinese Student Centre (*Shinkoku ryūgakusei kaikan* 清国留学生会館).²³ During its opening ceremony, a speaker compared the Centre to Philadelphia’s Independence Hall, where the United States Declaration of Independence was signed. Accordingly, the Centre soon became a base for advocates of revolution against the Qing regime.²⁴

²⁰ Douglas Robertson Reynolds, *China, 1898-1912: the Xinhong Revolution and Japan* (Council on East Asian Studies, Harvard University, 1993), 31, 57.

²¹ Sanetō Keishū 实藤惠秀, *Chūgokujin Nihon ryūgaku shikō* 中国人日本留学史稿 (Tokyo: Nik-Ka Gakkai, 1939), 544.

²² Li Jiannong 李劍農, *Zhongguo Jinbainian Zhengzhishi (1840–1926)* Vol. I 中國近百年政治史 (Shanghai: Fudan University Press, 2002), 224.

²³ Marius Jansen, “Japan and the Chinese Revolution of 1911,” in *The Cambridge History of China*, ed. John K. Fairbank (Cambridge University Press, 1978), 353–4.

²⁴ Li, *Zhengzhishi*, 224.

Chinese students in Japan largely organised themselves along two conflicting lines: those who supported constitutional reform and those who supported revolution in China. The reformist students were heavily influenced by Liang Qichao 梁啟超 (1873–1929) who, while living in Tokyo, published a highly influential newspaper called the *Xinmin Congbao* 新民叢報. The revolutionary students, meanwhile, were supported by Sun Yat-sen and the Tongmenghui 同盟會 (founded in Tokyo in 1905), taking ideas from the latter's *Minbao* 民報 newspaper.²⁵

The two factions were by no means passive, and often engaged in heated debates. Most of the time, these debates were published in the *Xinmin Congbao* and *Minbao* as a series of replies. Sometimes, however, disagreements escalated into violence. In 1907, Liang Qichao established a reformist organisation called the Zhengwenshe 政聞社 in Tokyo, comprised mainly of Chinese students. During its opening ceremony, members from the revolutionary faction came to cause chaos. Zhang Binglin 章炳麟 (1868–1936), a revolutionary, described the scene as follows:²⁶

It was July 17 according to the solar calendar, and the Zhengwenshe was holding a big meeting in the Jinhuiquan [(j. *kinkikan*)] to discuss constitutional reform. [...] Liang Qichao went on stage and began to say 'the Court has handed down an edict, establishing a timeframe for adopting a constitution; I am sure we are all joyous and excited.' Before Liang could continue, Zhang Ji 張繼 [from the revolutionary faction] shouted in Japanese: '*Baka! Baka!*', then stood up and yelled, 'fight!'. Immediately, more than 400 people charged forward [towards Liang]. Liang jumped from a bend in the building, rotating as he fell.

²⁵ Li, *Zhengzhishi*, 217–20, 243–50.

²⁶ *Ibid.*, 263–4.

[...] Zhang then rushed onto the stage, but the members of the Zhengwenshe held him off with chairs. Jin Gang 金剛 then seized Zhang by the shoulders. They fought, but Zhang got the better of Jin. 陽曆七月十七日政聞社員大會於錦輝館，謀立憲也。……啟超說國會議院等等，且曰「今朝廷下詔刻期立憲，諸君子宜歡喜踴躍」，語未卒，張繼以日本語厲聲叱之，曰「馬鹿！馬鹿！」起立，又呼曰「打！」四百餘人奔而前。啟超跳自樓曲，旋轉而墮。……張繼馳詣壇上，政聞社員持椅格之，金剛自後搯其肩，格者僵，繼得上。

It was with this level of fervour that Chinese students returned from Japan. Reformists came back to push forward constitutional reforms, filling organisations such as the Political Consultative Assembly. At the same time, the revolutionary faction sought to infiltrate the army and establish local revolutionary groups.²⁷ Indeed, the Guangfuhui 光復會 and the Huaxinghui 華興會, two constituent groups of the Tongmenghui founded in Mainland China, were mainly composed of students who had studied in Japan.²⁸

Conclusion

By the first decade of the 20th century, the Qing court faced challenges from all sides. Power had been thoroughly decentralised to officials and regional elites. State capacity had been seriously damaged by imperialism, insurrections, and an adverse economic reality. Furthermore, a new intellectual elite, standing apart from the old examination system, returned in large numbers from overseas to challenge the state. The Qing regime was caught in a perfect storm.

²⁷ Li, *Zhengzhishi*, 265, 268–9.

²⁸ Huang Fuqing, *Ch'ing-Mo Liu-Jih Hsüeh-Sheng* [Qing Mo Liuri Xuesheng] (Taipei: Academia Sinica, 1975), 235–7.

Section 3 Reforms and the Political Consultative Assembly

The Beginnings of Reform

The previous section discussed the decentralisation of power to localities, the Self Strengthening Movement, and the smattering of provincial reforms that were taking place in the latter half of the nineteenth century. The thinking behind these reforms emphasised military strength and physical defence. By the final years of the century, however, intellectuals began to value western learning not only as a source of military expertise, but as guides for political, economic, and even moral improvement. Especially attractive was western parliamentary democracy, which was seen as a way to bring the ruler closer to the ruled.²⁹

Thus, the presumption that reform could only happen within the existing political framework was challenged in the 1890s. In the words of Hao Chang, “Hirtherto reformist thinking had been predicated on the assumption of the legitimacy of the traditional polity and on the supposition that adequate innovations could be carried out within the framework of the traditional political order. Now its legitimacy was questioned and the possibility of organizing the polity on a different base was considered.”³⁰

Few things were more humiliating than China’s defeat in the Sino-Japanese war of 1894–5. Kang Youwei 康有為 (1858–1927), a young scholar who was in Beijing for his examinations in 1895, took advantage of the situation to submit a petition, signed by over a thousand examination candidates and scholars, to the throne protesting the Treaty of Shimonoseki (the peace treaty which ended the war). Although this petition was rejected, Kang continued to set out a reform programme in the next couple of years, the centrepiece of which was a complete

²⁹ Hao Chang, “Intellectual Change and the Reform Movement, 1890–8,” in *The Cambridge History of China*, ed. John K. Fairbank (Cambridge University Press, 1978).

³⁰ *Ibid.*, 281.

reform of the educational system. Kang's proposals involved establishing a nationwide system of schools and eventual abolishment of the civil service examinations. He also proposed establishing a central government bureau to direct institutional reforms.³¹

Together with a group of reformists, Kang persuaded then-Emperor Guangxu 光緒 (1871–1908) to implement their proposals in 1898. The 'Hundred Days Reform', as it came to be known, was stopped short by Empress Dowager Cixi 慈禧 (1835–1908), who placed Guangxu under house arrest. Kang fled to Tokyo with British and Japanese assistance, while many of his co-conspirators were executed.³² Cixi subsequently rolled back almost all the changes, and replaced reform-oriented officials with conservative ones.³³

At the same time as this conservative shift at court, a new insurgent group known as the Boxers had arisen (*yihetuan* 義和團), comprised mainly of disaffected farmers and peasants from the northeast. Their goals were expressly anti-foreign and anti-Christian. At first, the Qing court set out to suppress the Boxers, and scored an important victory at the watershed 1899 Battle of Senluo Temple (*senluodian* 森羅殿) in Shandong. However, the Boxers' loose and decentralised structure allowed remnants to regroup and spread north into Zhili 直隸 province and the area surrounding Beijing.³⁴

Shifting its position, the court began to support the Boxers in 1900 as an ally against imperialist powers. Under the support of the government, the Boxers entered Tianjin and Beijing, killing foreigners and Chinese Christians, burning

³¹ Hao Chang, "Intellectual Change."

³² Li, *Zhengzhishi*, 182–7; Jansen, "Chinese Revolution," 346–7.

³³ Li, *Zhengzhishi*, 199–200.

³⁴ Joseph W. Esherick. *The Origins of the Boxer Uprising* (University of California Press, 1987), 249–54.

churches, cutting telegraph lines, and destroying foreign goods.³⁵ The Qing court subsequently declared war on the foreign powers on 21 June.

By 20 June 1900, the Boxers and Qing government troops had surrounded the foreign legations in Beijing, beginning a long siege. Resident foreigners, a small force of foreign soldiers, and Chinese Christians put up a gruelling defense of the legation quarter for the next two months. Finally, on 14 August, a force made up of troops from eight foreign powers (Britain, the United States, France, Russia, Austria-Hungary, Japan, Germany, and Italy), the infamous ‘eight nation alliance’, advanced on Beijing and relieved the legations. As the foreign powers occupied the Forbidden Palace and looted the capital, Cixi, Guangxu, and their advisers fled west towards Xi’an.

During the exile, a thoroughly humiliated Cixi instigated a sea-change. In the name of Guangxu, Cixi promulgated what came to be known as the Reform Edict of 1901.³⁶ This edict, dated 29 January 1901, set out the Empress’s and Emperor’s personal commitment to change, identified stubbornness and corrupt governance as the roots of China’s problems, and ordered officials to propose solutions immediately.³⁷ What ensued was a radical programme of reform which went even further than Kang Youwei’s proposals.

In April 1901, the court established the Commission for Supervising Governance Affairs (*duban zhengwu chu* 督辦政務處; ‘CSGA’ from here onwards), and gave it responsibility for considering the reform proposals flooding in to the temporary court premises in Xi’an.³⁸ This step not only displayed the Qing Court’s commitment to reform, but also its desire to centralise and control the reforms from a state level. Under the guidance of Cixi,

³⁵ Esherick, *Boxer Uprising*, 296.

³⁶ *Ibid.*, 309–11.

³⁷ Zhu Shoupeng, *Guangxuchao Donghualu*, (Shanghai: 1909), 4601–2.

³⁸ *Ibid.*, 4655.

the Qing court launched major reforms aimed at revitalising governance, strengthening the army, and bolstering education. In 1906, after a period of study and consideration, the court took its first concrete steps towards establishing a constitutional monarchy, drafting constitutional provisions and opening assemblies on the national and provincial levels. Japan played an essential role in this decade of reform, providing advisors, ideas, and technology. Despite the deep nature of the reforms, the Qing government's lack of capacity and the decentralisation of power often meant that reforms were not fully implemented. Understanding these reforms is an essential lead-up to the establishment of the Political Consultative Assembly, which was deeply embedded in the institutional environment constructed by these changes.

Strengthening the Hardware: Military Reforms

By 1901, China was in desperate need of an effective and capable standing army. The Qing court had no reliable standing force of its own, and the soldiers it could call upon were all under the control of provincial officials. Combined with the need to pay a hefty indemnity to western powers over the Boxer Rebellion, the Qing authorities were in dire straits. Building a new, centralised army was an urgent necessity.

The court began by doing away with the military examinations (*wuju* 武舉), a counterpart to the civil service examinations which emphasised archery skills and swordsmanship. They were replaced by military academies (*wubei xuetang* 武備學堂) in each province, which trained their students in western drill and equipment. The graduates of these academies were placed into Yuan Shikai's New Army. Subsequently, the Ministry of War (*bing bu* 兵部) was formed in 1906 with command over all land forces of the Qing.³⁹ Notably, Manchus were

³⁹ Chuzo Ichiko, "Political and Institutional Reform 1901–11," in *The Cambridge History of China*, ed. John K. Fairbank (Cambridge University Press, 1978), 383–8.

eventually placed in control of both the land and naval forces, which contributed to Han animosity in 1909–11.⁴⁰

There still remained, however, the problem of training. With a lack of native talent, the court knew it would need to employ foreign advisors to train the new troops in western methods. Whereas the Self Strengthening Movement saw western experts employed in various capacities (e.g. French managers and engineers at the Foochow Arsenal), the present period saw an increase in Japanese advisers. By the 1900s, the Japanese army was a rising star in East Asia, trained according to German methods.⁴¹ China naturally looked to their neighbour as a convenient source of western training for its troops. The Japanese, on their part, were quite eager to help the Chinese, with some fearing a future conflict which would pit Asians against Europeans.⁴² Japan agreed to admit Chinese military students to the Imperial Japanese Army Academy (*Rikugun Shikan Gakkō* 陸軍士官学校), where they achieved impressive grades. In one instance, Jiang Fangzhen 蔣方震 (1882–1938), part of the Chinese cohort, earned the top marks, beating his fellow Japanese cadets.⁴³ Just like their civil counterparts, these military students in Japan were swayed by reformist and revolutionist currents of thought.

By all accounts, the military reforms were overambitious and not fully implemented. For most of 1901–11, only the Beiyang Army, trained and commanded by Yuan Shikai, were of any note. Of the planned thirty-six national army divisions staffed by a total of 450,000 men, only nine were

⁴⁰ Li, *Zhengzhishi*, 279–81.

⁴¹ Hevia, “Military Reform.”

⁴² Reynolds, *Xinzheng Revolution*, 10–11.

⁴³ *Ibid.*, 153.

operational by 1909. A lot of equipment was practically useless.⁴⁴ The disunited nature of the new national army came to a head in the Wuchang Uprising, when the second of three armies sent to quell the rebellion simply failed to materialise. As it turns out, not only were many of the commanders in the second army disloyal to the court, but northern provincial governors conspired to keep the second army in the north for self-preservation. Without relief from the second army, Yuan Shikai was forced to sue for peace rather than fully suppress the uprising.⁴⁵

Despite their failure to preserve the Qing regime, the military reforms nonetheless had far reaching effects. Joining the army was no longer frowned upon, overturning centuries of distaste for military careers. Military cadets were also exposed to a raft of western learning and ideas, strengthening the new intellectual class that stood apart from the regime. A new generation of Chinese leaders, including Chiang Kai-shek 蔣介石 (1887–1975), was amongst those trained in Japan. Unfortunately, the Qing regime's half-successful attempts to build the New Army also made the decentralisation of power painfully apparent—even as formal control of the army and navy passed into the imperial family's hands, provincial officials still wielded considerable *de facto* influence.

Fostering Men of Integrity: Educational Reforms

Educational reforms were another major aspect of the post-1901 reforms. The 1901 Reform Edict emphasised the need to recruit men of integrity (*rencai* 人才) into the civil service. How were these men to be identified and built up?

Recognising the inadequacies of the civil service examinations, the Qing Court

⁴⁴ Meribeth E. Cameron. *The Reform Movement in China, 1898–1912* (Stanford University Publications, 1931), 88–99.

⁴⁵ Zhang Huateng, “The Qing's Three Armies After the Wuchang Uprising,” *China: How the Empire Fell*, ed. Joseph Esherick and C.X. George Wei (Routledge, 2014).

decided to encourage western learning. A new Ministry of Education (*xue bu* 學部) was established, with authority over a multi-tiered national school system. Students would go through junior primary, senior primary, middle, and higher schools, eventually advancing to university and, ultimately, the academy of sciences. To make sure there was demand for these schools, the Qing regime tied the new education system to civil service examination degrees in the old system. The graduates of universities were rewarded metropolitan degrees (*jinshi* 進士), the graduates of higher schools provincial degrees (*juren* 舉人), and the graduates of middle school licentiate degrees (*shengyuan* 生員).⁴⁶

For a while, the civil service examination curriculum in the Chinese Classics and the western-style curriculum ran simultaneously, and students would prepare for both. In 1905, however, the court abolished the civil service examinations, making western education the premier path to government service.⁴⁷ This played no small part in encouraging overseas study. The Qing government, however, failed to appreciate the scale of the intellectual war beyond its own borders—Chinese students overseas, especially in Japan, were swept up in an increasingly polarised battle between revolutionary and reformist factions, neither of which was satisfied with the pace of progress back home.

As it were, educational reforms actually accelerated the growth of an intellectual class that stood apart from the regime. These new intellectuals did not seek to join the regime so much as criticise and make demands upon it. By abolishing the civil service examinations, the Court arguably destroyed a reliable mechanism for capturing intellectuals into government service in the process of

⁴⁶ Chuzo, “Institutional Reform,” 377–8.

⁴⁷ Bastid-Bruguiere, “Currents of Social Change,” 560.

‘modernising’ China. The regime now faced both a decentralisation of power and a dissenting elite class.

When did young intellectuals begin to challenge the Qing rather than support it? Li Xisuo 李喜所 argues that the turning point was in 1903, amidst the ‘Reject Russia Campaign’ (*ju E yundong* 拒俄運動). The movement was sparked by Chinese students in Tokyo who formed battalions of volunteer soldiers to fight against the Russians occupying the Chinese northeast. The leaders of the movement sent representatives to Yuan Shikai 袁世凱 (1859–1916), urging him and the court to declare war on Russia, with the volunteer divisions at his disposal. As the campaign gained traction, the court’s response was a crackdown—at China’s request, Japanese authorities arrested the leaders and suppressed the campaign. Many overseas Chinese students felt betrayed. They had offered their lives for the state, but what they received in return was thankless oppression. In their view, the court was now effectively foreign-controlled, and could not be trusted. Thus, those who had previously supported the regime began to question and rebel against it.⁴⁸

Altering the Basis of Governance: Constitutional Reforms

A major turning point came in 1906 when the Qing court, still under the leadership of Cixi, decided to press ahead with constitutional reform. Unlike the military and educational reforms that were already underway, constitutional reform promised to change the very basis on which China was ruled. Once a constitution was instituted, many of the emperor’s powers would be exercised by a responsible cabinet (*zeren neige* 責任內閣), which in turn would be checked by a National Assembly (*guohui* 國會) with the power to pass laws and approve the annual state budget. A nine-year preparation period, which

⁴⁸ Li Xisuo, *Jindai Zhongguo de Liuxuesheng* (Beijing: Renmin Chubanshe, 1987), 154–165.

included establishing the PCA, was declared by edict in 1908, with an opening of Parliament by 1917.

In the prelude to reforms, the court sent five high-ranking officials to survey the political systems of America, Europe, and Japan in 1905.⁴⁹ At the same time, it established the Political Evaluation Commission (*kaocha zhengzhi guan* 考察政治館) with the express purpose of ‘gathering those with broad intellect, conducting careful studies, and selecting elements of political and legal systems in the various states which are compatible with the governance structure of China’ (延攬通才，悉心研究，擇各國政法之與中國治體相宜者).⁵⁰ The name of the organisation was changed to the more familiar ‘Constitutional Study Commission’ (CSC; *xianzheng biancha guan* 憲政遍查館) in 1907.⁵¹

The officials returned in the summer of 1906, expressing broad support for constitutional reform. On 1 September, the court promulgated an edict which set out constitutional governance as the key to enriching the state by uniting the ruler with the ruled. However, the edict also argued that the Chinese people were not yet intellectually ready for constitutionalism (*minzhi weikai* 民智未開). Therefore, the first step was to prepare a ‘foundation for constitutionalism’ (*lixian jichu* 立憲基礎) by changing the bureaucratic structure, amending laws, promoting education, reorganising finances, and strengthening the military.⁵²

How was this ‘foundation’ to be implemented in practice? After a period of research, investigation, and collaboration, the Constitutional Study Commission and Political Consultative Assembly (only the leaders; the members had not been elected yet) jointly memorialised the throne with a

⁴⁹ Dai Hongci, *Chushi Jiuguo Riji* (Changsha: Hunan Renmin Chubanshe, 1982).

⁵⁰ Gugong Bowuyuan Mingqing Dang’an Bu, ed., *Qing Mo Choubei Lixian Shiliao* (Zhonghua Shuju, 1979), 43.

⁵¹ *Ibid.*, 45.

⁵² *Ibid.*, 43–4.

constitutional framework and a nine-year preparation plan.⁵³ The constitutional framework, with 40 articles, came to be known as the ‘Outline of the Imperial Constitution’ (*qinding xianfa dagang* 欽定憲法大綱). Just like the Japanese Meiji constitution on which it was heavily based, the ‘Outline’ espoused the superiority of the Emperor, but also protected freedoms such as the rights to lawful free speech and to own property. Unlike its Japanese counterpart, however, the ‘Outline’ explicitly gave the PCA the right to impeach executive officials if they broke the law, but left the final decision to the emperor. In some respects, therefore, China went above and beyond the relative conservatism of the Japanese system.⁵⁴

Supplementing the ‘Outline’ was a detailed nine-year preparation plan spelling out yearly objectives. For example, work on drafting a new criminal code as well as a simpler textbook for teaching Chinese characters would begin in 1908. Rules for new civil service examinations would be established in 1910. Police forces would be proliferated into rural areas in 1912. A national budget would be trialled in 1914. And finally, in 1916, the official constitution and rules for the election of the National Parliament would be promulgated.⁵⁵

As a precursor to parliament, the nine-year plan called for provincial assemblies to be established in 1908, with elections and a first session in 1909. Elections for the Political Consultative Assembly would occur in 1909, with a first session in 1910. Both went according to schedule. The next chapter will explain the establishment of the PCA in more detail, and go through its rules of operation.

⁵³ Gugong Bowuyuan, *Lixian Shiliao*, 54–67.

⁵⁴ *Ibid.*, 57–61.

⁵⁵ *Ibid.*, 61–67.

