

‘Public Interest’ as a Basis for Early Modern State-Society Interactions: Water Control Projects in Qing China, 1750–1850

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Abstract

The safeguarding of public interest was an important means to legitimate state power in the period between 1720 and 1850 in Qing China. Social historians have highlighted the vital importance of autonomous management and financing to water control on the part of local gentry in localities in China. However, there were limits to the capacity of social actors for self-financing and self-management in cross-regional water control projects, especially when considering the rivalry of interests between upstream and downstream areas, between people living along the opposite banks of major rivers, and between commercial transportation and irrigation needs. This paper examines the political process by which the Qing state behaved as an ‘impartial’ guardian of the public interest in both financing and settling cross-regional conflicts of interest over water. By examining cases of petitions involved in such hydraulic projects, this paper also shows how collusion between local gentry and government officials often sacrificed the public interest and how this problem could not be corrected by the political participation of a wider range of social actors.

Key words: Qing China, public interest, water control, public finance, petition

Introduction

Large-scale water management projects are important infrastructural facilities which contribute significantly to public goods in a society. But they often cause serious conflicts of interests. For example, a dam may affect upstream and downstream communities very differently, while drainage to expand arable land may flood other areas. Likewise, existing equilibria in accommodating conflicting claims and interests might be undermined by environmental changes,

which in turn may significantly increase the amount of funds needed to maintain or repair existing projects and make local communities unable to afford them.¹ Finally, cross-regional conflicts over water are unlikely to be settled by solutions based only upon considerations of economic efficiency.²

There are many examples of the difficulties faced by local communities in financing and managing large-scale hydraulic projects in early modern times. In the case of a non-state polity or a weak state with divided sovereignty, economic actors faced high coordination costs, and the associated inability to settle peacefully their competing political and economic claims reduced the provision of public goods.³ In a comparative study of drainage projects in early modern Europe, Piet van Cruyningen points out that the success of large-scale drainage projects in the Dutch Republic in the late sixteenth and seventeenth centuries could be attributed to both the effective intervention of the state's legal system in settling litigation and the ability of powerful interest-holders to negotiate reasonable compensation to affected parties. In early modern England, social groups whose interests had been affected by drainage or enclosure brought their grievances to London. When the English state could not use law to settle disputes, it proved difficult for private parties to resolve their conflicts of interest in drainage.⁴

¹ For a study of the relationship between environmental changes and variations in organization of water management in imperial China, see Mark Elvin, *The Retreat of the Elephants: An Environmental History of China* (New Haven: Yale University Press, 2004), chapter 6.

² See the emphasis on the distributional effects of economic institutions in Sheilagh Ogilvie, "‘Whatever Is, Is Right’? Economic Institutions in Pre-industrial Europe", *Economic History Review* 60/4 (2007): 649–84.

³ S. R. Epstein, *Freedom and Growth: The Rise of States and Markets in Europe, 1300–1750* (London: Routledge, 2000), chapter 2; Jean-Laurent Rosenthal, *The Fruits of Revolution: Property Rights, Litigation, and French Agriculture, 1700–1860* (New York: Cambridge University Press, 1992).

⁴ Piet van Cruyningen, 'Dealing with Drainage: State Regulation of Drainage Projects in the Dutch Republic, France, and England during the Sixteenth and Seventeenth Centuries', *Economic History Review* 68/2 (2015): 420–40; for the recognition among social groups of the central government as the highest authority, see C. Holmes, 'Drainers and Fenmen: The Problem of Popular Political Consciousness in the Seventeenth Century', in Anthony Fletcher and John Stevenson (eds), *Order and Disorder in Early Modern England*, (Cambridge: Cambridge University Press, 1985) pp. 174–89.

Theories of state formation, which emphasize primarily the contribution of fighting wars to state building,⁵ provide little guidance for us to understand the role of early modern states in funding and managing water control projects in times of domestic peace. If we consider the lack of a monopoly of violence as a major feature of the early modern state, as Philip Hoffman contends, then it is difficult to understand why people affected by water control projects would appeal to litigation rather than to violence directly.⁶ If an early modern state did successfully monopolize violence and it represented the interests of political and economic elites, as the Marxian theory of state supposes, then why would actors who were poor in both political and economic resources petition the state to intervene to protect their interests?