Section 4 The Political Consultative Assembly: Establishment, Rules, and Procedures

The Basics of the Political Consultative Assembly

The Political Consultative Assembly was established by edict on 20 September 1907. According to the edict, “since China’s upper and lower legislative chambers cannot be established at the moment, it is urgently necessary to establish the Political Consultative Assembly as a foundation (*jichu* 基礎) for the establishment of a legislature.”⁵⁶ In other words, the PCA was meant to be a precursor to, and a training ground for, a full Parliament.

Any legislative body needs rules to operate by. The Political Consultative Assembly was primarily governed by two documents: the ‘Articles of the Political Consultative Assembly’ (the ‘Articles’; *zizhengyuan yuanzhang* 資政院院章) and the ‘Detailed Rules of Procedure’ (the ‘Detailed Rules’; *yishi xize* 議事細則). The former defined the jurisdiction and powers of the Assembly, and stipulated the qualifications of members. The latter provided the detailed framework within which the day-to-day business of the Assembly was to be carried out. (The full text of the ‘Articles’ and the most relevant sections of the ‘Detailed Rules’, with translations, are available in [Appendix I](#) and [II](#) respectively.)

The ‘Articles’ gave the PCA authority to deliberate and vote on five categories of legislation: national budgets, national monetary accounts, laws pertaining to taxes and debt, new laws and amendments *except* for the constitution, and any other matter requested by special edict. For the first two categories, it was up to the Grand Council and/or executive departments to first produce a bill which could be submitted to the PCA for deliberation. For the third and fourth categories, the PCA was allowed to take the initiative and submit its own memorials. Note that the PCA did not have binding

⁵⁶ Gugong Bowuyuan, *Lixian Shiliao*, 606.

decisionmaking power in *any* of the above categories—ultimate authority to approve or veto laws rested with the emperor alone.

Apart from the deliberation of laws, the ‘Articles’ gave the PCA several other important powers. Provision 21 allowed the PCA, with a two-thirds majority, to report to the throne any instance of (1) lawbreaking or (2) violation of the PCA’s area of jurisdiction by the Grand Council or any executive official, and provision 24 allowed the PCA to do the same for cases of lawbreaking and violation of jurisdiction against provincial assemblies. These two provisions supplemented the power explicitly given by the ‘Outline’ to impeach executive officials. Provision 23, meanwhile, gave the PCA the authority to adjudicate conflicts between provincial assemblies and provincial governors, or between different provincial assemblies, ultimately memorialising the throne with its proposed solution. Furthermore, provisions 25 and 26 allowed any person in the Qing empire to petition the PCA on matters of ‘national interest’ (*guanxi quan’guo libai* 關係全國利害), as long as they drafted a memorandum and obtained the support of the PCA members from their province.⁵⁷

Election of Members to the PCA

In terms of composition, the ‘Articles’ provided for a unicameral assembly with 200 members, where 100 would be chosen by mutual election (*huxuan* 互選) and 100 by imperial appointment (*qinxuan* 欽選). I will from now on refer to them as the ‘elected’ and ‘appointed’ members. They were to serve three-year terms with no opportunity for re-election. Members had to be at least 30 years old. Although there were no formal gender qualifications, all PCA members were men.

⁵⁷ Gugong Bowuyuan, *Lixian Shiliao*, 632–3.

For the elected members, the election procedure was as follows. Firstly, a quota was established for each province. For example, Zhili was allowed to elect nine individuals to the PCA. Subsequently, the members in each provincial assembly voted amongst themselves, and selected a group of candidates twice as large as the quota for their province. Lastly, the governor of the province picked half the group to become actual members of the PCA.⁵⁸

One thing that stood out about the elected members was their relative youth. The average age of the elected members was 44.4, and only 16 were above the age of 45. This was an anomaly in a political system which otherwise valued age and experience. Many of the elected members were part of the new, young intellectual class educated primarily overseas.

Appointed members were officially drawn from seven sub-categories:

- (1) Princes, dukes, and hereditary nobles of the Imperial Clan (16)
宗室王公世爵
- (2) Manchu and Han hereditary nobles (12)
滿漢世爵
- (3) Princes, dukes, and hereditary nobles of frontier tribes (14)
外藩王公世爵
- (4) Members of the Imperial Clan and Collateral Line (6)
宗室覺羅
- (5) Officials of various government departments (32)
各部院衙門官
- (6) Accomplished Confucian scholars (10)
碩學通儒
- (7) Heavy taxpayers (10)
納稅多額

⁵⁸ Zhang Pengyuan, *Zhongguo Minzhu Zhengzhi de Kunjing: 1909–1949* (Taipei: Lianjing Chubanshiye Gufen Youxiangongsi, 2007), 63.

While the selection of members for categories (1)–(3) was relatively straightforward, various methods of mutual election were implemented for categories (4)–(7). For example, the selection of members for category (5) was run by the Censorate (*duchayuan* 都察院) and garnered quite a bit of competition. Finding candidates for category (6) involved multiple levels of recommendations from local officials to the Ministry of Education.⁵⁹

Since the Xinjiang Provincial Assembly was not ready to send two members for the first session of the PCA, the actual number of elected members was reduced to 98. To match this, the imperial court reduced the number of category (1) appointed members from 16 to 14. In theory, this achieved a 98-98 balance between elected and appointed members. In actuality, however, provision 73 of the ‘Detailed Rules’ gave the speaker and deputy speaker, both court appointed, voting rights in addition to the members. In terms of voting individuals, therefore, the appointed members outnumbered the elected members 100 to 98.⁶⁰

Much like western legislatures, members were given immunity from prosecution while the Assembly was in session, and could not be incriminated for anything they said during Assembly debates.⁶¹

⁵⁹ Zhang, *Zhongguo Minzhu*, 64–5.

⁶⁰ Some sources, notably Zhang (2007) state that the secretary-general also had voting rights. This is not supported by the ‘Detailed Rules of Procedure’. Provision 73 only gave the “speaker, deputy speaker, and assembly members” the right to vote.

⁶¹ ‘Articles’ provisions 41 and 42. *Lixian Shiliao*, 635.

The ‘Three-Readings’ System

The legislative procedure of the PCA was explicated by section four of the ‘Detailed Rules of Procedure’, which specified a “three-readings” system, much like that of many parliaments and legislatures today.⁶²

- First reading:** The proposer of a bill (*yi'an* 議案) explains its primary purpose. The PCA can at this stage summon relevant parties to answer questions pertaining to the bill.
- Committee stage:** After the first reading, the speaker hands the bill to the relevant committee (*gu* 股) for consideration. The committee’s report on the bill is then submitted to the whole assembly for consideration. If the report passes, then the bill moves on to the next reading. If not, the bill fails.
- Second reading:** Members debate amendments which were submitted in advance. Amendments suggested by the relevant committee can be debated even without the Assembly’s approval. Every provision in the bill must be voted on individually.
- Editing stage:** After the second reading, the bill is returned to the relevant committee for incorporation of amendments and final touches.
- Third reading:** The entire bill is voted on by the Assembly as a whole. Only amendments which alter the wording of the bill are allowed.

⁶² See ‘Detailed Rules’ provisions 24–39 in Li Qicheng, ed., *Zizhengyuan Yichang Huiyi Sujilu: Wanqing Yubei Guohui Bianlun Shilu* (Shanghai: Shanghai Sanlian Shudian, 2011), 726–7. These provisions are not included in Appendix II of this dissertation, as they are not as relevant.

If the Grand Council, executive officials, or at least ten members made a request, the above procedure could be simplified. In reality, therefore, the “three-readings” procedure was not always followed.

The Records of the PCA

Those who set up the PCA took great pains to ensure that the assembly’s proceedings would be recorded. Provisions 60 and 61 of the ‘Articles’ mandated the hiring of stenographers (*sujisheng* 速記生). Provisions 98–104 of the ‘Detailed Rules’ further stipulated that there would be three different records: a ‘Record of Debates’ (*yishilu* 議事錄), a ‘Record of Voting’ (*yijuolu* 議決錄), and a ‘Speed Record’ (*sujilu* 速記錄). It is unclear whether copies of the former two records are extant, and none could be found at the time of writing. Therefore, the ‘Speed Record’ is the most reliable, readily available source about the PCA’s meetings.

Despite what the translation ‘Speed Record’ may imply, nothing suggests that it was an abridged or simplified version of PCA proceedings. The record, as the reader will see in later sections, recorded PCA speeches with impressive detail. What the word *sujilu* 速記錄 actually refers to is a record written using *sujifa* 速記法, a shorthand method of recording spoken Chinese, a form which stenographers would surely have been familiar with.⁶³

The ‘Speed Record’ was to record all ‘debates’ (*yishi* 議事). In practice, this meant the date and times of meetings, the daily agenda, the number of members in attendance, the outcomes of votes, and remarks made in the chamber. The completed ‘Speed Record’ is what this dissertation terms the *Recorded Proceedings of the Political Consultative Assembly* (*zizhengyuan*

⁶³ See ‘Detailed Rules’ provision 102.

yichang huiyi sujilu 資政院議場會議速紀錄). This work, just like *Hansard* for the UK Parliament, reveals to modern scholars, almost word by word, what was said in the Assembly chamber. Ordinary members of the PCA had no authority to amend the record, except to correct miswritten characters. Although the speaker could theoretically prevent certain speeches from appearing in the record, there is no evidence this was done.⁶⁴ Debates presented in the *Recorded Proceedings* are multi-faceted and diverse, with plenty of anti-regime and anti-government opinions.

With the basics of the PCA explained, the next section will provide a thorough account of the Grand Council impeachment proceedings during the first assembly session.

⁶⁴ See 'Detailed Rules' provisions 103 and 104.

Section 5 The Impeachment Proceedings

Building on the foundation laid by Professor Li Qicheng in his detailed exposition, I will now pull together primary and secondary source material to lay out a factual account of the impeachment proceedings.⁶⁵

The Political Consultative Assembly held its first session from 3 October 1910 to 10 January 1911. During this three month session, assembly members dealt with an impressive amount of legislation and carefully scrutinised the budget for 1911. Members also handled a number of appeals from provincial assemblies (*ziyiju* 諮議局) regarding alleged abuses of power by provincial governors. Three of these appeal cases were direct catalysts for the impeachment of the Grand Council.

The Hunan Bond Incident

Under provision 21 of the ‘Articles of the Provincial Assemblies’ (*ziyiju juzhang* 諮議局局章), provincial governors were required to consult their province’s assembly on monetary and fiscal policy. On 6 October 1910, the Hunan Provincial Assembly reported to the PCA that the governor of Hunan, Yang Wending 楊文鼎 (1852–1911), had issued 1.2 million taels in government bonds without such consultation.⁶⁶ They alleged that Yang had bypassed the provincial assembly and gained imperial permission to issue the debt directly, using a lead mine as collateral.⁶⁷ The provincial assembly saw this as an abuse of

⁶⁵ See Li Qicheng, “Jindai Xianzheng Shiyezhong de Wanqing Tanhe Junji An 近代憲政視野中的晚清彈劾軍機案,” *Zhongguo Fazhishi Xuehui Huikan: Fazhishi Yanjiu* 9 (2006): 103–132.

⁶⁶ Li, *Sujilu*, III, 125.

These bonds were quite impressive. The rate of return started at 7% for the first year, and then increased by one percent per year before levelling out at 12% per year. Unfortunately, the Qing government collapsed before investors could enjoy the 12% return.

⁶⁷ See Li, *Sujilu*, 330 regarding the use of the mine as collateral.

power, and appealed to the PCA for redress. Under provision 24 of the ‘Articles of the Political Consultative Assembly’, the PCA was allowed to review violations of provincial assembly jurisdiction by governors. Thus, the ‘Hunan Bond Incident’ came to the attention of the PCA members.⁶⁸

On 31 October, after a vigorous debate, members decided that Yang did in fact overreach his powers and broke the law. This case was serious, members thought, because it not only concerned Hunan, but every provincial governor in China. The PCA decided to pass the matter to a special committee for further investigation.⁶⁹ The committee presented its report on 3 November, triggering another debate. Members felt that the report did not go far enough in deterring the Governor from future abuses of power, and added the following words: ‘in terms of punishment, we humbly request an edict of direction from the Emperor’ (至應如何懲處之處，請旨裁奪). On the one hand, this wording showed deference to the Emperor—he was the one who had the power to punish and discipline officials. On the other hand, it made it clear that punishment was necessary. The secretariat drafted a memorial based on the report, and the memorial was submitted without incident.⁷⁰

On 9 November, the Court promulgated an edict in response to the memorial.⁷¹

Regarding the Political Consultative Assembly’s memorial detailing that the issuance of bonds in Hunan was not approved by the provincial assembly, and so was not in accord with law: This round of bond issuance in Hunan was approved by the Bureau of General

⁶⁸ See Appendix I for the Articles of the Political Consultative Assembly.

⁶⁹ Li, *Sujilu*, 114–5.

⁷⁰ *Ibid.*, 125–30.

⁷¹ Shen Yunlong, ed., *Xuantong Zhengji* (Taipei: Wenhai Chubanshe, 1989), 759–60.

Accounts. The failure of the Governor to submit this for debate in the provincial assembly was careless. However, since the issuance of bonds has already been approved by edict after deliberation within the Bureau of General Accounts, the issuance should continue as previously directed. In the future, when any province has matters that need to be submitted to the provincial assembly for debate, they should be submitted as per the regulations.

資政院奏湘省發行公債未交諮議局議決，有違定章，請旨裁奪一摺。此次湖南發行公債，係奏經度支部議准之件。該撫未先交諮議局議決，係屬疏漏。既經部議，奉旨允准，著仍遵前旨辦理。嗣後各省有應交諮議局議決之案，仍著照章交議。

This edict shocked PCA members—not only did it allow Yang to continue with the issuance of public debt, it also did not specify any form of punishment. Yang was only criticised for being ‘careless’ (*shulou* 疏漏). The assembly members were in a bind—this was clearly an edict issued in the name of the emperor, who they could not contest directly. But they also wanted Yang to be punished as a countrywide deterrent. The solution was to point the blame at the Grand Council.

The Grand Council was first established under the reign of Emperor Yongzheng 雍正 (r. 1723–35) as an informal advisory body in military affairs,⁷² but evolved into a permanent institution which assisted the Emperor in handling the massive number of memorials submitted to him. Given this role, the Grand Council soon became the highest executive organ in the empire.⁷³ Eventually, Grand Councillors began to draft and countersign (*fushu* 副署) imperial edicts. For some key PCA members at the time, the countersignature

⁷² Beatrice S. Bartlett, *Monarchs and Ministers: The Grand Council in Mid-Ch'ing China, 1723-1820* (University of California Press, 1991), 5.

⁷³ Li, “Tanhe Junji An,” 108.

mechanism was similar to cabinet responsibility systems in western countries and Japan. Just as foreign cabinets signed off on directives issued in the name of their sovereigns, they argued, the Grand Council, by countersigning edicts, also held cabinet responsibility vis-a-vis the Chinese Emperor.

Members reasoned that if the grand councillors countersigned the Hunan edict, they not only read it but probably drafted it. Therefore, the councillors should not have let the edict pass without specifying punishments. Yi Zongkui 易宗夔 (elected; 1874–1925) said: “we requested the judgement of the Emperor, and now we have received an edict, but not a single punishment was prescribed. Since the Grand Council countersigned the edict, we need to request the Grand Councillors to appear in order to explain themselves.”⁷⁴ The rest of 9 November was spent summoning the Grand Council to no avail.

In the following session on 12 November, the PCA passed a memorandum written by Wu Ciling 吳賜齡 (elected; dates unknown), questioning the Grand Council on the matter. Justifying the memorandum, Wu gave a riveting speech about the virtue of remonstrance, saying that “sage emperors and wise kings since ancient times have always seen ‘accepting remonstrance and tolerating correction’ (*najian rongzhi* 納諫容直) as a virtue. Even if this edict came from the Emperor alone with imperfections, I would be happy to debate and discuss it...”⁷⁵

After Wu’s memorandum was passed and submitted to the Grand Council, discussion about the Hunan Bond Incident ended. For the remainder of the 9 November meeting, two other appeal cases commanded the attention of the PCA: the Yunnan Salt Price Increase and the Guangxi Police Academy incidents.

⁷⁴ Li, *Sujilu*, 156.

⁷⁵ *Ibid.*, 171.

The Yunnan and Guangxi Incidents

Two appeal cases from Yunnan and Guangxi, also in 1910, laid the final foundations for impeaching the Grand Council. A brief account of both follows. The aftermath of the appeals, however, are more important than the facts of the cases.

In Yunnan, the governor-general of Yunnan and Guizhou, Li Jingxi 李經羲 (1857–1925), memorialised to increase the price of salt without first consulting the Yunnan Provincial Assembly. The provincial assembly subsequently appealed to the PCA. Li argued that the salt price was an administrative matter which did not require the input of provincial assemblies. The Yunnan assembly, meanwhile, believed that the price of salt had a great enough effect on people's livelihoods that it must be given the opportunity to debate it. The PCA sided with the Yunnan assembly, but determined that Governor-General Li made an honest mistake.⁷⁶

Matters were slightly more complicated in Guangxi, where the provincial assembly and the governor disagreed over the admittance of students from other provinces into the newly established Higher Police Academy (*gaodeng jingcha xuetang* 高等警察學堂). The governor of Guangxi, Zhang Mingqi 張鳴岐 (1875–1945), wanted to admit middle school graduates or equivalent from *all* provinces, citing a lack of suitable local candidates. The Guangxi Provincial Assembly, meanwhile, wanted to ban non-local students altogether, arguing that the graduates of the academy would serve Guangxi in the future, and so should be those most affiliated with the province. The PCA sided with the provincial assembly, but only to the extent that local students should be given

⁷⁶ Li, *Sujilu*, 197.

absolute priority in admissions. Students from other provinces should not be barred from enrolment.⁷⁷

Impeachment Round One

The PCA decides to impeach

The Yunnan and Guangxi cases were decided on 12 November and 15 November respectively, and the PCA submitted memorials to the throne detailing the PCA's decisions. On 20 November, these memorials were forwarded to government departments for careful review—the Yunnan memorial to the Salt Administration (*yanzheng chu* 鹽政處) and the Guangxi memorial to the Civic Affairs Department (*minzheng bu* 民政部).⁷⁸ The court issued edicts countersigned by the Grand Council:⁷⁹

With regards to the Political Consultative Assembly's memorial about restricting students from other provinces in Guangxi...if students from other provinces are to be accepted, there is a need to look into the provincial assembly's original view. Establishing a quota and the collection of tuition fees should be handled as ways to add extra students. The Civic Affairs Department should examine the matter and memorialise in detail. With regards to the increase in the Yunnan salt price...in order to stay in accord with established regulations and avoid controversy, the Grand Minister of the Salt Administration should carefully review the matter and then memorialise in detail.

資政院奏覆議廣西限制外籍學生一案……如收外籍學生，亦須查照諮議局原案，酌定名額、徵收學費，作為附學辦

⁷⁷ Li, *Sujilu*, 178.

⁷⁸ Wang Rongbao, *Wang Rongbao Riji [Wang Rongbao's Diary]* (Beijing: Beijing Tianlai Yinwu, 2013), 216.

⁷⁹ Shen, *Xuantong Zhengji*, 767–8.

法辦理。得旨民政部查覈具奏。又奏覆議雲南鹽斤加價一案……以符定章而免爭議，得旨鹽政大臣察覈具奏。

News of the forwarding provoked an adverse reaction from a number of PCA members, who saw the forwarding of the memorials as a violation of the PCA's prerogatives. What right did executive departments have to review what the entire PCA had already decided?

In the subsequent debate on 22 November, a plethora of members argued for putting blame on the Grand Council. Yi Zongkui went further and suggested impeachment. He argued that the memorials were forwarded by the Grand Council, and that this was a violation of the 'separation of powers' (*sanquan dingli* 三權鼎立). Since the Grand Council disrespected the finality of PCA decisions, it should be impeached according to 'Articles' provision 21.⁸⁰ Provision 21 stated that: "If the assembly decides with a two-thirds majority that the Grand Council or any minister has violated the jurisdiction of the assembly, or has broken any laws, the presiding and deputy presiding officers must memorialise the throne with evidence, and request the emperor's judgement", explicating the power of impeachment granted to the assembly by the 'Outline of the Imperial Constitution'.

There was one problem with Yi's argumen: it was still unclear at this point whether it was the Grand Council or the throne who decided to forward the memorials. However, as was the case on 31 October, the PCA was willing to criticise the Grand Council, but hesitated to question the throne directly.

Tao Rong 陶鎔 (elected; 1865–1924) spoke immediately after Yi. If Yi relied on a conception of constitutionalism to advocate for impeachment, then Tao relied on an interpretation of Chinese classics. Citing the *Shijing* and the *Xiaojing*, Tao argued that rulers must seek advice from officials: in this case, the

⁸⁰ Li, *Sujilu*, 242–3.

Prince Regent must have sought advice from the Grand Council. Hence, the Grand Council gave misleading advice, and must be held responsible.⁸¹ Based on the twin foundations established by Yi and Tao, several more members spoke in support of impeachment. Tensions came to a head when Liu Chunlin 劉春霖 (elected; 1872–1944) argued that the Grand Council *intended* to sow conflict between the PCA and the bureaucracy.

The Grand Council refused to respond in person, but did send Li Jiaju 李家駒 (1871–1938), a seasoned Qing official who had served as the ambassador to Japan and chancellor of Peking University, to answer on their behalf.⁸² In response to the members' allegations, Li asserted that the PCA's memorials were sent to government departments for 'examination' (*chabe* 察核), and not amendment. They needed to be examined because the PCA's decisions were related to regulations (*zhangcheng* 章程) set by the Salt Administration and Civic Affairs Department. All in all, Li said, every law is relevant to *some* executive body, and rulers in any state must consult the relevant bodies before promulgating a law.⁸³

Yi Zongkui, Wu Ciling, and Tao Rong retorted that the Yunnan memorial had nothing to do with the regulations of the Salt Administration, and that the Guangxi memorial was written in full accordance with the regulations of the Civic Affairs Department. Wu also argued that any concerns should have been raised by government representatives during the legislative process, rather than after final decisions were made.⁸⁴

⁸¹ Li, *Sujilu*, 243.

⁸² Li Shengping, *Zhongguo Jinxindai Renming Dacidian* 中國近現代人名大辭典 (Beijing: Zhongguo Guoji Guangbo Chubanshe, 1989), 272.

⁸³ Li, *Sujilu*, 251.

⁸⁴ *Ibid.*, 251–2.

The impeachment proposal was brought to a vote, and 112 out of 134 (83.6%) members present voted in favour, meaning that impeachment was now an official agenda item. A drafting committee of six was appointed to write the corresponding memorial.

Impeachment went forward on two grounds: (1) the Grand Council's treatment of the PCA's memorials regarding Yunnan and Guangxi, constituting a violation of the PCA's jurisdiction, and (2) the Grand Council's apparent irresponsibility, evidenced by its failure to advise the Emperor without the need to defer to government departments, and a lacklustre response to a memorandum sent by Yi Zongkui asking about the nature of the countersignature system. The Grand Council had apparently differentiated the Chinese countersignature system from its Japanese counterpart (the Japanese countersignature emphasised cabinet responsibility), and stated explicitly that it would "not take responsibility".⁸⁵

The second ground for impeachment is especially interesting for two reasons. Firstly, the idea of 'responsibility' (*zeren* 責任) was poorly defined throughout the debate. Luo Jie 羅傑 (elected; 1867–unknown) was the only person to explicitly define responsibility as "patriotic advice that demonstrates loyalty to one's ruler" (忠君愛國的意見).⁸⁶ This clearly differed from Yi Zongkui's conception, which appears to have been a version of cabinet responsibility. Secondly, as Shen Linyi 沈林一 (scholars; 1866–unknown) aptly pointed out, 'irresponsibility' was not one of the grounds for impeachment specified in provision 21. Rather, only violation of the PCA's jurisdiction and breaking of the law were formally listed. Responding to Shen, Lei Fen 雷奮

⁸⁵ Li, *Sujilu*, 244, 247. Although the text of Yi Zongkui's memorandum is not available to us, it is sufficiently clear from the records what it was about, and roughly how the Grand Council responded to it.

⁸⁶ *Ibid.*, 244.

(elected; 1871–1919) argued that irresponsibility is equivalent to breaking the law.⁸⁷ The soundness of Lei's argument is questionable.

Looking back over the course of events on 22 November, it is not only striking how many members voted in favour of impeachment, but also how quickly the idea of impeachment came to the fore. Before Yi Zongkui spoke at the start of the sitting, there were no public appeals to impeach the Grand Council. A few hours of debate later, almost all members present voted in favour of this drastic course of action. The 112 members in favour must have included at least 14 appointed members—and this is assuming all the elected members voted. It is likely, therefore, that far more than 14 appointed members voted to impeach. The dynamics of this first vote for impeachment suggest that even the appointed members were not singularly loyal to the Qing regime.

Impeachment pre-empted by two edicts

The PCA had their next general meeting on 25 November. The court was not standing idly by, and promulgated a decision which threatened to make impeachment irrelevant—two edicts were issued which agreed with the PCA on the Guangxi and Yunnan cases without amendments from executive departments.⁸⁸ Suddenly, the first ground of impeachment, violation of the PCA's jurisdiction, was untenable.

After a short discussion, a majority of the PCA voted to cancel the existing memorial draft.⁸⁹ What remained to be decided, then, was whether to continue impeaching the Grand Council using an amended memorial, or drop the impeachment proceedings altogether. There were proponents on both sides. On the one hand, Wang Longguang 汪龍光 (elected; dates unknown) argued

⁸⁷ Li, *Sujilu*, 255–6.

⁸⁸ Wang, *Riji*, 219.

⁸⁹ Li, *Sujilu*, 262.

that the decision to impeach had not been based on violation of jurisdiction alone—there still remained the problem of irresponsibility. Therefore, impeachment could continue. Wang's argument received a wave of support. On the other hand, Lu Zongyu 陸宗輿 (scholars; 1876–1941) argued that the power of impeachment should not be used lightly, and that in this case, further impeachment was unlikely to be effective. Lu was quickly rebuffed by Yu Banghua 於邦華 (elected; dates unknown), who asserted that the PCA itself had a *responsibility* to facilitate reforms, namely the establishment of a responsible cabinet. If the Grand Council is endangering these reforms, the PCA must act.

At the end, Ji Zhongyin 籍忠寅 (elected; 1877–1930), who was on the first drafting committee, presented a unified view. Ji clarified the two sides of the debate: (1) those who wanted to continue impeachment on the grounds of irresponsibility; (2) those who wanted to stop impeachment and instead request the expedited establishment of a responsible cabinet. A combined view, Ji insisted, was possible—the PCA could argue that the establishment of a cabinet was urgently necessary in light of the Grand Council's irresponsibility. A majority of the members voted in favour of this new view, and the drafting committee went back to work, with two members replaced.⁹⁰

Almost three weeks later, on 10 December, the PCA passed the new impeachment memorial in a 129–22 vote. Defending the draft on behalf of the committee, Meng Zhaochang 孟昭常 (elected; 1871–1918) illustrated the draft's message with an analogy: if China were a ship, and the officials were the crew, an irresponsible crew would cause the ship to sink. The memorial highlighted the corruption of the Grand Council as an *institution*, and did not implicate the

⁹⁰ Li, *Sujilu*, 268–71.

Grand Councillors personally. The impeachment memorial was submitted on 16 December.

It is important, and often overlooked, that this first impeachment memorial was *not* submitted according to provision 21 of the ‘Articles’. Rather, it was submitted according to provision 106 of the ‘Detailed Rules of Procedure, which allowed the speaker and deputy speaker to memorialise the throne on any matter.’⁹¹ This had the effect of weakening the memorial so that it held the same status as any other report to the throne, leaving the court with more room to respond.

PCA rebuffed by the Court

On 18 December, the court rebuffed the PCA’s memorial with an edict personally written by the Prince Regent in red ink:⁹²

I [the Emperor] have examined the Political Consultative Assembly’s memorial which asserted that the Grand Council’s responsibilities are unclear and therefore hinders its ability to assist me. It is my view that the establishment of official ranks and salaries, and the promotion and demotion of officials, are within the great power of the Imperial Court, with reference to the ‘Outline of the Imperial Constitution’. It is up to the Court to decide whether the Grand Council is responsible or not, or whether to establish a responsible cabinet. It is not the business of the PCA Presiding Officer or any of its members. Therefore, there is no need to further discuss the submission.

⁹¹ Provision 106 reads: “Beyond what is mentioned in the previous provisions, the speaker and deputy Speaker may memorialise on any matter that needs memorialising, at any time”. 前條規定之外，應行具奏之事件，議長、副議長得隨時具奏。

⁹² Gugong Bowuyuan, *Lixian Shiliao*, 547.

資政院奏，大臣責任不明難資輔弼摺。朕已覽悉。朕維設官制祿，及黜陟百司之權，為朝廷大權，載在先朝欽定憲法大綱，是軍機大臣負責任與不負責任暨設立責任內閣事宜，朝廷自有權衡，非該院總裁等所得擅預，所請著毋庸議。

(Note: Although this edict was issued in the name of the Emperor, it was actually promulgated by the Prince Regent. The Emperor Puyi was only four at the time.)

This edict, promulgated late on 18 November, was accompanied by another (also personally written) which rejected the resignation of the Grand Council, who had tried to resign en masse.⁹³ Unlike previous instances, neither of the edicts were countersigned by the Grand Council, meaning the PCA could not pin the blame on the Councillors as before.

On the 19th, the PCA erupted. Yi Zongkui once again led the charge, arguing that the edict was fundamentally at odds with constitutionalism. Yi explained that when the legislative assembly and the government clash in a constitutional system, the emperor must either dissolve the legislature or dismiss the government.⁹⁴

If the government is wrong but the assembly is right, [the Sovereign] should allow the government to resign; if the assembly is wrong but the government is right, [the Sovereign] should order the dissolution of the assembly. This is the spirit of constitutional statehood.

政府非而議院是，則允許政府辭職；議院非而政府是，則詔令議院解散。這是立憲國的精神。

⁹³ Wang, *Rji*, 223.

⁹⁴ Li, *Sujilu*, 386.

In this case, the Prince Regent did neither. Nor was there any evidence of Grand Council responsibility, as there were no countersignatures on the edicts.

Yi continued:⁹⁵

Previous edicts gave us room for discussion, because they were drafted and countersigned by the Grand Council. This time, the edicts were drafted by the Prince Regent himself without the countersignatures of the Grand Council. We've been left without any room to speak.

從前的諭旨，我們有可以說話的地方，因為軍機大臣擬旨，軍機大臣署名。這回硃諭是攝政王自己用硃筆寫的，而軍機大臣沒有署名，使我們沒有說話的地方。

Yi suggested continued impeachment of the grand councillors individually, listing out their faults for the Prince Regent's benefit. Once the regent knew of the grand councillors' many mistakes, Yi argued, he would certainly allow them to resign.

Wu Ciling agreed, asserting that the first memorial was not explicit enough. He shared Yi's belief that a clearer and stronger memorial would lead to a definite decision in favour of either the PCA or the Grand Council. Wu also sketched out a clear picture of what he believed to be the relationship between the monarch, the government, and the legislative assembly in a constitutional system. According to Wu, the government 'opposes' (*duidai* 對待) the assembly on behalf of the monarch. The assembly cannot oppose the ruler, because the latter is 'holy and inviolable' (神聖不可侵犯). This is clearly based on the Japanese Imperial Constitution, in which the Japanese Emperor held the

⁹⁵ Li, *Sujilu*, 386.

same position.⁹⁶ Liu Chunlin and Zheng Jiping 鄭際平 (elected; 1873–1943) took Wu’s argument once step further, resolving to request dissolution should the Regent again refuse the councillors’ resignations.⁹⁷

Ji Zhongyin was one of the only ones to offer a dissenting opinion. He supported addressing the issue of irresponsibility using a memorial, but was against further impeachment proceedings on that grounds that it would be impractical and pointless. Ji suggested drafting a memorial to request a clarification of the Grand Council’s responsibilities. The PCA subsequently approved Ji’s proposal 102 to 25, and a drafting committee of six was appointed. Although there were several items on the agenda for the 19th, the discussion over the edicts took so long that the meeting ended before these other agenda items could be disposed of.⁹⁸

Impeachment Round Two

Initial draft voted down

The second round of impeachment kicked off in earnest on 21 December with a debate over a new memorial draft. One of the drafters, Shao Xi 邵羲 (elected; 1874–1918), explained that the draft explicated the benefits of constitutional governance for the Prince Regent, making clear that the Grand Council should ‘oppose’ (*duidai* 對待) the PCA just as a responsible cabinet opposes the legislative assembly in other constitutional states.

Ji Zhongyin, Wu Ciling, and Li Shangwen 黎尚雯 (elected; 1868–1918) immediately objected that the impeachment should be targeted at the grand councillors individually, and that the present memorial addressed the institution only. Li went so far as to suggest personal impeachment of the

⁹⁶ Li, *Sujilu*, 387.

⁹⁷ *Ibid.*, 390–2.

⁹⁸ *Ibid.*, 392–6.

presiding grand councillor, Prince Qing (Qing Qinwang 慶親王).⁹⁹ Yi Zongkui also thought that the draft was inadequate, calling it a “treatise on the Grand Council’s irresponsibility, not an impeachment memorial (這個上奏案純是一篇軍機大臣不負責任的論，並非參劾奏案的體裁).”¹⁰⁰ In the subsequent vote, the draft memorial failed by a margin of one vote, 63–64.¹⁰¹

All hope was not lost, however, for Ji Zhongyin suggested a method of amending the draft to make it satisfactory. Ji argued that the memorial should start by citing overseas examples of constitutionalism, proceed to interpret the ‘Outline of the Imperial Constitution’ based on those examples, and then set out clearly the PCA’s role as a legislative body which monitors the Grand Council, and to which the Grand Council must be responsible. Ji’s amendment was approved by a small margin, 68–61. Ji was added to the original drafting committee of six, and they got back to work.¹⁰²

It is interesting that, by this point, the large majority which had originally voted for impeachment had disappeared. The PCA passed its first impeachment memorial by an overwhelming margin of 107 members on 10 December. Just 11 days later, the second impeachment memorial was defeated. Even Ji’s amendment was approved only by a hair thin majority of five. For one reason or another, the consensus on impeachment was falling apart.

An unexpected amendment

On 24 December, Ji Zhongyin presented the newest draft on behalf of the drafting committee. In a shocking twist of events, the drafting committee had decided not to follow Ji’s recommendations from the last meeting. Instead of

⁹⁹ Li, *Sujilu*, 401–4

¹⁰⁰ Ibid., 404.

¹⁰¹ Ibid., 410.

¹⁰² Ibid., 412.

making clear the Grand Council's responsibilities according to constitutional precedents, the draft only called for the expedient establishment of a responsible cabinet. Ji explained that asking about the responsibilities of the Grand Council would have contradicted the Regent's edict dated 17 December.¹⁰³

The new version met with opposition from Chen Jingdi 陳敬第 (elected; 1876–1966) and Shao Xi, who argued that the draft allowed the Grand Council to continue being irresponsible in the meantime. Furthermore, Shao Xi asserted that the present draft was in fact redundant—a previous memorial had already called for the establishment of a cabinet. On the other hand, members such as Jiang Xin 江辛 (elected; 1873–1946) and Yi Zongkui liked the new version. They argued that the PCA should be brave in remonstrating, and that the new draft did exactly that. Yi said, “We should speak directly and remonstrate to the utmost (我們……應該直言極諫).”¹⁰⁴ Ultimately, a majority (margin unknown; 86 voted in favour) voted to approve Ji's draft, and the presiding officer announced it would be submitted in the next couple of days.¹⁰⁵

Why was the new draft so different from what was proposed on 21 December? The most likely answer is that the draft which Ji defended on the 24th did not represent his true views. The drafting committee, consisting of Ji, Wang Longguang, Luo Jie, Shao Xi, Lu Zongyu, and Chen Shukai 陳樹楷 (elected; dates unknown), was clearly split along ideological lines. Early on the 21st, Luo had already declared that he held a different view from the other committee members, and wished to resign from the committee.¹⁰⁶ Shao Xi and Lu Zongyu continued to support the original rejected iteration of the

¹⁰³ Li, *Sujilu*, 423–4.

¹⁰⁴ Ibid., 425.

¹⁰⁵ Ibid., 424–6.

¹⁰⁶ Ibid., 402.

memorial.¹⁰⁷ In this conflictual environment, it is not surprising that the committee had to reach a compromise. And what better thing to agree on than one of the PCA's original goals of expediting the establishment of a responsible cabinet? It is likely, therefore, that the drafting committee had to resort to the lowest common denominator in order to agree with one another. There is further proof of a significant compromise in Wang Rongbao's diary. In the entry for 24 December, Wang wrote that the PCA speaker was "discussing" (*xiangque* 商榷) something with the memorial drafters at length right before the general meeting, "delaying the meeting time and time again" (遲遲不開會).¹⁰⁸ A discussion like this at the eleventh hour indicates that there were still many differences between the drafters that needed ironing out.

Memorial pre-empted by cabinet establishment edict

Before the PCA could submit its latest memorial, however, the court promulgated another edict on 25 December, ordering the Constitutional Study Commission (*xianzheng biancha guan* 憲政遍查館) to draft a bureaucratic structure for a cabinet system. The court once again stayed one step ahead of the PCA. It is unclear whether this was by deliberate design. At the very least, Wang Rongbao, who was close to the PCA Presiding Officer and the Grand Council, did not report anything to that effect in his diary.¹⁰⁹

As the PCA's meeting began on 26 December, Presiding Officer Pulun 溥倫 (1874–1927) announced that he had intended to submit the impeachment memorial on the 25th, but retracted it once he learnt of the new edict. Pulun put the question of whether to proceed with impeachment to the PCA

¹⁰⁷ Li, *Sujilu*, 424–5.

¹⁰⁸ Wang, *Riji*, 226.

¹⁰⁹ *Ibid.*, 226.

members. A complex debate erupted. On the one hand, a group including Ji Zhongyin, Yi Zongkui, and Yu Banghua advocated for continued impeachment after making slight changes. Yi stressed that the new cabinet would likely be composed of the current members of the Grand Council—as such, the new cabinet would be equally useless if the current councillors were not replaced.

On the other hand, members such as Fang Huan 方還 (elected; 1867–1932), Gao Lingxiao 高凌霄 (elected; 1872–1956), Xu Dinglin 許鼎霖 (elected; 1857–1915), and Yan Fu 嚴復 (scholars; 1854–1921) believed continued impeachment was pointless. Fang, Gao, and Yan were of the view that once a cabinet was established, the Grand Council would be no more, and the present problems would be resolved. Xu added that there were more important matters, such as the budget, to discuss. In the subsequent vote, the PCA voted in favour of cancelling the impeachment memorial 85 to 44.¹¹⁰

An interesting episode followed. After some more discussion, Li Shangwen requested that a new committee be formed to draft a new impeachment memorial. He argued that only the memorial had been cancelled, and not the agenda item of impeachment itself. This logic had previously allowed the PCA to continue impeachment. However, Li was rebuffed by the speaker himself, who told Li that since the memorial had been cancelled, no further discussion was possible. Chen Maoding 陳懋鼎 (officials; 1870–1940) added that cancellation of a draft memorial was equivalent to cancellation of the corresponding agenda item. The truth of Chen's point was clearly still in dispute, but this was ignored by the speaker.¹¹¹

The 26 December vote to cancel the impeachment memorial showed a further decline in support for impeachment. The PCA voted overwhelmingly

¹¹⁰ Li, *Sujilu*, 441–7.

¹¹¹ *Ibid.*, 455–6.

against the new draft, a complete reversal of the situation on 10 December. Almost twice as many were in favour of cancelling the draft than those against. What had happened? Were members becoming exasperated with what seemed to be a pointless exercise? Professor Li Qicheng, citing a newspaper article at the time, suggests that the court had taken action behind the scenes to get key members on side.¹¹² While something like this may have happened, the evidence is too scant to say for sure. If anything, it is likely that a combination of internal and external factors weakened the support for impeachment.

Impeachment Round Three and a Fascinating Interlude

Li Su suggests impeachment again

No one would have batted an eye if impeachment proceedings ended on 26 December. It must have been mildly surprising, then, when Li Su repropounded impeachment on 28 December. Li reasoned that the PCA voted only to cancel the previous memorial draft, not the issue of impeachment itself. This was exactly the same argument used by Li Shangwen on the previous day. However, Li Su, far from being rebuffed, was met with widespread agreement. Wang Rongbao wrote that:¹¹³

The meeting started at two o'clock. Member Li Su expressed that it was only the impeachment memorial, and not the impeachment agenda item, that was cancelled yesterday. [Li] requested that another drafting committee be appointed, and gained support from a number of people. The Presiding Officer asked if anyone disagreed, but *no one dared to oppose*.

¹¹² Li, "Tanhe Junji An," 121–3.

¹¹³ Wang, *Riji*, 227.

二時頃開會，李議員素倡議前日所取消者乃彈劾奏稿，非彈劾題目，請另指起草員起草，附之者數人，議長諮詢有無異議，眾莫敢反對。

Why didn't anyone dare oppose? It was likely because Li Su had the support of very influential members, including Yi Zongkui, Ji Zhongyin, Yu Banghua, Li Shangwen, Luo Jie, and Shao Xi. The unity of all these figures is striking, and makes one suspect that a group of them had worked out a plan beforehand. Finally, the speaker reluctantly appointed a new drafting committee of six.¹¹⁴

Liu Tingchen's attempt to impeach the Assembly

While the third impeachment memorial was in the works, the PCA received shocking news of a memorial to impeach all of its members simultaneously. This memorial was submitted by Liu Tingchen 劉廷琛 (1867–1932), the chancellor of the Imperial University in Beijing (*jingshi daxuetang* 京師大學堂).¹¹⁵ His memorial, far from being rebuffed, had been forwarded to the Constitutional Study Commission.¹¹⁶

Members felt slapped in the face. The PCA's first impeachment memorial was vehemently rebuffed, while one individual's attempt to impeach the entire PCA had been acknowledged. Several members, most notably Yi Zongkui, saw this as the court's contempt for the PCA. Yi argued that by acknowledging Liu's memorial, the court had affirmed its trust in executive departments over the PCA. Yi advocated for requesting a dissolution of the assembly, a view which Li Shangwen and Li Ju 李榘 (elected; 1869–unknown) agreed with. A heated debate arose. On the one hand, Yi, Li Shangwen, Li Ju, Luo Jie, Jiang Xin, etc

¹¹⁴ Li, *Sujilu*, 468–9.