Recent scholarship on state formation in Western Europe has highlighted the importance of legitimation in the process of state formation. Quentin Skinner points out that the early modern state appeared as an *impersonal* apparatus of political authority distinct from the monarch as a person. The personal charisma of the monarch or the divine source of the ruler's power therefore could no longer justify the state's coercive power. In the seventeenth century, even pro-absolutist political thinkers such as Grotius and Hobbes admitted that the coercive power of the state must be legitimated by its ability to guard the common good or public welfare, which was one main duty of the monarch.⁷

⁵ See for example Charles Tilly (ed.), *The Formation of National States in Western Europe* (Princeton: Princeton University Press, 1975); idem, *Coercion, Capital, and European States, AD 990–1992*, (Cambridge, MA: Blackwell, 1992 rev. ed.); Michael Mann, *The Sources of Social Power* (Cambridge: Cambridge University Press, 1986); Brian Downing, *The Military Revolution and Political Change* (Princeton: Princeton University Press, 1992).

⁶ Philip Hoffman argues that a successful monopoly of violence is too high a benchmark by which to evaluate the state in historical studies: Philip T. Hoffman, 'What Do States Do? Politics and Economic History', *Journal of Economic History* 75/ 2 (2015), 330-332, at 306–7.

⁷ Quentin Skinner, 'The State', in Terence Ball, James Farr and Russell L. Hanson (eds), *Political Innovation and Conceptual Change* (Cambridge: Cambridge University Press, 1989), pp. 90– 131; idem, *The Foundations of*

The norms that justified state power in terms of safeguarding the public interest significantly influenced the actual process of governance. In early modern England, for example, the legitimation of state power through safeguarding the ‘public interest’ or ‘common good’ was embodied in concrete social policies involving the maintenance of social order, poor relief, public works, and plague prevention.⁸ Meanwhile, social actors⁹ also used state laws to frame petitions or when they vented their anger against particular officials while still accepting the state’s political authority.¹⁰ Widely accepted norms that legitimated state power were vital to the governance of the early modern state, which relied upon negotiations with society.¹¹ Legitimation of state power was not just an ideological tool of the ruler to make the ruled more compliant and obedient. Instead, social actors could actively use these normative terms to demand that the state act as the guardian of public welfare.

In this paper, I examine how a normative concept of public interest served as a common basis for the state and society to interact over issues of financing water control projects and resolving conflicts of interests in using water in a non-European early modern state: Qing China between the 1750s and 1850s. The term Qing state refers mainly to the territory of *China proper*, which

Modern Political Thought, vol. II (Cambridge: Cambridge University Press, 1978); Michael J. Braddick, *State Formation in Early Modern England c. 1550–1700* (Cambridge: Cambridge University Press, 2000).

⁸ John Guy, *Tudor England* (New York: Oxford University Press, 1988), chapter 13; Paul Slack, *From Reformation to Improvement: Public Welfare in Early Modern England* (Oxford: Clarendon, 1999); Braddick, *State Formation in Early Modern England*, chapter 3.

⁹ As opposed to officials, bureaucrats, members of the court etc. who were appointed by or closely associated with the state.

¹⁰ For an examination of popular politics against the background of state legitimation in early modern England, see Andy Wood, *The 1549 Rebellions and the Making of Early Modern England* (Cambridge: Cambridge University Press, 2007); on popular legalism, see Steve Hindle, *The State and Social Change in Early Modern England, c. 1550–1640* (New York: Palgrave, 2000).

¹¹ For the importance of negotiation between state and society in governing early modern England, see Michael J. Braddick and John Walter (eds), *Negotiating Power in Early Modern Society: Order, Hierarchy and Subordination in Britain and Ireland* (Cambridge: Cambridge University Press, 2001).

covers the eighteen provinces but excludes frontier areas which had alternate forms of governance. The Qing state so defined was characterized by a unitary judicial and administrative conformity. The Qing conception of the state (*guojia*) as an impersonal political apparatus distinct from the emperor as a person was similar to ‘the state’ as used in Tudor and early Stuart England before the fundamental political changes in England after the 1640s.¹²