¹¹⁵ The Imperial University was the precursor to Peking University and Beijing Normal University.

¹¹⁶ Wang, *Riji*, 228.

argued that Liu's memorial was a dangerous precedent, and that the PCA must act. On the other hand, a host of members, including Presiding Officer Pulun, did not deem Liu's memorial worthy of discussion. Wang Tingyang 王廷揚 (elected; 1866–1937) argued that the forwarding was “merely a formality, and does not necessitate any further examination (例行公事，亦無必行查復之理).”¹¹⁷ The PCA settled on sending a note of inquiry to the Constitutional Study Commission, drafted by Li Shangwen.¹¹⁸

Immediately after the matter was settled, an angry PCA overwhelmingly approved the latest Grand Council impeachment memorial 88 to 44. This was yet another reversal since 26 December, when the PCA voted in almost exactly the same numbers *against* impeachment. The Liu Tingchen affair definitely galvanised support for impeachment, just as the Guangxi and Yunnan cases did more than a month earlier. The handling of Liu's memorial was seen as a snub of the PCA in much the same way as the forwarding of the Guangxi and Yunnan memorials had been seen.

Impeachment memorial ignored

The next sitting for the PCA was held on 3 January 1911, by which time no reply had come in response to the third impeachment memorial, which had been submitted. The deputy speaker announced that the memorial had been ‘shelved’ (*liuzhong bufa* 留中不發). ‘Shelving’ was one of the options that emperors had when receiving a memorial, and essentially amounted to ignoring the submission altogether. *Liuzhong* refers to the document being left inside the palace, and *bufa* refers to the absence of the promulgation of a response. In this case, it was certainly the Prince Regent who shelved the impeachment memorial on behalf of Emperor Puyi.

¹¹⁷ Li, *Sujilu*, 507.

¹¹⁸ *Ibid.*, 513–4.

In response, Li Su proposed memorialising the throne *again*, asking for clarification. Yi Zongkui came up with a proposal: the memorial would clarify the nature (*xingzhi* 性質) and standing (*diwei* 地位) of the PCA, asserting that shelving a PCA memorial was not acceptable. The memorial would also include a section specifying that individuals did not have the authority to impeach members of the PCA, thus making a clear stance on the Liu Tingchen matter. Yi's proposal was met with approval, and the PCA voted in favour of drafting a new memorial.

What happened afterwards remains unclear. Although a drafting committee of six was appointed, the *Recorded Proceedings* never mention them reporting back. In fact, after this point, impeachment of the Grand Council was never brought up again. Even the most outspoken proponents of impeachment appeared satisfied with concentrating their efforts on other matters. It is possible that the PCA members simply thought that other tasks were better worth their time—only seven days remained in the first session at this point, and there was still a huge backlog of work. But it is also possible that members had become exasperated at the lacklustre results of impeachment. Two months of debate, three rounds of memorialising, and endless hours of drafting resulted finally, and only, in silence.

Section 6 Results and Analysis

The impeachment of the Grand Council leaves us with many questions. This is perhaps the biggest one: how was it possible in the first place? The PCA had 98 elected members as opposed to 100 appointed members—the latter group could theoretically command a constant majority against any anti-government initiative. I will now show that impeachment was possible because the appointed members of the assembly were not a unified group at all. There were few things to unite the appointed members, and as a result, only members from a few sub-categories had significant influence. The elected members, on the other hand, shared much more in common. Key elected members were able to command a sizeable mass of support, drawing on common ideology and political views. Acting as a unit, they played complementary functional roles to drive impeachment forward. I will now support my argument with quantitative and qualitative evidence.

Numerical Analysis: Results and Interpretation

Introduction to the analysis

I conducted a numerical analysis as the first stage of a two-stage investigation. The purpose of the numerical analysis was to get a general picture of power disparity and distribution in the assembly. It reveals that, overall, a minority of members had disproportionate influence in the assembly, but that influence was spread more evenly amongst the elected members; furthermore, education was a unifying factor for the elected, but not the appointed, members.

Thanks to the *Recorded Proceedings* and the work of Professor Li Qicheng, the number of times each individual PCA member spoke is available to us. The more a certain individual or group spoke, the more their views were represented in the assembly chamber. More vocal members tended to exert more influence

on the substance, and ultimately the results, of debates. Thus, by aggregating speech frequency data, one can map the distribution of influence across the assembly.

There are several perceived drawbacks to using speech frequency as a measure of influence which should be addressed. Firstly, one might argue that the number of words spoken, rather than the number of remarks someone makes, is a better measure of influence. This is only true, however, if speeches tended to be very long. In reality, PCA members often made relatively short remarks—few exceeded 1000 characters, or roughly six minutes. Secondly, one might object that the number of times someone speaks might not reflect actual influence—someone could be a key manipulator behind the scenes, while saying very little in actual meetings. This concern is indeed valid if we only examine the number of times individuals spoke. However, if we analyse speech frequency data in groups, the problem is mitigated. Even behind-the-scenes manipulators need to control debates in such a way as to get the result they want. They need outspoken ‘proxy’ members to speak on their behalf. And these manipulators would likely choose proxies from within their own faction, rather than without. Therefore, analysing the speech frequency of groups may not reveal the distribution of power *within* groups, but still reveals a lot about the distribution of power *across* groups.

Sample size

On paper, the PCA had a total of 196 members during its first session: 98 elected members (Xinjiang wasn’t ready to send its two delegates) and 98 appointed members (two members removed to balance the elected members). However, there were two other appointed individuals who were not included in the official list, but nonetheless had voting rights: the speaker and deputy speaker. Furthermore, two members were replaced *during* the first session: Qu

Benqiao 渠本翹 (elected, Shanxi) was replaced by Liu Maoshang 劉懋賞, and Zhang Jiguang 張緝光 (officials) was replaced by Chong Fang 崇芳. Since both the original members and their replacements made remarks, they all count towards the total number of members, which brings the sum to 200.

General Observations

Figure 1 breaks down the total number of remarks given by elected and appointed members.

<i>Category</i>	<i>Remarks given</i>	<i>Assembly members</i>
Elected	2835 (71.2%)	99 (49.5%)
Appointed	1144 (28.8%)	101 (50.5%)
TOTAL	3979 (100%)	200 (100%)

Figure 1: Total number of remarks given by elected and appointed members.

Members made a total of 3979 remarks in the first session of the PCA. Of these, 2835 were delivered by elected members, while 1144 were delivered by appointed members. In other words, elected members made 71.2% of all remarks, despite only making up 49.5% of all members. This indicates that elected members had more influence over proceedings than appointed members did. Another observation is that 51.4% of all remarks were delivered by just 18.0% (36/201) of the members. This suggests that a vocal minority had disproportionate control over the floor.

Closer analysis reveals proof of minority influence. The table below compares the the ten most frequent speakers in the PCA.

<i>Name</i>		<i>Remarks given</i>	<i>Category</i>
Yi Zongkui	易宗夔	419	Elected
Wang Rongbao	汪榮寶	279	Appointed (Officials)
Yu Banghua	於邦華	199	Elected
Shao Xi	邵羲	159	Elected
Lei Fen	雷奮	146	Elected
Chen Shukai	陳樹楷	145	Elected
Luo Jie	羅傑	138	Elected
Xu Dinglin	許鼎霖	133	Elected
Zhang Zongyuan	章宗元	119	Appointed (Scholars)
Ji Zhongyin	籍忠寅	118	Elected
TOTAL		1855	

Figure 2: Ten most frequent speakers by member category.

These ten speakers account for 46.6% of total remarks given, despite making up only 5.0% of the members. Their influence on debates, therefore, was disproportionately high. Within the top ten, all but Wang Rongbao and Zhong Zongyuan were elected members. The proportion of remarks given by elected members was 78.5%, significantly higher than the overall proportion of 71.2% (figure 1). This suggests that elected members had even more influence amongst the top speakers than they did in general across all members.

Appointed Members

Let us look at the appointed members in more detail. As mentioned on [page 32](#), the appointed members were officially chosen from one of seven sub-categories. The table below shows how many times members from of these groups spoke, along with an unofficial eighth group, which includes the speaker and deputy speaker:

<i>Sub-category</i>	<i>Remarks given</i>		<i>Assembly members</i>	
Imperial nobles	29	(2.5%)	14	(13.9%)
Manchu and Han nobles	23	(2.0%)	12	(11.9%)
Frontier nobles	11	(1.0%)	14	(13.9%)
Clan and line	14	(1.2%)	6	(5.9%)
Officials	676	(59.1%)	33	(32.7%)
Scholars	303	(26.5%)	10	(9.9%)
Taxpayers	88	(7.7%)	10	(9.9%)
Others	0	(0.0%)	2	(2.0%)
TOTAL	1144	(100%)	101	(100%)

Figure 3: Total number of remarks given by sub-category within the appointed members.

Officials and Scholars spoke more than any other sub-categories by far.

Together they made 979 remarks, which makes up just under 86% of the total.

On the other hand, the imperial family and the nobility (first four groups) barely spoke at all, contributing a measly 6.7%. In fact, eight of the fourteen ‘imperial nobles’ didn’t make a single remark; neither did seven of the twelve ‘Manchu and Han nobles’, eleven of the fourteen ‘frontier nobles’, and four of the six ‘clan and line’ members. Even within the minority, only a minority from certain groups spoke.

The table below shows the top ten speakers amongst the Appointed members.

<i>Name</i>	<i>Remarks given</i>	<i>Sub-category</i>
Wang Rongbao 汪榮寶	279	Officials
Zhang Zongyuan 章宗元	119	Scholars
Chen Maoding 陳懋鼎	94	Officials
Lu Zongyu 陸宗輿	65	Scholars
Gu Dongchen 顧棟臣	63	Officials
Shen Linyi 沈林一	51	Scholars
Wang Jingfang 王璟芳	51	Officials
Liu Zexi 劉澤熙	49	Officials
Wang Zuoliang 王佐良	44	Taxpayers
Lin Bingzhang 林炳章	34	Officials
TOTAL	849	

Figure 4: Ten most frequent speakers among the appointed members, by sub-category

The first thing to note is that these ten members made 74.2% of all remarks by appointed members, while accounting for 9.9% of its membership. Another thing to notice is the sharp rate of decline in remarks given as one goes down the table. Wang Rongbao made over eight times as many remarks as Lin Binzhang, who was in 10th place. The analogous analysis for the top elected members reveals that Yi Zongkui, who spoke the most, only made three-and-a-half times more remarks than Ji Zhongyin, in 10th place. This difference suggests that the disparity in representation was especially sharp amongst appointed members. Furthermore, all but one of these ten appointed members hailed from the ‘Officials’ or ‘Scholars’ functional groups. These two sub-categories account for 94.8% of the remarks made by the top 10, markedly higher than their 85.6% representation across all appointed members.

It’s worth taking a deeper look into the Officials and Scholars sub-categories. Since these sub-categories only have 33 and 10 members respectively, we will examine only the top five speakeres in each. The figure below shows the top five speakers amongst the Officials.

<i>Name</i>	<i>Remarks given</i>
Wang Rongbao 汪榮寶	279
Chen Maoding 陳懋鼎	94
Gu Dongchen 顧棟臣	63
Wang Jingfang 王璟芳	51
Liu Zexi 劉澤熙	49
.....	
TOTAL	536

Figure 5: Five most frequent speakers in the Officials sub-category

This table confirms that the trend of disproportionate representation continues even on the sub-category level. Wang Rongbao made almost six times as many remarks as Liu Zexi. These five members also account for 79.2% of all remarks made by the ‘Officials’ sub-category, despite making up only 15.2% of its membership.

The next table reveals a similar picture for the top five members in the Scholars sub-category.

<i>Name</i>	<i>Remarks given</i>
Zhang Zongyuan 章宗元	119
Lu Zongyu 陸宗輿	65
Shen Linyi 沈林一	51
Lao Naixuan 勞乃宣	30
Yu Changlin 喻長霖	23
.....	
TOTAL	288

Figure 6: Five most frequent speakers in the Scholars sub-category

Zhang Zongyuan makes slightly over five times more remarks than Yu Changlin. Furthermore, these five members account for 95% of remarks made by members in the ‘Scholars’ sub-category, despite making up only 50% of its membership.

Overall, influence amongst the appointed members was skewed in favour of the Officials and Scholars sub-categories; even within those sub-categories, a few members were dominating. Therefore, the appointed members not only spoke

far less than elected members, but only a few appointed members had significant influence over proceedings.

Elected Members

Following on from analysis of the appointed members, it makes sense to examine the elected members in the same way. Although elected members were not chosen from official functional groups, they did originate from the provincial assemblies of China.

<i>Province</i>		<i>Remarks given</i>	<i>Assembly members</i>
Anhui	安徽	125 (4.4%)	5 (5.1%)
Fengtian	奉天	26 (0.9%)	3 (3.0%)
Fujian	福建	35 (1.2%)	4 (4.0%)
Gansu	甘肅	15 (0.5%)	3 (3.0%)
Guangdong	廣東	49 (1.7%)	5 (5.1%)
Guangxi	廣西	94 (3.3%)	3 (3.0%)
Guizhou	貴州	45 (1.6%)	2 (2.0%)
Heilongjiang	黑龍江	16 (0.6%)	2 (2.0%)
Henan	河南	12 (0.4%)	5 (5.1%)
Hubei	湖北	64 (2.2%)	5 (5.1%)
Hunan	湖南	613 (21.6%)	5 (5.1%)
Jiangsu	江蘇	430 (15.2%)	7 (7.1%)
Jiangxi	江西	211 (7.4%)	6 (6.1%)
Jilin	吉林	2 (0.1%)	2 (2.0%)
Shaanxi	陝西	2 (0.1%)	4 (4.0%)
Shandong	山東	33 (1.2%)	6 (6.1%)
Shanxi	山西	34 (1.2%)	6 (6.1%)
Sichuan	四川	170 (6.0%)	6 (6.1%)
Yunnan	雲南	22 (0.8%)	4 (4.0%)
Zhejiang	浙江	265 (9.3%)	7 (7.1%)
Zhili	直隸	572 (20.2%)	9 (9.1%)
TOTAL		2835	99 (100%)

Figure 7: Number of remarks made by elected members, by province.

The table above compares the number of remarks made by members hailing from each of the 21 provinces from which they were chosen. The reader will recall at this point that Xinjiang, the 22nd province, was not ready to send members to the PCA.

The three shaded rows highlight the three provinces which had the largest disproportionate influence. The elected members from Hunan, Jiangsu, and Zhili made a total of 1615 remarks, or 57% of the total. (It is worth noting, however, that Yi Zongkui made the majority of remarks from Hunan province.) This is similar to the proportion for the appointed members in the Officials sub-category (59.1%). However, elected members from the three provinces accounted for only 21.2% of the elected membership, while the Officials sub-category accounted for 32.4% of the appointed membership.

Closer examination reveals, however, that minority control was less severe for the elected members. The table below shows the ten most frequent speakers in the elected category.

<i>Name</i>	<i>Remarks given</i>	<i>Province</i>
Yi Zongkui 易宗夔	419	Hunan 湖南
Yu Banghua 於邦華	199	Zhili 直隸
Shao Xi 邵羲	159	Zhejiang 浙江
Lei Fen 雷奮	146	Jiangsu 江蘇
Chen Shukai 陳樹楷	145	Zhili 直隸
Luo Jie 羅傑	138	Hunan 湖南
Xu Dinglin 許鼎霖	133	Jiangsu 江蘇
Ji Zhongyin 籍忠寅	118	Zhili 直隸
Wu Ciling 吳賜齡	93	Guangxi 廣西
Liu Jinglie 劉景烈	92	Jiangxi 江西
TOTAL	1642	

Figure 8: Ten most frequent speakers in the Elected category, by province of origin.

Generally, these ten members made 57.9% of the total remarks made by elected members, while making up 10.1% of its membership. This is far less than the 74.2% proportion achieved by the top ten appointed members, who accounted for a similar portion of the appointed category (9.8%). Furthermore, Yi Zongkui made 4.5 times more remarks than Liu Jinglie, while Wang Rongbao made 8.2 times more remarks than Lin Binzhang. Therefore, although a minority of elected members had outsized influence, the situation was not as severe as for the appointed category.

However, all but 3 of the 10 hailed from Hunan, Jiangsu, and Zhili. The seven from those three provinces made a combined 1298 remarks, accounting for 79.0% of the total. On first glance, therefore, the figures suggest that members from Hunan, Jiangsu, and Zhili had outsized influence amongst the elected members. We must, however, consider whether “Hunan, Jiangsu, and Zhili” can be characterised as a unified group. While the appointed members in the Officials sub-category clearly shared a common origin in the ranks of the civil service, and likely possessed similar educational backgrounds, it would be too soon to assume the same for elected members from three different provinces. In fact, many sources suggest that provincialism was strong at this time—if anything, members from different provinces would have been at odds rather than united.

One potential factor which could have tied the elected members together was educational background. The available data tells us that the average age of the elected members was 44.4, and only 16 of the 99 were above the age of 45. Therefore, the vast majority of the elected members would have been born in the late 1860s and early 1870s (no earlier than 1865), and would have been in their twenties at the time of the Sino-Japanese war, the Hundred Days Reform, and the beginning of the drive to study overseas.

<i>Foreign school</i>	<i>Members</i>
Hōsei University, Tokyo 法政大学	22
Waseda University, Tokyo 早稲田大学	2
Kōbun Sho'in, Tokyo 弘文書院	2
Shikan Gakkō, Tokyo 士官学校	1
Unknown, Japan	1
.....	
TOTAL	28

Figure: 9 Elected members with overseas studying experience, by school

28 of the 99 (28.3%) elected members had some form of overseas study experience in Japan. Of those, 22 (22.2%) attended Hōsei University (*Hōsei daigaku* 法政大学), where they would have been exposed to the latest currents of Japanese political thought, and become well-versed with the Japanese constitutional system of government. Those who studied at Hōsei made 1259 remarks, accounting for 44.4% of remarks made by elected members.

The following table examines the overseas educational background of the top 10 elected members.

<i>Name</i>	<i>School</i>	<i>Province</i>	<i>Remarks given</i>
Yi Zongkui 易宗夔	Hōsei University, Tokyo	Hunan	419
Yu Banghua 於邦華	N/A	Zhili	199
Shao Xi 邵羲	Hōsei University, Tokyo	Zhejiang	159
Lei Fen 雷奮	Waseda University, Tokyo	Jiangsu	146
Chen Shukai 陳樹楷	Hōsei University, Tokyo	Zhili	145
Luo Jie 羅傑	Hōsei University, Tokyo	Hunan	138
Xu Dinglin 許鼎霖	N/A	Jiangsu	133
Ji Zhongyin 籍忠寅	Waseda University, Tokyo	Zhili	118
Wu Ciling 吳賜齡	N/A	Guangxi	93
Liu Jinglie 劉景烈	Shikan Gakkō, Tokyo	Jiangxi	92

Figure 10: Ten most frequent speakers in the Elected category, by alma mater and province

Among the top 10, seven had experience studying overseas. Four studied at Hōsei, two at Waseda, and one at Shikan Gakkō. More broadly, the 28 elected members who studied overseas originated from 13 different provinces. Educational affiliations certainly crossed many provincial boundaries. Yet, as we will see in the qualitative analysis, the members with overseas experience worked together, pushing for impeachment despite having different conceptions of constitutionalism. The data suggests, therefore, that members from different geographical origins could find common ground in their Japanese educational experiences.

What about the appointed members? While almost one-third of elected members had overseas educational experience, only 12 out of 100 appointed members studied abroad, with the majority (seven) from the ‘Officials’ sub-category, and the rest from the ‘Scholars’ and ‘Taxpayers’ sub-categories. Therefore, foreign educational experiences did not play as central a role in uniting the appointed members across sub-categories.

The dominance of Japan as the primary location of overseas study amongst the PCA members is striking, though perhaps in accord with the times. Across the entire assembly, only two out of the 40 members who studied overseas went to a place other than Japan: Yan Fu and Zhang Zongyuan from the ‘Scholars’ appointed sub-category trained with the British navy and attended the University of California respectively. Other than that, anyone else who had overseas educational experience obtained it in Japan.

Overall, influence was distributed more equally amongst the elected members as opposed to the appointed members. More people spoke, and more often. Furthermore, a common Japanese educational background served as a glue to unite elected members across provincial boundaries. In contrast, there

was little to unite the appointed members across different sub-categories, who already hailed from different backgrounds.

Qualitative Analysis

Introduction

I performed further analysis on the individual speeches of specific members to discover the role each member played in the impeachment proceedings, and to understand their underlying ideologies. It is clear that members played complementary yet unique functional roles to support and drive impeachment.

Qualitative analysis methodology

Qualitative analysis involved first identifying a set of relevant meetings out of the forty-two recorded, and then identifying a set of relevant members whose remarks within those meetings would be assessed.

Relevant meetings were deemed to be those where (1) a discussion about impeachment occurred; or (2) a discussion about an event directly related to impeachment occurred. With a broad interpretation, I identified the following fourteen meetings as relevant:

Sitting 12	31 Oct 1910	Sitting 13	3 Nov 1910
Sitting 15	9 Nov 1910	Sitting 16	12 Nov 1910
Sitting 20	22 Nov 1910	Sitting 21	25 Nov 1910
Sitting 24	10 Dec 1910	Sitting 27	19 Dec 1910
Sitting 28	21 Dec 1910	Sitting 29	24 Dec 1910
Sitting 30	26 Dec 1910	Sitting 31	28 Dec 1910
Sitting 33	30 Dec 1910	Sitting 34	3 Jan 1911

Relevant members were deemed to be those who (1) made a significant contribution to discussions about or related to impeachment, (2) played an important role in discussions about or related to impeachment, or (3) made many remarks in discussions about or related to impeachment. I found the following thirteen members to be relevant. There is significant overlap with the top 10 most frequent speakers in the assembly.

<i>Name</i>		<i>Category</i>	<i>Education</i>
Chen Shukai	陳樹楷	Elected (Zhili)	Hōsei, Tokyo
Ji Zhongyin	籍忠寅	Elected (Zhili)	Waseda, Tokyo
Lei Fen	雷奮	Elected (Jiangsu)	Waseda, Tokyo
Lu Zongyu	陸宗輿	Appointed (Scholars)	Waseda, Tokyo
Luo Jie	羅傑	Elected (Hunan)	Hōsei, Tokyo
Shao Xi	邵羲	Elected (Zhejiang)	Hōsei, Tokyo
Shen Linyi	沈林一	Appointed (Scholars)	Unknown
Wang Rongbao	汪榮寶	Appointed (Officials)	Japan (exact unknown)
Wu Ciling	吳賜齡	Elected (Guangxi)	Unknown
Xu Dinglin	許鼎霖	Elected (Jiangsu)	Unknown
Yi Zongkui	易宗夔	Elected (Hunan)	Hōsei, Tokyo
Yu Banghua	於邦華	Elected (Zhili)	Unknown
Zhang Zongyuan	章宗元	Appointed (Scholars)	University of California

Figure 11: Relevant members

Zhong Zongyuan was later found to have said far too little in connection with impeachment for an analysis. Wang Rongbao also made few remarks, but said enough that his broad view can be discerned, with assistance from his diary. A full analysis was possible for the other 11 relevant members.

In the following section, I give a brief profile of each relevant members' views and actions during the impeachment proceedings. Every remark related to impeachment that each member made within the set of fourteen meetings was taken into account.

Yi Zongkui 易宗夔 (elected; 1874–1925; education: Hōsei)

Yi Zongkui was by far the most prominent member in the impeachment proceedings, and was the first to actually propose impeachment in sitting 20. Throughout the fourteen relevant meetings, Yi pushed a conception of constitutional monarchy in which the legislature and the government are equals, subservient only to a sovereign monarch. The role of the government is not only to craft and execute policy, but also to take responsibility whenever there are policy failures. Therefore, Yi had no qualms blaming the Grand Council for perceived abuses of power and failure to observe constitutional principles.

One of Yi's main grievances was the apparent disregard with which the court treated the PCA. In sitting 15, when the court prescribed no punishment for Yang Wending's illegal issuance of bonds, Yi remarked that, "[the] combined decision-making power of two hundred members does not even measure up to the efficacy of one imperial censor (*yushi* 御史)."¹¹⁹ Here, Yi was referring to the authority of censors to criticise other officials via secret memorials to the emperor. For Yi, the PCA was part and parcel of a separation of powers between the legislature, executive, and judiciary. PCA decisions were just as important as executive decisions. Hence, Yi was furious at the forwarding of the PCA's decisions on Yunnan and Guangxi to executive departments before sitting 20—what gave the Salt Administration and Civic Affairs Bureau the authority to review PCA decisions? Yi summed up his thoughts in a question: "Surely the Grand Council isn't unaware that the legislature (*lifa jiguan* 立法機關) is independent?"¹²⁰

Yi's conception of constitutionalism and the reality of political arrangements was brought into conflict when, in sitting 27, the PCA received a

¹¹⁹ Li, *Sujilu*, 164.

¹²⁰ *Ibid.*, 242.

personal edict from the Prince Regent berating them for overstepping their boundaries, and clarifying that all power rested with the court. The Grand Council had apparently tried to resign collectively, but the regent refused their resignations. Under Yi's model, this could not happen—the sovereign must adjudicate between the government and the legislature by either dismissing the former or dissolving the latter.¹²¹ In no circumstances were the sovereign to take responsibility for his own decisions. That would, according to Yi, create direct conflict between the sovereign and a popularly elected legislature, throwing the country either into dictatorship or revolution.

That the Prince Regent's personal edict threw Yi into a bind demonstrates how committed he was to his notion of constitutionalism. Yi resolved the dilemma by arguing that the regent was not yet fully aware of the faults of the Grand Council. If the PCA listed in detail the Grand Council's "numerous acts of irresponsibility, numerous instances of betraying the country and harming the people", the Prince Regent would have to either dismiss the government or dissolve the PCA.¹²²

Taking responsibility on behalf of the sovereign was, in Yi's eyes, one of the central tenets of governance. Even by sitting 30, when the assembly had shifted from outright impeachment to calling for the expedited establishment of a responsible cabinet (*zeren neige* 責任內閣), Yi insisted that impeachment was still necessary to ensure that the current grand councillors, when they became cabinet ministers, would actually take responsibility for their actions.¹²³

Yi's attitude was one of increasing disappointment. In sitting 27, Yi spoke against requesting dissolution, arguing that it would be just as irresponsible as

¹²¹ Li, *Sujilu*, 386.

¹²² Ibid.

¹²³ Ibid., 442–3.

the actions of the Grand Council.¹²⁴ In sitting 33, however, in the face of the court acknowledging Liu Tingchen's memorial to impeach the PCA collectively, a resigned Yi argued precisely *for* requesting dissolution.¹²⁵

Overall, the model of constitutionalism that Yi held to heart did not reflect reality. Therefore, Yi ultimately failed to oust the the Grand Council and get the court to follow his model. In sitting 33, an exasperated Yi moaned, “even once the New Criminal Code (*xin xinglü* 新刑律) is passed [by the PCA] for approval by the emperor, if there is anyone who says that the old laws should be followed instead, what we decide on will definitely be made ineffective once again (我們所議決的必又歸於無效).”¹²⁶

Chen Shukai 陳樹楷 (elected; dates unknown; education: Hōsei)

Chen Shukai was a proponent of impeachment, and shared Yi's conception of constitutionalism. In a constitutional monarchy, Chen argued, the legislature and government stand as equals and opposed to each other, while the government takes responsibility for the sovereign. In an absolute monarchy, meanwhile, the sovereign, the government, and the state is fused, with the monarch taking personal responsibility.¹²⁷

Chen made a major contribution by tying the notion of constitutional monarchy he shared with Yi to the transitional period which China was in. While a country transitioned to constitutional monarchy, Chen asserted, there must be an ‘imperfect’ (*bu wanquan* 不完全) cabinet to oppose the PCA,

¹²⁴ Li, *Sujilu*, 391.

¹²⁵ *Ibid.*, 504.

¹²⁶ *Ibid.* Interestingly, Liu Tingchen did vehemently object to the New Criminal Code on moral grounds in a later edict. However, Liu did, in that document, state that the PCA also disagreed morally with the new code.

¹²⁷ *Ibid.*, 390.

which was an imperfect parliament. Since an imperfect cabinet had not been explicitly established, the Grand Council would have to play the role.¹²⁸

Chen also extended Yi's model in another way. In sitting 33, faced with Liu Tingchen's impeachment memorial, Chen argued that the PCA had the power to 'make authoritative statements on matters of politics' (政治有立論之權) by virtue of its representation of the people. Therefore, the people could only feel grateful to and support (*gandai* 感戴) the government if it trusted the PCA. The stakes of the court's response to Liu, according to Chen, were high: if the court distrusted the PCA, it would also lose the trust of the population.

In summary, Chen played a key supporting role by making Yi's loftier conception of constitutionalism relevant to the issues which the PCA were facing. Chen sought to show that the Grand Council, although it was not a cabinet, had to take responsibility. Moreover, respect for the PCA was not a matter of theory, but a matter of practical governance—the support of the population depended on it.

Shao Xi 邵羲 (elected; 1874–1918; education: Hōsei)

Shao Xi was largely committed to the same model of constitutionalism as Yi and Chen. In response to the Prince Regent's personal edict berating the PCA in sitting 27, Shao explained that the legislature and government are in direct opposition in a constitutional state. Even in the present transitional period, the PCA must have an institutional opponent. Therefore, the Grand Council should be viewed as an opposing cabinet. Shao went on to argue that conflict between the legislature and the government is actually good, and is indicative of a healthy constitution.¹²⁹ What is not acceptable, however, is direct opposition between the sovereign and the legislature. Just like Yi, Shao argued that in any

¹²⁸ Li, *Sujilu*, 389–90

¹²⁹ *Ibid.*, 388.

legislative-executive conflict, the sovereign must either dissolve one or dismiss the other. “If the government is wrong, then it resigns. If the legislature is wrong, then it is dissolved.”¹³⁰

Even though Shao shared the same conception of constitutionalism as Yi, he disagreed with Yi on how to proceed with impeachment. While Yi believed in impeaching the grand councillors individually, Shao argued it was better to highlight the shortcomings of the Grand Council as an institution.¹³¹ When Shao was in the drafting committee for the second round of impeachment, this was the form which the draft memorial took. It was subsequently voted down by the PCA.

Nevertheless, Shao made important contributions as a proponent of impeachment. Most importantly, he was the first to point out the connection between the countersignatures (*fushu* 副署) of the Grand Council and those of secretaries of state (*guowu dachen* 國務大臣) in other constitutional monarchies. In those other monarchies, Shao pointed out, countersignatures represented two things: taking executive responsibility on behalf of the sovereign, and taking responsibility vis-a-vis the parliament. This identification was key to proving, later on, that the Grand Council did indeed have responsibilities similar to those of foreign cabinet ministers.¹³²

Although Shao’s attempts to impeach the Grand Council corporately ultimately failed, he played an essential role by linking his shared conception of constitutional monarchy to the Qing countersignature system. This link was one of the foundations of impeachment.

¹³⁰ Li, *Sujilu*, 387.

¹³¹ *Ibid.*, 402.

¹³² *Ibid.*, 110.

Luo Jie 羅傑 (elected; 1867–unknown; education: Hōsei)

Luo was a supporter of impeachment, and subscribed to the same model of constitutionalism as Yi, Chen, and Shao. This was shown in sitting 20, when Luo argued that by virtue of the countersignature system, the Grand Council was a responsible cabinet all but in name.¹³³ In other constitutional monarchies, as in China, secretaries of governance (*zhengwu dachen* 政務大臣) should take all responsibility for failures on behalf of the sovereign.¹³⁴ Luo also clearly believed that the PCA was equal in standing to executive departments: in sitting 13, he agreed with Yi's proposition that when corresponding with the government, the PCA should not use the term *zicheng* 咨呈, as if making a submission to one's superiors, but instead use the term *ziquing* 咨請, which implied a more equal relationship.¹³⁵

Luo's major contribution was grounding the idea of responsibility (*zeren* 責任) firmly in the Chinese Classics. The notion of responsibility used by Yi, Chen, and Shao was clearly an interpretation of 'cabinet responsibility' inherited from other constitutional systems, and Luo was not afraid to admit that the notion of responsibility in countersignatures originated from Japan. However, Luo continued, the term 責任 (c. *zeren*; j. *sekinin*), which Japan employed to translate 'responsibility', was borrowed from China. Therefore, a form of official responsibility had always existed in China, and responsibility itself wasn't actually foreign concept.

To prove this, Luo quoted the following from *Mencius* 2b:

¹³³ Li, *Sujilu*, 243–4.

¹³⁴ *Ibid.*, 388.

¹³⁵ *Ibid.*, 124.

The one who has official duties but cannot fulfil them should resign.

The one who has the duty to remonstrate but cannot get his advice accepted should resign.

有官守者，不得其職則去。有言責者，不得其言則去。

For Luo, this quote from Mencius showed that officials throughout Chinese history were, just like the Grand Council, responsible for preserving the emperor's reputation. If an official does not carry out his duties acceptably, he should resign. If a remonstrator fails to get his advice accepted, he, too, should resign. Summing up, Luo said, "all good is accredited to the ruler, while all mistakes are shouldered by oneself" (善則歸君，過則歸己).¹³⁶

This is why, in sitting 27, Luo argued that the Grand Council should be impeached because of, and based on, their *political* irresponsibility: failure to conduct successful domestic and foreign policy. As officials serving the emperor, the Grand Council should be dismissed if they are unable to carry out their official duties in a suitable manner.¹³⁷

By grounding the notion of responsibility in classical texts, Luo buttressed the case for impeachment, and made it difficult for anyone to disagree. Whoever wanted to speak against impeachment would have to present a counterargument against *Mencius*, which was a very high bar indeed. Luo, seen in this light, re-interpreted a shared notion of constitutionalism, which he likely acquired overseas in Hōsei University, with his own training in classical education.

¹³⁶ Li, *Sujilu*, 243-4.

¹³⁷ *Ibid.*, 388.

Wu Ciling 吳賜齡 (elected; dates unknown; education: Hōsei)

Wu was a proponent of impeachment, hewing closely to Yi's line of reasoning. Like Yi, Wu believed that without individual impeachment, the current Grand Councillors would continue to be irresponsible once they became cabinet ministers. Simply criticising the institution of the Grand Council, as Shao had advocated, would simply leave space for the Grand Council to make excuses.¹³⁸ Furthermore, in sitting 27, after learning of the Prince Regent's edict personally rebuffing the PCA, Shao made an argument very similar to Yi's: that the Prince Regent would be better positioned to take action if the PCA listed out the many failures of individual Grand Councillors in domestic and foreign policy.

On several occasions, Wu had more practical insight than Yi. In sitting 20, having learnt that the PCA's decisions had been forwarded to executive departments, Wu argued that government officials could have asked all the necessary questions during the legislative process, rather than after the fact.¹³⁹ This is a practical point that other members did not touch on.

Like Yi, Wu became increasingly disappointed over the course of the proceedings. In sitting 33, upon hearing of the Court acknowledging Liu Tingchen's PCA impeachment memorial, Wu urged the Assembly to resign en masse. He argued that since the court no longer trusted the PCA, there was no point for the assembly to continue existing. "If we are not dissolved, then China will reach its demise not because of anything else, but because of the Political Consultative Assembly."¹⁴⁰ However, while Yi showed increasing apathy, Wu believed to the bitter end that to resign is to "be constructive through

¹³⁸ Li, *Sujilu*, 329–30.

¹³⁹ *Ibid.*, 252.

¹⁴⁰ *Ibid.*, 507.

destruction (以破壞為成立)”.¹⁴¹ Wu maintained a fighting spirit through to the end.

Ji Zhongyin 籍忠寅 (elected; 1877–1930; education: Waseda)

Ji recognised and worked with Yi’s model of constitutionalism, believing that the PCA and the Grand Council were equals.¹⁴² However, Ji disagreed with Yi’s calls for repeated impeachment: “if we impeach the Grand Council every day, are we going to dispose of the other matters before us?”¹⁴³

At every turn, Ji looked at the impeachment of the Grand Council through practical lenses. “Carelessly listing the faults of the Grand Councillors won’t have any effect”, he declared.¹⁴⁴ Instead, Ji argued, it would be far more effective to ask for a clarification of the Grand Council’s area of responsibility, as well as call for the expedited establishment of a responsible cabinet. These goals, he argued, were not at odds—a responsible cabinet was needed precisely because the Grand Council was being irresponsible.¹⁴⁵

Underlying Ji’s advice was the strong belief that the Emperor should recognise the PCA’s equality with the Grand Council. In this regard, Ji was more willing to confront the emperor than Yi, Chen, Shao, or Luo. He argued that before the Grand Council could be held to account, the standing of the PCA must be made clear to the emperor. Therefore, in sitting 28, Ji suggested that any further memorial should begin with various examples of constitutional systems, followed by an explication of the ‘Outline of the Imperial Constitution’ in light of those examples. On this basis, the memorial could then

¹⁴¹ Li, *Sujilu*, 506–7.

¹⁴² Ibid, 393.

¹⁴³ Ibid, 395.

¹⁴⁴ Ibid, 393.

¹⁴⁵ Ibid, 269.

explain the relationship between the PCA and the Grand Council, namely that the PCA bore the same relation to the Grand Council as a parliament did to a responsible cabinet.¹⁴⁶

Ji Zhongyin did something peculiar in sitting 29. In sitting 28, the PCA had approved Ji's proposal as set out above. In sitting 29, however, the draft which Ji presented to the Assembly was at odds with what he had proposed. Completely gone were the clauses about clarifying the Grand Council's responsibilities—instead, the memorial became one solely about the establishment of a responsible cabinet. Ji explained that slight alternations had to be made to what had been orally agreed, as clarifying the Grand Council's responsibilities would have contradicted the Regent's edict in response to the initial impeachment.¹⁴⁷ The draft passed with some controversy. In sitting 30, however, Ji Zhongyin backtracked and said that irresponsibility should be a continued basis for impeachment.¹⁴⁸

What are we to make of this apparent contradiction in Ji's views? As mentioned in section 5, the most straightforward explanation is that the draft Ji presented in sitting 29 did not represent his true views, but instead reflected a compromise between disagreeing drafters. What might have been perceived as a major inconsistency on Ji's part may in fact have been the result of compromise within the drafting committee. This did not, however, prevent Shao Xi from accusing Ji of having a “complete lack of principles (毫無宗旨).”¹⁴⁹

All in all, Ji thought about impeachment from a practical standpoint, urging the assembly to move away from formal impeachment and towards other forms of getting clarification from the court. What may have been perceived as Ji being

¹⁴⁶ Li, *Sujilu*, 404.

¹⁴⁷ Ibid, 424.

¹⁴⁸ Ibid, 441.

¹⁴⁹ Ibid, 447.

self contradictory might very well have been the result of compromise within Ji's drafting committee, meaning Ji's principles were intact.

Lei Fen 雷奮 (elected; 1871–1919; education: Waseda)

Lei Fen was, like Yi, a clear proponent of impeachment based on grounds of irresponsibility. Lei, however, did not share the same conceptions of constitutionalism and responsibility as Yi, Chen, Shao, and Luo, explicitly rejecting the idea that the Grand Council could be thought of as a responsible cabinet.¹⁵⁰

In Lei's view, the PCA and the Grand Council bore one and the same responsibility: to preserve the dignity and prestige (*timian* 體面) of the state. Both bodies were primarily obligated to help the emperor and the court govern well. In sitting 20, Lei argued that the Grand Council had failed to fulfil its obligations in light of the court's decision to forward the PCA's decisions on Yunnan and Guangxi to executive departments for review. If the Emperor had been unclear on the executive implications of the PCA's decisions, Lei reasoned, the Grand Council, as the highest officials, should have been able to inform him. The forwarding was only necessary because the Grand Council failed to properly advise the Emperor. Lei remarked, "from the promulgation of these two edicts [to forward the PCA's decisions], one can tell that the Grand Council is inadequate to assist (*fubi* 輔弼) his majesty."¹⁵¹ Lei called for impeachment on the specific ground of irresponsibility towards the emperor, which was a violation of a 'law' which all officials should follow.¹⁵² Here, Lei was using 'law' to refer to a moral code rather than a legal regulation.

¹⁵⁰ Li, *Sujilu*, 247

¹⁵¹ *Ibid.*, 249.

¹⁵² *Ibid.*, 249.

Furthermore, Lei interpreted the Grand Council's countersignatures differently from Yi, Chen, etc. From Yi's perspective, countersignatures were part and parcel of a system of responsibility within a set of institutional arrangements. For Lei, countersignatures, whether in a constitutional or non-constitutional context, indicated that officials had read and considered the implications of an edict before its promulgation. Lei's view of countersignatures, therefore, bound officials in all political systems to responsibility.¹⁵³

All in all, Lei was one of the main articulators of an alternative to Yi's conception of constitutionalism. However, this alternative conception, far from blocking impeachment, actually gave it a firmer foundation. Therefore, even though Yi and Lei would likely have disagreed *personally* over constitutionalism, their differing interpretations became complementary in this case to push for a common goal.

Lu Zongyu 陸宗輿 (scholars; 1876–1941; education: Waseda)

Lu was not as active in the proceedings as Yi or Ji, but became a powerful voice of moderation. Like Lei, Lu believed that the PCA bore an immense shared responsibility to support the state. Lu used this to argue that the PCA should not use its powers of impeachment frivolously, or sow meaningless conflict with the government. In sitting 21, Lu urged members to calm down:¹⁵⁴

We, the Political Consultative Assembly, have an extremely serious and heavy duty to support (*zanxiang* 贊襄) the state, not to purely (*chunran* 純然) make conflict with the government...I hope everyone can, in a calm and quiet manner, seek to improve, day by

¹⁵³ Li, *Sujilu*, 248.