The political system in Qing China was more centralized than those found in early modern Europe, and there were no self-governed towns and cities to challenge state power. This leads some scholars to contend that Qing China was governed by the arbitrary will of an emperor believed to be appointed by Heaven.¹³ However, legitimation of state power in Qing China, as in early modern England, was deeply tied to a concept of ‘public interest’ or *gongli*, which literally meant ‘public benefit’ and could be applied to communities as small as the village or as large as the realm. It played an important role in policy debates related to the welfare of society, such as famine relief, hydraulic engineering, and currency supply. While the court used the concept to justify its preferred policies, governors could appeal to the same norms to negotiate with and to propose better alternatives to the center; whereas non-state groups could mobilize the term in petitions to the authorities. Social policies were far from being dictated by the personal will of the ruler.¹⁴

¹² For studies that emphasize the significant differences among states and their impact on the economy since the eighteenth century, see Peer Vries, *State, Economy and the Great Divergence: Great Britain and China, 1680s–1850s* (London: Bloomsbury, 2015) and Wenkai He, *Paths toward the Modern Fiscal State: England, Japan, and China* (Cambridge, MA.: Harvard University Press, 2013).

¹³ One typical example of such interpretation of Qing China is E.L. Jones, *The European Miracle: Environments, Economies, and Geopolitics in the History of Europe and Asia* (New York: Cambridge University Press, 1987).

¹⁴ For such examples in the making of famine relief policies, see Pierre-Étienne Will, *Bureaucracy and Famine in Eighteenth-Century China*, translated by Elborg Forster (Stanford: Stanford University Press, 1990), chapter 12; Helen Dunstan, *State or Merchant? Political Economy and Political Process in 1740s China* (Cambridge, MA: Harvard University Asia Center, 2006), chapter 3; idem, *Conflicting Counsels to Confuse the Age: A Documentary Study of Political Economy in Qing China* (Ann Arbor: Center for Chinese Studies, University of Michigan Press,

Water control was a crucial and widely recognized public good in Qing China, to which the legitimation of Qing state power was closely tied. In regard to the state-society relationship in water management, the state-centric view stresses the importance of the specialized hydraulic bureaucracy and huge fiscal resources that the state allocated to build and maintain massive projects such as the Yellow River Conservancy. It was upon this empirical basis that the Wittfogelian model contended that the management of large-scale water control works stimulated the development of a bureaucratic state.¹⁵ The state-centric view, however, cannot accommodate active societal participation in the financing and managing of water control. Yet the Qing state encouraged gentry participation in local public affairs such as building bridges and roads and maintaining hydraulic infrastructure. The gentry often obtained official titles through examination or contribution and they could interact with officials on a less unequal basis than could commoners.¹⁶ There were numerous ‘people’s projects’ of water control financed and managed by local communities autonomously, which contrasted sharply with the projects managed by state bureaucracy.¹⁷

However, the society-centered view often overlooks the limits of the capacity of social actors for managing projects which spanned a large territory and affected a large number of people. Peter Perdue points out that the collective action problem often prevented social actors from effectively organizing large-scale water control projects. Coercion supported by state power was

1996). For such examples in the making of fiscal and financial policies, see He, *Paths toward the Modern Fiscal State*, chapter 4.

¹⁵ Karl Wittfogel, *Oriental Despotism: A Comparative Study of Total Power* (New Haven: Yale University Press, 1957).

¹⁶ Kung-chuan Hsiao, *Rural China: Imperial Control in the Nineteenth Century* (Seattle: University of Washington Press, 1967), chapter 7.

¹⁷ For a review of this society-centered Japanese scholarship, see Mark Elvin, ‘On Water Control and Management during the Ming and Qing Periods: A Review Article’, *Ch’ing-shih wen-ti* 3 (1975): 82–103.

therefore vital to overcome the problem of ‘free riders’.¹⁸ In fact, to supervise the annual maintenance and check the quality of repairs and construction of local projects of water control were major responsibilities for county-level magistrates and even higher circuit-level officials.¹⁹ In the process of resolving conflicts of interest over water among different communities, social actors often expected the state to act as an ‘impartial’ guardian of the public interest, and local officials accordingly consulted with representatives of local communities for solutions.²⁰

Water control projects also provided many opportunities for state and social actors to pursue private interests. Officials might embezzle state funds earmarked for water control projects. Wealthy landlords or merchants who had close connections with officials could collude with officials to advance their particular interests by sacrificing those of politically weaker groups. In this situation, was the concept of public interest as a norm to legitimate state power embodied in specific institutional arrangements which aimed to prevent corruption in financing hydraulic projects? Could politically weaker social actors appeal to such a norm to seek the intervention of the state as an ‘impartial’ guardian of the public interest in settling disputes over water?