¹⁵⁴ *Ibid.*, 266.

day, the organs of state...and not to fight for power with [the government] day after day. This is our duty as assembly members. 我們資政院對於國家有極尊嚴極重大之贊襄的責任，並不是純然與政府為難……願大家都平心靜氣把國家的各種機關日求改良……並不是天天與人爭權作難，便算是我們議員的職任。

Like Ji, Lu was very sceptical about the efficacy of outright impeachment. Lu argued that since the Grand Council was an institution inherited from the 18th century, impeachment could not have the same effect as it would on a western cabinet. The better course of action would be to request the establishment of a responsible cabinet, and to ask for clarification of the Grand Council's responsibilities.¹⁵⁵

Although Lu was hesitant about the use of impeachment powers, he vehemently defended the institutional independence of the PCA. Responding to Liu Tingchen's memorial impeaching the entire PCA, Lu argued that the PCA played an important role of representation, a duty which no other organisation could fulfil. Thus, Liu's memorial was, in Lu's view, completely unacceptable.¹⁵⁶

Yu Banghua 於邦華 (elected; dates unknown)

Yu was a proponent of impeachment who combined elements of Yi's model of constitutionalism with Lei and Lu's emphasis on the PCA as an organ which assisted the emperor in governing. On the one hand, Yu was frustrated at the PCA's lack of influence, perceiving the assembly's decisions as carrying less weight than an imperial censor's.¹⁵⁷ On the other hand, Yu did not define the

¹⁵⁵ Li, *Sujilu*, 266.

¹⁵⁶ *Ibid.*, 511.

¹⁵⁷ *Ibid.*, 246.

PCA as equals with the Grand Council. Instead, akin to Lei and Lu, Yu believed that the PCA was primarily obligated to uphold the ‘rule of law’ (*fazhi* 法治) as prescribed by the emperor.¹⁵⁸ For Yu, responsibility arose out of the importance and nature of one’s official post, rather than a predefined constitutional framework.

In Yu’s view, the Grand Council had the heaviest responsibility out of all the officials in China. Quoting the same words from *Mencius* 2b as Luo, Yu argued:¹⁵⁹

In the Chinese Classics, it is written, “The one who has official duties but cannot fulfil them should resign. The one who has the duty to remonstrate but cannot get his advice accepted should resign.” In millennia of Chinese history there has not existed one without responsibility. If one becomes an official, one should have the duties of being an official. Every bureau has its own duties. How serious, then, are the duties of the Grand Councillors, who are established above the executive officials of the various departments, and must assist the Sovereign while ruling the peoples!

然而中國古書上已說過「有官守者不得其職則去，有言責者不得其言則去」，中國數千年來沒有不負責任的。既然做一個官，應當有一個官的職任，一部有一部的職任。軍機大臣立於各行政大臣之上，上輔君主下治萬民，職任何等重大！

According to Yu, the Grand Council overrode the law (*falü* 法律) with orders (*mingling* 命令) when they prescribed no punishment for Hunan Governor Yang’s actions.¹⁶⁰ Furthermore, forwarding PCA decisions to

¹⁵⁸ Li, *Sujilu*, 156–7.

¹⁵⁹ *Ibid.*, 261.

¹⁶⁰ *Ibid.*, 261.

executive departments broke the law of the PCA, just as Governor Yang broke the law of provincial assemblies. The Grand Council was, in this case, no better than Yang. Yu argued that, in these circumstances, impeachment was not only a possibility but a necessity. The PCA, without fear of dissolution, must protect the emperor's respect for the law.¹⁶¹ “Impeaching the Grand Council is precisely an act of gratitude (*ganji* 感激) for the wishes (*yisi* 意思) of his majesty [the Emperor]”, Yu declared.¹⁶²

Yu pushed for impeachment repeatedly, arguing that it was a duty of the PCA. But this was not because the PCA had to ‘oppose’ the Grand Council in a constitutionally prescribed legislative-executive relationship, but because the assembly owed it to the emperor to incriminate those who were defying his wishes.

Xu Dinglin 許鼎霖 (elected; 1857–1915)

Like Yu, Xu Dinglin was a force of moderation throughout the relevant meetings, going so far as expressing sympathy for the Grand Council and the court, and urging the establishment of a responsible cabinet instead of impeachment. For Xu, China's problems stemmed mainly from unaccountable, power abusing local officials, rather than the central government.

Why were the provincial officials able to act in such a manner? According to Xu, China was poor and weak because it “never had law (中國向來沒有法律)” before the constitutional reforms. And even though reforms had now introduced law, provincial officials were still blatantly breaking the law, resulting in ‘dire hardship for the people’ (民不聊生). For Xu, the PCA had an obligation to protect the law by exercising oversight, informing the government about power abuses on the local level. In the Hunan case, Xu argued that if the

¹⁶¹ Li, *Sujilu*, 246.

¹⁶² *Ibid.*, 267.

Grand Council would appear, the PCA could tell them firsthand about governors' violations of the law and the pains of the people.¹⁶³ Unlike other members, Xu did not level blame on the Grand Council, or attempt to summon them for questioning. Xu shared Lei, Lu, and Yu's conception of the PCA as an upholder of central governance, but went further by giving the Grand Council further benefit of the doubt.

Xu's soft attitude towards the government was confirmed in the wake of the court forwarding PCA decisions to executive departments for review. The Grand Councillors, according to Xu, would not harm the Emperor intentionally after receiving such an abundance of grace from the state (*shenshou guo'en* 深受國恩). Xu admitted that the forwarding of the decisions was indeed careless, but argued that it did not represent blatant irresponsibility on the Grand Council's part. For Xu, the solution to the carelessness was simple: establish a responsible cabinet.¹⁶⁴ Ministers of responsible cabinets, said Xu, could not be irresponsible; therefore, Grand Councillors would naturally become responsible upon taking up ministerial posts.¹⁶⁵

Xu's support for the expedited establishment of a responsible cabinet was unwavering. In sitting 30, upon learning that the Court had pre-empted the PCA by issuing instructions to prepare for a responsible cabinet system, Xu argued that impeachment could be laid to rest. Xu made a very important point which seemed to have eluded everyone else: the court's decision to prepare a responsible cabinet was a *direct result* of the PCA's impeachment power. Now that the PCA had achieved its goal, it could focus on other important matters such as the 1911 budget.¹⁶⁶

¹⁶³ Li, *Sujilu*, 162.

¹⁶⁴ *Ibid.*, 250.

¹⁶⁵ *Ibid.*, 404–5.

¹⁶⁶ *Ibid.*, 442.

Xu was above all a moderate who thought the PCA was being too extreme by impeaching the Grand Council. For Xu, China's problems stemmed from lack of control over local officials, not from the incompetence of the Grand Council. The carelessness of the Grand Council could be fixed by quickly establishing a responsible cabinet, whose ministers had no choice but to act responsibly.

Shen Linyi 沈林一 (scholars; 1866–unknown)

Like Xu, Shen was a moderate who hesitated to support impeachment. In sitting 20, Shen, who had been placed onto the drafting committee for the first impeachment memorial, argued that “irresponsibility” was not a ground for impeachment.¹⁶⁷ It is indeed true that in provision 21 of the *Articles*, only violation of the PCA's jurisdiction and lawbreaking were listed as grounds for impeachment.

Lei Fen immediately responded that irresponsibility was paramount to lawbreaking, an argument which Shen criticised as weak. Shen replied that while the link could be drawn in theory, impeachment of the Grand Council needed to be based on established facts (*genju zheshi* 根據著實). This drew the ire of several members including Shao Xi, who exclaimed “I don't approve of this drafter. Speaker, please replace him with another member”.¹⁶⁸ Nevertheless, Shen's comments did have some effect in convincing the Assembly not to memorialise formally using provision 21, but to use provision 106 in the *Detailed Rules* instead.

Overall, Shen spoke out in doubt of impeachment, but was unable to play the same soft, moderating role as Xu Dinglin and Lu Zongyu. Shen remained

¹⁶⁷ Li, *Sujilu*, 255.

¹⁶⁸ *Ibid.*, 256.

silent in all the relevant meetings after sitting 20, perhaps betraying his exasperation at what had transpired.

Wang Rongbao 汪榮寶 (officials; 1878–1933; education: Waseda/Keiō/Hōsei)

Wang stayed relatively silent during the relevant meetings, apart from making a few practical suggestions¹⁶⁹ and reminding the members to watch their etiquette.¹⁷⁰ Wang's diary, which covers the entire first session of the PCA, reveals much more about his views and standing.

It is clear that Wang was close to the Grand Council and other officials in the court. This is unsurprising, given that he was an official himself, having served as right assistant commissioner (*you canyi* 右參議) of the Civic Affairs Department.¹⁷¹ He regularly met with Presiding Officer Pulun, and even drafted a response for the Grand Council to Wu Ciling's memorandum regarding Hunan.¹⁷² Despite his proximity to powerful individuals, however, Wang was not alien to criticising the Grand Council. Upon learning that the PCA's decisions had been forwarded to executive departments, Wang wrote that “[one] cannot but suspect that the Grand Council has failed (*shiyi* 失宜) to assist (*fubi* 輔弼) the Emperor.”¹⁷³ He rejoiced when, on 25 November, edicts were promulgated which agreed with the PCA on Yunnan and Guangxi, writing, “seeing the Sovereign's enlightened intention to respect the power of the legislature gives me immeasurable joy (*wuxian xinbian* 無限欣忭).”¹⁷⁴

¹⁶⁹ Li, *Sujilu*, 127, 513.

¹⁷⁰ Ibid., 467.

¹⁷¹ Li, *Renmin Dacidian*, 328.

¹⁷² Wang, *Riji*, 214.

¹⁷³ Ibid., 216.

¹⁷⁴ Ibid., 219.

Wang shared the view that the PCA was an independent legislative organ. His Japanese education (although it is unclear exactly where he studied) would have reinforced this belief. However, Wang was nowhere as invested in impeachment as Yi, Ji, Luo, etc. For most of the diary, he commented on the impeachment proceedings disinterestedly,¹⁷⁵ spending more of his energy revising and examining the new Criminal Code.¹⁷⁶ Clearly, Wang did not think of impeachment as a top priority matter. In this sense, he echoed Xu Dinglin's view that there were other pressing matters besides impeachment to dispose of.

Conclusion: a functional division of roles

Like a well-oiled machine, each relevant member made a unique contribution to impeachment. Some articulated frameworks of constitutionalism, while others grounded these frameworks in the Chinese Classics. Yet others made the frameworks relevant to the present situation of the PCA. Impeachment, therefore, was driven by a dynamic division of functional roles. The following section discusses how this was striking given that there were two separate conceptions of constitutional monarchy at play.

A Clash of Conceptions

Common conceptions of constitutional monarchy

Out of the twelve members analysed, four attended Hōsei University and three attended Waseda University, in Tokyo. At the quantitative analysis stage, I hypothesised that elected members' educational backgrounds were able to cut across provincial affiliations and bring members into cooperation with each other. Qualitative analysis confirms this hypothesis. The members who studied at Hōsei and Waseda shared two different conceptions of constitutionalism

¹⁷⁵ See, for example, Wang, *Riji*, 226 and 227.

¹⁷⁶ See entry for December 25 in *Ibid.*, 226.

respectively, which informed their views on the role of the Political Consultative Assembly. These conceptions squared on two different interpretations of ‘responsibility’. Broadly speaking, the Hōsei members saw ‘responsibility’ as the acceptance of blame, while the Waseda members construed ‘responsibility’ as the fulfilment of duties. However, while the Hōsei and Waseda members might have disagreed with each other’s ideologies on a personal level, the Hōsei and Waseda members’ conceptions acted as complements to drive impeachment forward.

The Hōsei conception of constitutionalism

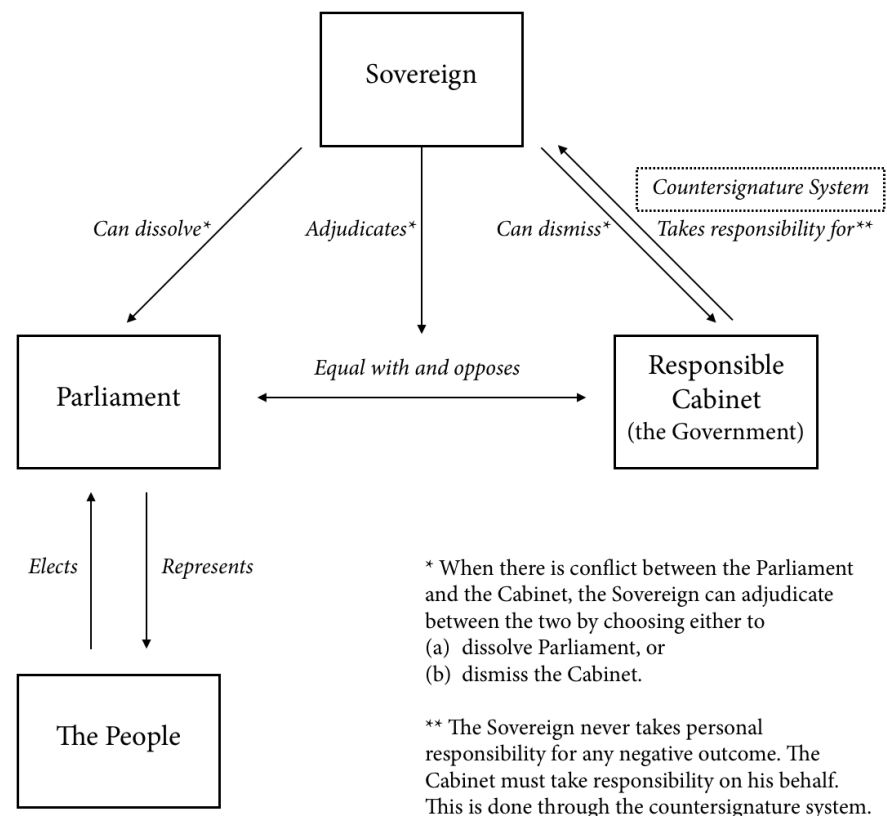


Figure 12: The Hōsei members’ conception of constitutional monarchy.

The four relevant members who studied at Hōsei University were Yi Zongkui, Chen Shukai, Shao Xi, and Luo Jie. Yi and Luo hailed from Hunan,

while Chen hailed from Zhili and Shao from Zhejiang. Despite their different provincial affiliations, however, the five articulated, repeatedly, more or less identical interpretations of constitutional monarchy. The diagram above visualises this common conception.

At the top of the constitutional system sits the sovereign, who is ‘holy and inviolable’ (*shensheng buke qinfan* 神聖不可侵犯). The sovereign delegates matters of governance to a responsible cabinet, which, as its name implies, takes full responsibility for policy outcomes. Across from the Cabinet is the Parliament (*guohui* 國會), which represents the People, and therefore has authority to legislate. In short, Parliament makes law, and the Cabinet executes them.

The Hōsei members placed a lot of emphasis on the ‘opposing’ (*duidai* 對待) relationship between the Parliament and the Cabinet. For them, it was healthy for the Parliament and Cabinet to disagree on equal terms. Opposition between the bodies wasn’t only beneficial, however, but also necessary. The four members, most notably Shao Xi, argued that a parliament had no reason to exist if there was no cabinet for it to oppose. One of the hallmarks of constitutionalism for the Hōsei graduates, therefore, was healthy competition between the competing but separate executive and legislative branches of government.

Since the PCA was established explicitly as a foundation for a future parliament, the Hōsei members believed an analogous model applied to the interim period. Chen Shukai explained it as follows: “Since the Political Consultative Assembly is not a complete Parliament, an incomplete responsible cabinet should be prepared as the target of opposition for the PCA.” Chen continued, “Since there does not yet exist an incomplete responsible cabinet to

oppose the PCA, we have identified the Grand Council as the incomplete responsible cabinet which opposes the PCA.¹⁷⁷

But why did the Hōsei members identify the Grand Council as a responsible cabinet? In other words, why did the Hōsei members think the Grand Council was in a position to take responsibility for the emperor's policy decisions? Their answer was the Grand Council's obligation to countersign (*fushu* 副署) important edicts and directives of the Emperor. This policy was first established under the reign of Emperor Qianlong (r. 1735–1796), and was originally designed to increase the power of the Grand Council and prevent the leakage of important state secrets. In 1908, the countersignature mechanism was revived by Prince Regent Chun, partly to mirror western practices.¹⁷⁸

The Hōsei members clearly took the countersignatures of the Grand Council as an acceptance of responsibility for executive decisions. The Hōsei members would have remembered from their classes that ministers of state in Japan were required to countersign the Japanese Emperor's directives as an explicit sign of responsibility. Consider provision 55 in the Constitution of the Empire of Japan, which the Hōsei members would have studied:¹⁷⁹

Article 55. The respective Ministers of State shall give their advice to the Emperor, and be responsible for it.

(2) All Laws, Imperial Ordinances, and Imperial Rescripts of whatever kind, that relate to the affairs of the State, require the *countersignature* of a Minister of State.

第55条 國務各大臣ハ天皇ヲ輔弼シ其ノ責ニ任ス

¹⁷⁷ Li, *Sujilu*, 390.

¹⁷⁸ Li Delin. *Zuichu de Guohui: Wanqing Jingying Jiuguo Zhi Mou* (Songye Wenhua, 2018), 191–3.

¹⁷⁹ Kokuritsu Kokkai Toshokan, “Dai Nihon Teikoku Kenpō”.

(2) 凡テ法律勅令其ノ他國務ニ関ル詔勅ハ國務大臣
ノ副署ヲ要ス

In Meiji Japan, taking explicit responsibility for political decisions was not only expected, but constitutionally required.

Hōsei members carried this model into the Political Consultative Assembly, and expected the Grand Council to be held responsible in light of their countersignatures. In sitting 12, Shao Xi directly asked Grand Councillor Yulang 毓朗 (1864–1922) whether the Grand Council's countersignatures were identical to that in other constitutional states, to which Yulang responded with confusion.¹⁸⁰ Ignoring Yulang's response, Yi Zongkui proceeded to ask the Grand Council not to countersign anything that delayed the establishment of a complete parliament, so as to avoid blame.

The Waseda conception of constitutionalism

The relevant members who studied at Waseda were Lei Fen, Lu Zongyu, and Ji Zhongyin. Lei was from Jiangsu, Lu from Zhejiang, and Ji from Zhili. While Ji was ideologically closer to the Hōsei members, Lei Fen and Lu Zongyu shared their own conception of constitutionalism.

¹⁸⁰ Li, *Sujilu*, 110.

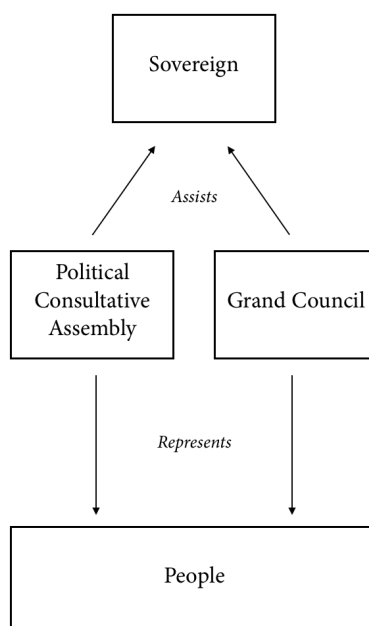


Figure 13: The Waseda members' conception of constitutional monarchy.

The diagram above visualises this interpretation, which I call the Waseda conception. Rather than focus on an adversarial relationship between different branches of government, the Waseda members emphasised a common obligation to uphold and support the governance of China, a duty that was shared between the PCA and the Grand Council.¹⁸¹ This, Lu Zongyu explained, was an “extremely serious and heavy duty to support (*zanxiang* 贊襄) the state.”¹⁸² Both Lei Fen and Lu expressly rejected the idea that the Grand Council could be thought of as a responsible cabinet, differentiating the Waseda conception from the Hōsei conception.¹⁸³

How was the PCA to fulfil this obligation to uphold governance? The Waseda members had different answers. Ji Zhongyin and Lu Zongyu supported the idea of requesting a clarification of the Grand Council's responsibilities and

¹⁸¹ Li, *Sujilu*, 247.

¹⁸² *Ibid.*, 266.

¹⁸³ *Ibid.*, 247, 266.

an expedited establishment of a responsible cabinet. For both of them, repeated and continued impeachment was a fruitless strategy.¹⁸⁴ Lei, meanwhile, argued that the Grand Council had failed *on its part* to support the Emperor. The fact that the Grand Council “was asked for advice but did not know the answer” meant that it broke “the law which all officials should follow”.¹⁸⁵ Lei, therefore, supported impeachment according to *Articles* provision 21 on the basis of violation of the law.

Interactions between Hōsei and Waseda members

Two conflicts in the PCA reveal that the Hōsei and Waseda members, despite ideological differences, were more allies than enemies.

Firstly, there was the question of whether to formally impeach the Grand Council using provision 21 of the “Articles of the Political Consultative Assembly”, or to ask for a clarification of the Council’s responsibilities and request a responsible cabinet using provision 106 of the “Detailed Rules of Procedure”.