To address these questions, I examine state-society interactions in financing hydraulic projects and resolving disputes in using water. The archival materials used in this paper are collected

¹⁸ Peter C. Perdue, *Exhausting the Earth: State and Peasant in Hunan, 1500–1850* (Cambridge, MA: Council on East Asian Studies of Harvard University Press, 1987), chapter 6; for the collective action problem in the provision of public goods, see Mancur Olson, *The Logic of Collective Actions* (Cambridge, Mass.: Harvard University Press, 1965).

¹⁹ R. Keith Schoppa, ‘Dike Building and Repair in the Three-River Microregion, 1686–1926: Patterns in Practical Governance’, in Robert J. Antony and Jane Kate Leonard (eds), *Dragons, Tigers, and Dogs: Qing Crisis Management and the Boundaries of State Power in Late Imperial China* (Ithaca: Cornell University East Asia Program, 2002) pp. 129–153.

²⁰ Elvin, *The Retreat of the Elephants*, p. 117; Pierre-Étienne Will, ‘State Intervention in the Administration of a Hydraulic Infrastructure: The Example of Hubei Province in Late Imperial Times’, in S. R. Schram (ed.), *The Scope of State Power in China* (New York: St. Martin’s Press, 1985), pp. 295–347, at 320–30.

from the palace memorials and the copies of such memorials made by the Grand Council which are preserved in the No. 1 Historical Archives in Beijing and the libraries of the Institutes of Modern History and the Institute of History and Philology of the Academia Sinica in Taipei. These official documents which provincial officials and the center used for information transmission and policy discussions contain rich information about the financial management of hydraulic projects. In regard to financing, I focus on a method distinct from both state direct investment and self-financing by local society, which was the advancement of official funds for water control projects that were originally financed by local people. The advanced funds were returned to the state interest free through extra taxes paid by the communities that benefited from the finished project. I also look at legal cases to understand how the state responded to appeals made by social actors who brought inter-regional disputes over water to the attention of the central government in the form of capital appeals. Many memorials concerning legal issues also contain the original litigation documents presented by local social actors as attached files, which allows us to see how terms of state legitimation were used by social actors in speaking to the state. In both cases, I argue that the norm to legitimate state power by safeguarding public interest provides a crucial basis to understand the dynamic interactions between the state and society in Qing China.

The state's financing of the 'people's dikes' in local communities

In financing and managing hydraulic projects, the Qing state in principle drew a clear division of labor between the state and society. The state mainly financed big projects such as the Yellow River conservancy, the major dikes and dams necessary to keep the Grand Canal navigable, some strategic or long river dikes in central China, and the sea wall projects in Zhejiang province.

For the numerous smaller dikes and irrigation projects scattered across the country, it was the responsibility of local communities to finance and manage both routine maintenance and major repairs.²¹ These projects were often called ‘people’s projects’ in contrast to those for which the state was officially responsible. The Qing state had no intention to fund these projects as it held local people should invest in and manage the hydraulic projects that benefited themselves. The Qing state also contended that self-financing and self-management of local hydraulic projects provided fewer chances of abuse to local officials.²²

Local communities preferred to self-finance and self-manage the ‘people’s dikes’ given the strict management of Qing state funds. In the highly centralized fiscal system of the Qing state, local governments were not allowed to collect extra taxes to finance local infrastructural projects. Spending on infrastructure projects of over 500 *taels* of silver had to receive approval from the central government in advance. Moreover, the prices of labor and materials which the financial officials of the central government used to calculate the budget of a project often lagged behind changes in market prices. Local magistrates were thus in a dilemma. Budgets made according to the prices listed in the manual of the Board of Revenue were inadequate to guarantee the quality of the project, and officials would be held accountable for quality issues of the finished projects. But if an official tried to get more official funds than were allowed by government fiscal regulations, he risked being disciplined.