Provision 21 of the ‘Articles’ allowed the assembly to report to the emperor any case where the “Grand Council or any minister has violated the jurisdiction of the Assembly, or has broken any laws”. The likes of Yi Zongkui, Shao Xi, Wu Ciling and even Lei Fen supported this option. Provision 106 of the *Detailed Rules*, meanwhile, allowed the speaker and deputy speaker to memorialise on any matter whatsoever.¹⁸⁶ This option was supported by Lu Zongyu, Ji Zhongyin, Luo Jie, and Shen Linyi, amongst others. The PCA went with the latter choice, and the first impeachment memorial was submitted under

¹⁸⁴ See Li, *Sujilu*, 266 (Lu) and 395 (Ji).

¹⁸⁵ *Ibid.*, 249.

¹⁸⁶ *supra* note 89.

provision 106. This softened the PCA's blow considerably, de-escalating the memorial from a formal impeachment to a normal submission.

Another question was whether to point at the faults of the Grand Council as an institution, or to impeach the Grand Councillors individually. Shao Xi and Lu Zongyu supported the first option, while Yi Zongkui and Luo Jie supported the latter option. Both options were effectively dropped when, in sitting 29, a draft was produced which only called for the establishment of a responsible cabinet. As stated earlier, this was likely due to massive disagreements within the drafting committee, leading to a compromise at the lowest common denominator.

The reader will notice that both conflicts cut across the Hōsei–Waseda division. Both Yi Zongkui and Lei Fen supported provision 21; both Lu Zongyu and Luo Jie supported provision 106. Shao Xi and Lu Zongyu managed to agree on impeaching the Grand Council corporately. On the whole, despite ideological differences, the Hōsei and Waseda members were not rivals but allies during impeachment. Both sides thought it was important to hold the Grand Council to account, and clarify its responsibilities. Both sides agreed that the expedited establishment of a responsible cabinet was necessary. There was nothing in their respective conceptions of constitutionalism which was against holding the Grand Council to account.

Cooperation between the Hōsei and Waseda members was arguably one of the most important factors in garnering support for impeachment. In sitting 20, none of the members from either university opposed impeachment outright. Not everyone supported removing the grand councillors from office, but none disagreed that the Grand Council had erred in some way and needed to be held accountable. Impeachment first passed by an overwhelming margin of 112 to 22 because of cooperation between the two sides. Support for impeachment only

declined later on, when conflict began to arise (though not along the Hōsei/Waseda division).

To sum up, the ideological differences of the members from Hōsei and Waseda did not prevent them from playing unique and complementary functional roles. Evidently, the differences dividing the appointed members (e.g. imperial family vs officials) were far more difficult to bridge.

Section 7 Discussion

Having examined impeachment proceedings from quantitative and qualitative angles, I will now discuss the impeachment event more generally. I argue that impeachment made a tangible impact on the court, and that the Grand Council was more sympathetic than members may have thought.

Did Impeachment Succeed?

On the face of it, the PCA definitely failed to impeach the Grand Council. The grand councillors got to keep their jobs, and the Prince Regent refused to clarify their responsibilities. Furthermore, the court pre-empted the PCA's moves at every turn. It was no secret that the Grand Council worked closely with the Speaker Pulun to manage and mitigate the actions of the Assembly members.

By adopting this view, however, we risk obscuring the real influence of the PCA. In reality, the court's well-timed attempts to pre-empt the PCA *reveal* that impeachment did tangibly affect the court's decisions. The reader will recall that the court's actions to pre-empt the PCA, though effective, actually complied with the PCA's wishes. The court's agreement to the PCA decisions on Yunnan and Guangxi in sitting 21 did remove a major basis for impeachment, but was also precisely what the PCA desired. The court's order in sitting 30 to establish regulations for a responsible cabinet certainly did make the PCA withdraw its memorial, but was also precisely what that memorial was asking for. Xu Dinglin aptly noted that the court's decision was "a result of the power of our impeachment".¹⁸⁷ Repeating this very point, Li Qicheng argued, "...the impeachment of the Grand Council directly promoted the establishment of the responsible cabinet (.....彈劾軍機案直接促進了責任內閣的出台)."¹⁸⁸

¹⁸⁷ Li, *Sujilu*, 442.

¹⁸⁸ Li, "Tanhe Junji An," 127.

One could, of course, object that the court was going to make those same decisions regardless of the PCA's actions. This is very unlikely. In sitting 15, just sixteen days before sitting 21, the court was standing firm on the Hunan Bond Case, refusing to prescribe any punishment for Governor Yang Wending. Its agreement with the PCA on Yunnan and Guangxi, therefore, was very likely a concession sparked by the threat of impeachment. The establishment of a responsible cabinet, meanwhile, was originally planned for 1914.¹⁸⁹ This was moved forward to 1911, and the PCA certainly played no small part in causing this to happen. Wang Rongbao recorded that on *the same day* Ji Zhongyin presented the controversial draft memorial calling for a responsible cabinet, the Grand Council was discussing a draft of the official structure of a responsible cabinet (*neige guanzhi cao'an* 內閣官制草案).¹⁹⁰ This draft had been preliminarily read just the day before. The Grand Council was moving in reaction to the PCA.

Further proof of the PCA's real influence lies in the fact that the court could have, but did not, use more extreme measures at its disposal to suppress the assembly. Section 8 of the 'Articles', which deals with discipline in the chamber, clearly stipulated that the court can suspend the assembly if "assembly business goes beyond assembly jurisdiction", or "assembly decisions violate the law". The court could even dissolve the assembly if "assembly decisions [were] in contempt of the imperial court".¹⁹¹ Throughout the impeachment proceedings, especially when the the Prince Regent personally rebuffed the PCA for intruding into the business of the court, the use of such measures could certainly have been justified. Evidently, the court saw good reason to handle the PCA with softer gloves.

¹⁸⁹ Gugong Bowuyuan, *Lixian Shiliao*, 66.

¹⁹⁰ Wang, *Riji*, 225.

¹⁹¹ See provisions 52 and 53 of the 'Articles'.

The PCA's power of impeachment must have presented a real threat to the court. Regardless of the court's original intentions for the PCA, the latter became an organ which could present demands and exact concessions from the government. Why was this the case? The foreign-educated, elite composition of the PCA no doubt bolstered its formidability, but so did its publicly declared role as a representative of the people. A wider, literate audience would have been kept abreast of developments in the assembly by nascent Chinese newspapers. A brief look at issues of the Hong Kong newspaper *The Chinese Mail* (*Huazi Ribao* 華字日報), for example, reveals frequent reports on the latest developments in the PCA.¹⁹² If the court had blatantly snubbed the PCA, they would have faced the intractable danger of angering an entire class of influential, wealthy individuals.

The Court's Perspective

What did the Prince Regent, the grand councillors, and other high officials think of the impeachment proceedings? Unfortunately, given the present evidence, the court's perspective on the entire matter is difficult to glean. There is no equivalent of the *Recorded Proceedings* for the Court's deliberations. Three main bodies of evidence do exist: imperial edicts, Grand Councillor Yulang's comments in sitting 12, and first hand information from Wang Rongbao's diary.

I will start with the Prince Regent. The best window into his personal thoughts are edicts which he wrote personally in red ink (*zhuyu* 硃諭). All other edicts were countersigned by the Grand Council, meaning the councillors probably played a major role in drafting them. Two edicts were written personally. The more relevant one is the regent's personal edict reacting to the

¹⁹² See, for example, the issues of *The Chinese Mail* from 3 October, 24 October, 26 December 1910, and many others between October 1910 and January 1911.

PCA's first impeachment memorial, berating them for overstepping their area of responsibility. It is reproduced below for the reader's convenience:

I [the Emperor] have examined the Political Consultative Assembly's memorial which asserted that the Grand Council's responsibilities are unclear and therefore hinders its ability to assist me. It is my view that the establishment of official ranks and salaries, and the promotion and demotion of officials, are within the great power of the Imperial Court, with reference to the 'Outline of the Imperial Constitution'. It is up to the Court to decide whether the Grand Council is responsible or not, or whether to establish a responsible cabinet. It is not the business of the PCA Presiding Officer or any of its members. Therefore, there is no need to further discuss the submission.

資政院奏，大臣責任不明難資輔弼摺。朕已覽悉。朕維設官制祿，及黜陟百司之權，為朝廷大權，載在先朝欽定憲法大綱，是軍機大臣負責任與不負責任暨設立責任內閣事宜，朝廷自有權衡，非該院總裁等所得擅預，所請著毋庸議。

The main thrust of the edict was that anything to do with executive officials was the prerogative (*daquan* 大權) of the imperial court (*chaoting* 朝廷). The regent referred to the 'Outline of the Imperial Constitution' as evidence for this claim. In this regard, the he was not incorrect—the 'Outline' expressly forbade the legislative assembly from interfering in matters of official ranks, salaries, promotions, demotions, and appointment, which were designated as prerogatives of the sovereign (*junshang daquan* 君上大權).¹⁹³ The legislative

¹⁹³ Gugong Bowuyuan, *Lixian Shiliao*, 58.

assembly was only given ‘advisory powers’ (*jianyi zhi quan* 建議之權), and explicitly barred from any executive responsibilities.¹⁹⁴

The ‘Outline’, however, also gave the legislative assembly the power to impeach officials in cases of lawbreaking by presenting evidence to the emperor. This was reflected in provision 21 of the ‘Articles’, which featured extensively in the impeachment proceedings. While many of the PCA members construed irresponsibility and failure to assist the Emperor as a violation of the law, the Prince Regent clearly did not agree. The regent, therefore, was set on a narrower interpretation of the ‘Outline’ than the PCA. This view was in line with the regent’s desire to concentrate power in the imperial family, as evidenced by the creation of the so-called “princes’ cabinet” (*huangzu neige* 皇族內閣) later in 1911, and the appointment of the regent’s siblings to important ministerial posts.¹⁹⁵

The Grand Council, on whom the PCA pinned the blame, may have been more sympathetic to the assembly’s cause than the Prince Regent. In sitting 12, Grand Councillor Yulang expressed support for the expedited establishment of a parliament.¹⁹⁶ The Grand Council actually offered to resign in light of the first impeachment memorial, only to be rebuffed by the Prince Regent.¹⁹⁷ Furthermore, as mentioned in the previous section, the Grand Council conceded to the PCA’s demands to a certain degree. Wang Rongbao’s diary recorded occasions where the Grand Council worked together with PCA members. Closer analysis reveals, therefore, that the Grand Councillors were far from being the selfish and malicious officials which assembly members made them out to be.

¹⁹⁴ Gugong Bowuyuan, *Lixian Shiliao*, 59.

¹⁹⁵ Li, *Zhengzhishi*, 279–81.

¹⁹⁶ Li, *Sujilu*, 110.

¹⁹⁷ Wang, *Riji*, 223. For the full text of the regent’s personal edict in response, see Shen, *Xuantong Zhengji*, 785, first edict under 丁巳 (*dingsi*).

We get a picture of a Prince Regent adamant on concentrating power into the hands of his kinsmen, trying to rein in a PCA which threatened his control. Seen from this angle, the Grand Council was actually stuck in between, catering to the demands of the PCA on the one hand, and the Prince Regent's on the other.

Wider Scholarly Implications

But why should scholars see impeachment as more than a blip of upheaval in the final years of a waning empire? The answer is that examining impeachment and the PCA helps us rethink our understanding of China in the early twentieth century. The impeachment of the Grand Council was not an isolated event, but rather a microcosm and reflection of the transformative decade that was 1901–11. The very fact that a group of young assembly members tried to overthrow the highest officials of the state through a constitutional framework already challenges much of what we believe about that period. Starting from the impeachment event, we can catch glimpses of wider intellectual, institutional, and social changes, and continue to challenge the narrative of imperial decline which has been dominant for so long.

Conclusion

On 11 January 1911, the first session of the Political Consultative Assembly drew to a close. Just as they had done at the opening ceremony on 3 October 1910, the members gathered at the assembly chamber one last time. Grand Councillor Yulang read out an edict which praised and thanked the PCA for their work over the last three months, and sent the members on their way.¹⁹⁸ The dull similarities between the opening and closing ceremonies, however, belied tremendous change. Just three months earlier, the members filed into the chamber with optimism. Now they were leaving the chamber having experienced round after round of conflict with executive officials. While the members did complete an impressive amount of legislative work, things did not go nearly as smoothly as they had hoped.

In this dissertation, I examined one of the central episodes of conflict during the first assembly session: the impeachment of the Grand Council. Sparked by government decisions which were deemed irresponsible, a crucial minority of members kicked off three rounds of impeachment with varying degrees of success. Quantitative analysis revealed that a minority of impeachment supporters had disproportionate influence over the assembly, and that mutually elected members within this minority were unified by their common educational background. Opponents to impeachment, meanwhile, had fewer common links and therefore found it more difficult to organise against the call to impeach.

Qualitative analysis further showed that the most vocal proponents of impeachment played complementary functional roles to drive impeachment forward. Some articulated a clear framework of constitutional monarchy, others rooted the framework in Chinese classical thought, while yet others gave

¹⁹⁸ Li, *Sujilu*, 716.

practical suggestions as to how impeachment was to succeed. Although two different conceptions of constitutionalism were at play, they were mutually conducive to the impeachment process.

On the government side of the equation, I argued that the Grand Council was in fact more sympathetic to the PCA's cause than it was given credit for. While the Prince Regent stood firm on reserving power for the court, which was part of a wider programme of centralisation, the Grand Council actually responded and conceded to quite a number of PCA demands.

Whatever future scholars make of the PCA and the surrounding institutional reforms, the impeachment of the Grand Council will stand as a central episode demanding scholarly attention. Never before had a Chinese representative assembly, itself unprecedented, challenged the authority of the imperial court within a framework of constitutional constraints on government power. This dissertation has hopefully made a contribution, however small, to the study of this seminal event.

Directions for Future Research

Existing scholarship has laid a firm foundation for deeper, more comprehensive research into the 'New Policies' era. Scholars have, for example, begun to study the 'golden decade' of cooperation between Qing China and Meiji Japan during the early 20th century.¹⁹⁹ This foundation, however, is only a beginning. Research into the Political Consultative Assembly, the provincial assemblies, and the dynamics of constitutional reform is especially lacking. I hope this dissertation has shed a little more light on these essential areas, and can serve as a starting point for further investigation.

¹⁹⁹ Reynolds, *Xinzheng Revolution*.

One area that can be further explored are the activities of PCA members during the Republican era. Yi Zongkui became a member of the first Republican National Assembly. Lu Zongyu was appointed in 1913 as ambassador to Japan, and played a crucial role in negotiations over the Twenty-One Articles. Ji Zhongyin, meanwhile, took on crucial roles in various government departments, and later joined Cai E's rebellion against Yuan Shikai after the latter declared himself emperor. The members of the PCA did not simply drop off the radar after the Xinhai Revolution—their talents and experience were recognised by the successor regime. Did their time in the PCA shape their later views? Were alliances and relationships formed in the PCA which were crucial for later developments?

Another aspect to explore is how the PCA was perceived by various sections of Chinese society—the literate public would have received fresh accounts of assembly proceedings in newspapers. Yi Zongkui, Luo Jie, and Lei Fen were lauded in the press as the 'three heroes of the Assembly' (*zhengyuan sanjie* 政院三傑), known for their riveting speeches.²⁰⁰ How was the PCA represented by the media? Did coverage of the PCA contribute to a growing sense of nationalism? On the flip side, it is also worth further investigating what court officials and the imperial family thought of the assembly.

The PCA's legacy also awaits further research. On the one hand, the legislation which the PCA passed, and the administrative changes which it engendered, endured into the Republican era. To what extent did the PCA's decisions affect the political and legislative framework of the next few decades? On the other hand, the PCA faded quickly from popular, if not institutional, memory. Was there a concerted effort to paint late-Qing institutions as

²⁰⁰ Chao Linfeng. *Zhongguo Jindai Xianfa Diyiren: Wang Rongbao* (Duli Zuoqia—Xinrui Wenchang, 2014), 195.

singularly corrupt? How long did it take before society 'forgot' about important episodes like the impeachment of the Grand Council?

With so many avenues to explore, the sky is the limit for studies into the PCA and the 'New Policies' era. Slowly but surely, overly simple assumptions about the late-Qing period are being challenged, and the veil is being pulled back. The mission ahead is to rethink the dominant narrative and cast away the black-and-white filters which have not done justice to the complex dynamics of the time.

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Appendix I: Full Text of the ‘Articles of the Political Consultative Assembly’

The Chinese text of the ‘Articles of the Political Consultative Assembly’ (*Zizhengyuan Yuanzhang* 資政院院章) was taken from the *Qingmo Choubei Lixian Shiliao*, and corroborated with the version found in the appendix of Professor Li Qicheng’s version of the *Recorded Proceedings of the Political Consultative Assembly*, which was itself taken from the *Daqing Fagui Daquan* 大清法規大全.

The typesetting and English translation is my original work.

The Articles of the Political Consultative Assembly 資政院院章

第一章 總綱

SECTION I GENERAL RULES

1. 資政院欽遵諭旨，以取決公論，豫立上下議院基礎為宗旨。
Obeying imperial edicts and instructions, the Political Consultative Assembly is to gather and decide on public opinion, aiming to act as a foundation for the future upper and lower houses of parliament.
2. 資政院總裁二人，總理全院事務，以王公大臣著有勳勞通達治體者，由特旨簡充。

The assembly is to have two Presiding Officers who will oversee all of the assembly’s business. They are to be chosen by special edicts from amongst the imperial family, officials, or recognised individuals with deep knowledge of administration.

3. 資政院副總裁二人，佐理全院事務，以三品以上大員著有才望學識者，由特旨簡充。

The assembly is to have two Assistant Presiding Officers, who will assist with managing the assembly’s business. They are to be chosen by special

edicts from amongst talented officials of the third rank or above who possess adequate knowledge.

4. 資政院議員以欽選及互選之法定之。

Members of the assembly are to be chosen by imperial appointment and mutual election.

5. 資政院議員於院中應有之權，一律同等，無所軒輊。

Inside the assembly, all members are to have the same powers.

6. 資政院會議期分為兩種：一常年會，一臨時會。常年會每年一次，會期三箇月為率。臨時會無定次，會期以一箇月為率。

There are two types of assembly sessions: annual sessions and temporary sessions. The length of annual sessions are to be three months by default, to be held once each year. The length of temporary sessions are to be one month by default, without any specific frequency.

7. 資政院開會閉會，均明降諭旨，刊布官報。

Clear edicts will be issued to open and adjourn sessions of the assembly, and will be gazetted in the Official Record.

8. 資政院開會之日，恭請聖駕臨幸，或由特旨派遣親貴大臣恭代行開會禮，宣布本期應議事件。

On the day that a session opens, His Majesty the Emperor will be invited to appear, or to send a high official in his place by special edict, to announce the agenda for the coming session.

第二章 議員

SECTION II ASSEMBLY MEMBERS

9. 資政院議員由左列各項人員年滿三十歲以上者選充：

Members of the assembly must be at least thirty years of age and chosen from one of the following groups:

- (1) 宗室王公世爵，
Princes, dukes, and hereditary nobles of the Imperial Clan;
- (2) 滿漢世爵，
Manchu and Han hereditary nobles;
- (3) 外藩（蒙、藏、回）王公世爵，
princes, dukes, and hereditary nobles of frontier tribes (Mongolian, Zang, and Hui);
- (4) 宗室覺羅，
members of the Imperial Clan and Collateral Line;
- (5) 各部院衙門以四品以下七品以上者，但審判官、檢察官及巡警官不在其例，
officials of at least rank seven but not higher than rank four from various government departments. Judges, procurators, and police officers are not eligible;
- (6) 碩學通儒，
accomplished Confucian scholars;
- (7) 納稅多額者，
heavy taxpayers;
- (8) 各省諮議局議員。
and members of the various provincial assemblies.
10. 資政院議員定額如左：
The quotas for the number of assembly members from each category are as follows:
- (1) 由宗室王公世爵充者，以十六人為定額，
Sixteen princes, dukes, and hereditary nobles of the Imperial Clan;²⁰¹

²⁰¹ This was reduced to 14 to match the absence of the two elected members from Xinjiang.

- (2) 由滿漢世爵充者，以十二人為定額，
twelve Manchu and Han hereditary nobles,
- (3) 由外藩王公世爵充者，以十四人為定額，
fourteen princes, dukes, and hereditary nobles of frontier tribes,
- (4) 由宗室覺羅充者，以六人為定額，
six members of the Imperial Clan and Collateral Line,
- (5) 由各部院衙門官充者，以三十二人為定額，
thirty-two officials of various government departments,
- (6) 由碩學通儒充者，以十人為定額，
ten accomplished Confucian scholars,
- (7) 由納稅多額充者，以十人為定額，
ten heavy taxpayers,
- (8) 由各省諮議局議員充者，以一百人為定額。
one hundred provincial assembly members.

II. 資政院議員欽選、互選之別如左：

The distinction between imperial appointment and mutual election are as follows:

- (i) 宗室王公世爵、滿漢世爵、外藩王公世爵、宗室覺羅、各部院衙門官、碩學通儒及納稅多額者欽選，

Members from the following categories are to be chosen by imperial appointment: princes, dukes, and hereditary nobles of the Imperial Clan; Manchu and Han hereditary nobles; princes, dukes, and hereditary nobles of frontier tribes; members of the Imperial Clan and Collateral Line; officials of various government departments; accomplished Confucian scholars, and heavy taxpayers.

- (2) 各省諮議局議員互選，互選後，由該省督撫覆加選定，咨送資政院。

Members of the various provincial assemblies are to mutually elect Political Consultative Assembly members from amongst themselves. After election, the chosen candidates are to be confirmed by their respective provincial governors, then sent to the PCA.

12. 資政院議員欽選及互選詳細辦法，照另訂選舉章程辦理。

The exact procedures for imperial appointment and mutual election are to be specified in separate regulations for election.

13. 資政院議員以三年為任期，任滿一律改選。

Members are to serve one three-year term, without opportunity for re-election.

第三章 職掌

SECTION III SCOPE OF POWERS

14. 資政院應行議決事件如左：

The assembly are to debate and decide on the following matters:

- (1) 國家歲出入豫算事件，
national budgetary estimates,
- (2) 國家歲出入決算事件，
the settling of state fiscal accounts,
- (3) 稅法及公債事件，
taxation laws and public debt,
- (4) 新定法典及嗣後修改事件，但憲法不在此限，
establishing and amending laws, except for the constitution,
- (5) 其餘奉特旨交議事件。
other matters submitted for debate by special edict.

15. 前條所列第一至第四各款議案，應由軍機大臣或各部行政大臣先期擬訂具奏，請旨於開會時交議。但第三款所列稅法及公債事

件，第四款所列修改法典事件，資政院亦得自行草具議案。

Motions pertaining to matters (1) through (4) above should be drafted and memorialised in advance by the Grand Council or officials from various government departments, requesting from the throne that a certain matter be debated during a session. For matters (3) and (4), however, the assembly can also, on its own initiative, draft motions.

16. 資政院於第十四條所列事件議決後，由總裁、副總裁分別會同軍機大臣或各部行政大臣具奏，請旨裁奪。

Once the assembly has made a decision on one of the matters in provision 14, the Presiding Officers, Assistant President Officers should separately memorialise the throne in conjunction with the Grand Council or ministers from various government departments, requesting the Emperor's judgement.

第四章 資政院與行政衙門之關係

SECTION IV THE RELATIONSHIP BETWEEN THE ASSEMBLY AND EXECUTIVE DEPARTMENTS

17. 資政院議決事件，若軍機大臣或各部行政大臣不以為然，得聲敘原委事由，咨送資政院覆議。

If the Grand Council or ministers of various government departments disagree with one of the assembly's decisions, they should send their reasoning to the assembly and request that it be debated again.

18. 資政院於軍機大臣或各部行政大臣咨送覆議事件，若仍執前議，應由資政院總裁、副總裁及軍機大臣或各部行政大臣分別具奏，各陳所見，恭候聖裁。

If upon a second debate the assembly insists on its original decision, then the Presiding Officers, Assistant Presiding Officers and the Grand Council

or ministers of various government departments should separately memorialise the throne with their views, and await the Emperor's sovereign decision.

19. 資政院會議時，軍機大臣及各部行政大臣得親臨會所，或派員到會，陳述所見，但不列議決之數，

When the assembly is in session, the Grand Council and the ministers of various government departments can personally attend meetings, or appoint representatives to attend on their behalf, to present their views.

However, their votes shall not be counted for any decision.

20. 資政院於各衙門行政事件，及內閣會議政務處議決事件，如有疑問，得由總裁、副總裁咨請答覆。若軍機大臣或各部行政大臣認為比當秘密者，應將大致緣由聲明。

If the assembly wishes to enquire about any administrative or cabinet decision, the presiding and deputy presiding officers should request a response from the relevant government organ. If the Grand Council or ministers of various government departments view the matter as confidential, they must give an outline of their reasoning.

21. 軍機大臣或各部行政大臣如有侵奪資政院權限，或違背法律等事，得由總裁、副總裁據實奏陳，請旨裁奪。前項奏陳事件，非有三分之二以上之同意，不得議決。

If the assembly decides with a two-thirds majority that the Grand Council or any minister has violated the jurisdiction of the assembly, or has broken any laws, the presiding and deputy presiding officers must memorialise the throne with evidence, and request the Emperor's judgement.

第五章

資政院與各省諮議局之關係

SECTION V

THE RELATIONSHIP BETWEEN THE ASSEMBLY
AND THE VARIOUS PROVINCIAL ASSEMBLIES

22. 資政院於各省政治得失、人民利病有所諮詢，得由總裁、副總裁飭行該省諮議局申覆。

If the assembly wishes to enquire about a province's political successes and failures, or the wellbeing of its people, the presiding and deputy presiding officers should correspond with the respective Provincial assembly.

23. 各省諮議局與督撫異議事件，或此省與彼省之諮議局互相爭議事件，均由資政院覈議，議決後，由總裁、副總裁具奏，請旨裁奪。前項覈議事件關涉某省者，該省諮議局所選出之議員不得與議。

Disagreements between a provincial assembly and its provincial governor, or conflicts between different provincial assemblies, should be submitted to the Political Consultative Assembly for review and another debate. Once a decision is made, the presiding and deputy presiding officers should then write detailed memorials to the throne, seeking the Emperor's judgement. The assembly members elected by the provincial assembly in a province being subject to re-debate cannot participate.

24. 各省諮議局如因本省督撫有侵奪權限或違背法律等事，得呈由資政院覈辦。前項覈辦事件若審查屬實，照第二十一條辦理。

If any provincial assembly encounters violations of its jurisdiction or law by its provincial governor, it can appeal the matter to the Political Consultative Assembly, which will conduct a review and make a decision. If an investigation reveals that the matter is true, then it should be handled according to provision 21.

第六章 資政院與人民之關係

SECTION VI THE RELATIONSHIP BETWEEN THE ASSEMBLY AND THE PEOPLE

25. 各省人民於關係全國利害事件有所陳請，得擬具說帖，並取具同鄉議員保結，送呈資政院覈辦。

If a person in any province has something to report regarding the wellbeing of the entire country, he or she can draft a detailed memorandum regarding the matter, seek his province's assembly members as guarantors, and send the note to the Assembly for review and debate.

26. 前條陳請事件，應先由議長交該管各股議員審查，如無違例不敬之語，方准收受。其經審查後批駁者，在本會期內不得再行投遞，或另向他處投遞。

The speaker should first give submissions mentioned in the previous provision to the relevant committees for review. If a submission does not violate any rules or include disrespectful language, it can be accepted. Submitters of memorandums rejected after review may not submit anything again during the same assembly session, to the assembly or elsewhere.

27. 資政院於人民陳請事件，若該管各股議員多數認為合理可採者，得將該件提議，作為議案。其關於行政事宜者，應咨送各該衙門辦理。

If a majority of the relevant committee members agree that a submission from a member of the public is reasonable and can be accepted, then that memorandum can be moved, and become a motion. Submissions related to administrative matters should be sent to the relevant government department for processing.

28. 資政院不得向人民發貼告示或傳喚人民。

The assembly is prohibited from sending notices to, or summoning, any member of the public.

29. 資政院於民刑訴訟事件概不受理。

The assembly may not handle any civil or criminal legal proceedings.

第七章 會議

SECTION VII MEETINGS

30. 資政院會議時，由總裁為議長，副總裁為副議長。議長有事故時由副議長代理。

During meetings of the assembly, a Presiding Officer shall be the speaker, while a Deputy Presiding Officer shall be the deputy speaker. When the speaker is unavailable, the deputy speaker shall act on his behalf.

31. 資政院場年會，自九月初一日起，至十二月初一日止，其有必須接續會議之事，得延長會議一箇月以內。

Annual sessions of the assembly begin on the first day of the ninth month, and end on the first day of the twelfth month. If it is necessary to continue meeting, the session can be extended by a maximum of one month.

32. 資政院臨時會，於常年會期以外，遇有緊要事件，由行政各衙門或總裁、副總裁之協議，或議員過半數之陳請，均得奏明，恭候特旨召集遵行。

Assembly temporary sessions are held beyond the dates of the annual sessions. Any urgent matter should be explained by memorial after agreement by various government departments or the speaker and deputy speaker, or by request from a majority of members. A special edict should then be awaited to summon the assembly members and hold the temporary session.

33. 資政院議員於召集後，應以抽籤法分為若干股，每股由議員互推一人為股長。

Once the assembly is summoned, the members should be split into committees by casting lots. Each committee's members should select a committee chair from amongst themselves.

34. 資政院會議非有議院三分之二以上到會，不得開議。

A meeting cannot commence unless at least two-thirds of the total members are in attendance.

35. 資政院會議以到會議員過半數之所決為準，若可否同數，則取決於議長。

In assembly meetings, decisions are made according to the majority of those present. If those in favour and those against are equal in number, then the speaker should decide the matter.

36. 資政院自行提議事件，非有議員三十人以上之同意，不得作為議案。

Issues raised by the assembly itself cannot become motions without the agreement of thirty or more members.

37. 資政院於豫算法典及其餘重要議案，應先由議長交該管各股議員調查明確，方得開議。

When the assembly deals with budgetary laws or other important motions, the speaker should first hand the matter to the relevant committees for investigation before commencing debate.

38. 資政院會議應由總裁、副總裁先期將議事日表通知各議員，並咨送行政衙門查照。

Before assembly meetings, the speaker and deputy speaker should notify the members of the daily agenda in advance, and submit a copy to executive departments for reference.

39. 資政院議員於議案由關係本身或其親屬及一切職官例應迴避者，該員不得與議。

Any assembly member must not participate in debates regarding motions relating to himself, his family, or his official duties, which he should recuse himself from.

40. 資政院議員如原有專摺奏事之權者，於本院現行開議之事，不得陳奏。

Members who hold the power to memorialise to the Emperor cannot exercise that power while the assembly is in session.

41. 資政院議員除現行犯罪外，於會期內非得本院承諾，不得逮捕。

Except for crimes already committed, assembly members may not be arrested without the assembly's agreement while it is in session.

42. 資政院議員於本院議事範圍內所發言論，不受院外之詰責。其以所發言論在外自行刊布者，如有違犯，仍照各本律辦理。

Members cannot be held to account outside the assembly for any of their remarks within the bounds of the assembly's business. However, if a member makes public his remarks on his own accord, and these remarks violate any law, the member can still be punished under the relevant laws.

43. 資政院會議不禁旁聽，其有左列事由，經議員公認者，不在此限

The assembly does not ban visitors. However, those who fall into one of the categories below, and have been publicly recognised as such by the members, cannot visit:

- (1) 行政衙門咨請禁止者，

Those who executive departments have requested the assembly ban;

- (2) 總裁、副總裁同意禁止者，

Those who the speaker and deputy speaker agree to ban;

(3) 議員三十人以上提案禁止者。

Those who thirty or more members suggest banning.

44. 資政院議事細則、分股辦事細則及旁聽細則，另行釐定。

The ‘Detailed Rules of Procedure’, the ‘Detailed Rules of Committee Procedure’ and the ‘Detailed Rules for Visitors’ shall be determined separately.

第八章 紀律

SECTION VIII DISCIPLINE

45. 資政院議場內應分設守衛警官及巡官，聽候議長指揮，其員額及守衛章程另行釐定。

Guards and constables shall be posted within the premises of the assembly, and be put under the command of the speaker. Their exact numbers and the ‘Guard Regulations’ will be determined separately.

46. 資政院議員於會議時有違背院章及議事規則者，議長得止其發議，違者得令退出。旁聽人有不守規則者，議長得令退出。其因而紊亂一場秩序致不能會議者，議長得令暫時停議。

The speaker can stop any member who violates these articles or the Rules of Procedure from speaking. Members who disobey the command stop can be expelled from the chamber. The speaker can also expel visitors who violate the rules. In the case of events which cause chaos to the point that a meeting is not possible, the speaker can suspend the meeting.

47. 資政院議員有屢次違院章或語言行止謬妄者，停止到會，其情節嚴重者除名。

The speaker can suspend or, in serious cases, even expel from the assembly those who repeatedly violate these articles or act and speak outrageously.

48. 資政院議員無故不赴召集，或赴召集後無故不到會延至十日以上者，均除名。

Members who don't respond to summons, or don't attend a meeting without reason, will be given a grace period of ten days before being removed from the list of members.

49. 資政院議員有以本院之名義干預他事者，停止到會，其情節嚴重者除名。

Any member who uses the name of the assembly to interfere with unrelated matters will be suspended from the assembly or, in serious cases, removed from the list of members.

50. 資政院議員停止到會，以十日為限，由總裁、副總裁同意行之。除名，以到會議員三分之二以上決議行之。

Members shall be suspended on agreement between the presiding and deputy presiding officers for periods of ten days. Removals of names from the list of members must be approved by two-thirds of the members present.

51. 資政院議員有應行除名者，如係欽選人員，應由總裁、副總裁奏明，請旨辦理。

If an imperially appointed member is to be removed from the list of members, the presiding and deputy presiding officers should memorialise to explain the situation, and request action by edict.

52. 資政院有左列情事，得由特旨諭令停會：

Under the following circumstances, a session can be suspended by the orders of a special edict:

- (1) 議事踰越權限者，

Assembly business goes beyond assembly jurisdiction;

- (2) 所決事件違背法律者，
assembly decisions violate the law;
- (3) 所議事件與行政衙門意見不合尚待協商者，
the assembly's deliberations conflict with the views of executive
departements, and arbitration is thus required;
- (4) 議員在議場有狂暴舉亂，議長不能處理者。
assembly members are rioting and causing chaos in the assembly
chamber to an extent beyond the speaker's control.
停會之期以十五日為限。
Suspensions will last for fifteen days.

53. 資政院有左列情事，得由特旨諭令解散，重行選舉，於五箇月以
內召集開會：

Under the following circumstances, the assembly can be dissolved by the
orders of a special edict. In such a case, fresh elections will be run to select
new members, and a new session will start within five months.

- (1) 所決事件有輕蔑朝廷情形者，
Situations where assembly decisions are in contempt of the imperial
court;
- (2) 所決事件妨害國家治安者，
assembly decisions endanger national security and safety;
- (3) 不遵停會之命令，或屢經停會仍不悛改者，
an order to suspend a session has been disobeyed, or where no
improvements are made after many suspensions;
- (4) 議員多數不應召集，屢經督促仍不到會者。
a majority of the assembly members ignore summons, and continue to
be absent after repeated prompting.

第九章 秘書廳官制

SECTION IX STRUCTURE OF THE SECRETARIAT

54. 資政院設秘書廳，掌本院文牘、會計、記載議事錄及一切庶務。

A secretariat shall be established in the assembly, and be responsible for the assembly's documents, finances, record of debates, and all general affairs.

55. 資政院秘書廳設秘書長一人，秩正四品，由總裁、副總裁遴保相當人員，請旨簡放。

The secretariat shall appoint a secretary-general of upper fourth rank. The presiding and deputy presiding officers shall select and put forward appropriate candidates, and request selection by edict.

56. 資政院秘書廳設一、二、三等秘書官各四人，一等秩正五品，二等秩正六品，三等秩正七品，由總裁、副總裁遴員奏補。

The secretariat shall appoint four secretaries each in first, second, and third classes. The first class secretaries shall be of upper fifth rank, the second class of upper sixth rank, and the third class of upper seventh rank. They shall be selected by the presiding and deputy presiding officers, who will then memorialise their decisions.

57. 資政院秘書廳附設圖書室一所，掌收藏一切書籍之事。圖書室設管理員一人，即以秘書官兼充。

A reading room will be established under the secretariat, and will be responsible for everything related to books. The reading room will have one manager, who will be one of the secretaries.

58. 秘書廳秘書長承總裁、副總裁之命，監督本廳一切事宜。

Under the command of the presiding and deputy presiding officers, the secretary-general will oversee everything in the assembly premises.

59. 秘書官承秘書長之命，分掌各科事務。

Under the command of the secretary-general, the secretaries will be in charge of the matters of separate subsections.

60. 秘書廳分為四科如左：機要科、議事科、速記科、庶務科。

The secretariat shall be split into the following four subsections: Special Affairs, Procedural Affairs, Stenography, General Affairs.

61. 秘書廳應設書記及速記生等員額，由秘書長酌量事務繁簡，稟承總裁、副總裁酌定。

The secretary-general shall judge the complexity of job duties, and obey the presiding and deputy presiding officers' decisions on how many clerks and stenographers should be appointed under the secretariat.

62. 秘書廳辦事細則由秘書長擬訂，程侯總裁、副總裁核定施行。

The detailed rules for the secretariat shall be drafted by the secretary-general, and submitted to the presiding and deputy presiding officers for confirmation and implementation.

第十章 經費

SECTION X EXPENSES

63. 資政院經費其款目如左：

The expenses of the assembly fall into the following categories:

- (1) 總裁、副總裁公費，
the official expenses of the presiding and deputy presiding officers,
- (2) 議員公費及旅費，
the official and travel expenses of the assembly members,
- (3) 秘書廳費及守衛經費，
the operating expenses of the secretariat and the guards,

(4) 雜費及預備費。

various other expenses and preparatory expenses.

64. 前條所列各款經費數目，另行奏定。

The amount of money allocated to each of the categories listed in the previous provision shall be memorialised and determined separately.

65. 資政院經費由度支部每年歸入豫算，按數支撥。

The expenses of the assembly are to be included in the Bureau of General Account's annual budget, and the funds are to be dispatched accordingly.

附條

SUPPLEMENTARY PROVISIONS

1. 本章程奏准旨後，以宣統元年九月初一日起為施行之期。

After these regulations are memorialised and approved by edict, they shall come into effect on the first day of the ninth month in the first year of the reign of Xuantong.

2. 本章程未盡事宜，由總裁、副總裁會同軍機大臣奏明辦理。

Any matter not covered by these regulations shall be dealt with by joint memorials from the Presiding Officer, the Deputy Presiding Officer, and the Grand Council.

Appendix II: Relevant Provisions of the ‘Detailed Rules of Procedure’

The Chinese text is taken from the appendix of Professor Li Qicheng’s version of the Recorded Proceedings of the Political Consultative Assembly. Professor Li’s source is the ‘Faling 法令’ section of the *Guofengbao* 國風報 (first issue, no. 24). The typesetting and English translation is my own work.

The ‘Detailed Rules’ are too long to present in full. Only the provisions most relevant to this dissertation are given below.

The Recorded Proceedings

Provisions 98 to 104 lay out what the stenographers should record, and how the record of proceedings should be compiled.

98. 議事錄記載之事項如下：資政院開會、停會、閉會之事項及年月日時；開議、中止、展會、散會之月日時；軍機大臣、各部行政大臣、政府特派員到會者之姓名；資政院欽奉諭旨事件；議長及股員長報告事件；會議之議題；作為議題之倡議及倡議者之姓名；議決之事件；表決可否之數目；資政院認為重要之事件。

The Record of Debate shall record the following items: The dates and times of the opening, suspension, and closing of assembly sessions; the dates and times of the beginning, suspension, and ending of general meetings; the names of Grand Councillors, officials, and government representatives present at the Assembly; instances where the PCA receives edicts; reports by the speaker or committee chairmen; agenda items; remarks during debates and the names of those who made them; instances of voting; number of people voting in favour and against; matters deemed important by the assembly.

99. 議決錄記載議場之議決。

The Record of Voting shall record instances of voting in the chamber.

100. 議員對於議事錄及議決錄所載事實提起異議者，議長應令秘書長答辯。議員於秘書長之答辯仍有異議者，議長得諮詢本院決定之。

The speaker shall order the secretary-general to respond to any disagreements raised by members over the accuracy of the records of debate and voting. If a member disagrees even with the secretary-general's response, then the speaker shall consult the entire assembly for a decision on the matter.

101. 議事錄及議決錄應由議長、副議長、秘書長或其代理之秘書官署名畫押。

The records of debate and voting shall be signed and sealed by the speaker, deputy speaker, secretary-general, or other secretariat officials acting on their behalf.

102. 速記錄以速記法記載議事。

The Speed Record should record debates using the shorthand method.

103. 議員之發議，業經議長令其撤銷者，不得記載於速記錄。

Any remark which has been cancelled by the speaker cannot be recorded in the Speed Record.

104. 議員之演說得於編制速記錄以前訂正文字，但不得更改其主目。

若因訂正而他議員提起異議者，議長俟有贊成員，諮詢本院決定之。

Typographical errors in members' remarks may be corrected before the Speed Record is compiled, but the primary meanings of the remarks cannot be altered. If other members raise disagreements over the correction of errors, the speaker shall wait for more members to be in agreement, and consult the assembly for a decision.

Other Relevant Provisions

73. 議長、副議長及議員均有表決權，其不在議場者不得加入表決。

The speaker, deputy speaker, and members of the assembly all have the right to vote. Those not present in the chamber may not join and vote.

106. 前條規定之外，應行具奏事件，議長、副議長得隨時具奏。

Apart from the regulations stipulated in previous provisions, the speaker and deputy speaker may submit a memorial at any time on any matter which should be memorialised.