²¹ Jiayan Zhang, ‘Water Calamities and Dike Management in the Jiangnan Plain in the Qing and the Republic’, *Late Imperial China* 27/1 (June 2006): 66–108; Zheng Zhaojing, *Taihu shuili jishushi* [A technical history of Lake Tai irrigation] (Beijing: Nongye chubanshe, 1987), pp. 203–4; and Tao Cunhuan and Zhou Chaosheng, *Ming-Qing Qiantangjiang Haitang* [Ming-Qing seawalls on the Qiantang river] (Beijing: Zhongguo shuili shuidian chubanshe, 2001), pp. 119–21.

²² Liu Wenyuan, *Qingdai shuili jixiang yanjiu* [Water control and account debits in the Qing dynasty] (Xiamen: Xiamen daxue chubanshe, 2011), pp. 36–43; Morita Akira, *Shindai no suiri to chiiki shakai* [River work and local society in Qing China] (Fukuoka-shi: Chūgoku Shoten, 2002).

For example, in Jingmen department of Hubei province, there was a long dike erected along the Han River. In the ninth month of 1806, the prefectural magistrate Tao Chen reported to the provincial government the need to consolidate the part of the dike between Hejiawan and Wangjiatan. The estimated expenditure was approved by the provincial government. However, when the project was finished six months later, the inspectors sent from the provincial government measured the amount of earth used for the construction and found it was only half of the estimated amount. It turned out that the magistrate Tao Chen knew that the official prices for labor permitted by the Board of Revenue were only half of the current market prices. In order to avoid deficit, he overestimated the scale of the project so as to get funds sufficient to finish the project. The prefectural official Deng Wenbing, who was responsible for supervising this work, knew the circumstances and did not report him. But the difference between the actual finished work and the reported amount was too obvious to escape the eyes of the provincial inspectors. Further investigations of the original bookkeeping and interrogations of labor-heads in the projects did not find any evidence of embezzlement. However, both Tao and Deng lost their posts; Tao was punished by 80 cane-strokes and exile, and had to return the over-reported 400 *taels* of silver to the government.²³

Here or so the map: Fig. Geographic locations of the major cases covered in this paper.

The supervision of hydraulic projects financed by the state could be unreasonably strict. The dike of the north bank of Jing River in Hubei province needed to be repaired every year after the rainy season. An official in Jingzhou prefecture who specialized in water control affairs was charged

²³ The memorial of governor-general of Huguang Wang Zhiyi and Hubei governor Zhang Xu, 14 January 1808, Grand Council Memorial Copies (hereafter GCMC)-Jiaqing-Law, box 3, no. 344–53.

with organizing this annual project. Government officials allowed landlords whose land was located further from the dike to contribute money instead of labor. The contributed money was under the management of two bureaus set up by local gentry, yet each disbursement required receipts printed by the prefectural government, which kept the original receipt as a record. Every year, the surplus of the finished project would be retained by the bureaus managed by local gentry. In 1806, there was a surplus of 710 strings of copper coins (equivalent to 710 *taels* of silver) left after the annual repair. Lou Chunfang, the prefectural official who was in charge of supervising the annual repair, was reimbursed for the expenses that he had covered with his own money in advance, including the costs of travelling to the sites of repair and food for himself and his subordinates during these trips. The gentry managers considered this to be a normal cost of the project. But the Hubei provincial governor in inspecting the dike noticed that the original receipt showed that this disbursement was not made upon a day-by-day basis but as a lump sum after the project was finished. Although the gentry managers all testified that they had approved both the purpose and amount of this spending and that Lou did not pocket the funds, Lou was forced to return this amount of money to the government and sentenced to two years of hard labor.²⁴ Given such examples, gentry managers of water control projects had great motivation to avoid official funding.

However, the division of labor between the state and local society in financing hydraulic projects was impractical in many situations. There were several reasons pushing the Qing government to provide financial aid to local communities. First, the cost to repair a dike after a major breaching or to dredge a river after years of silting up was often too large for the local community to

²⁴ The memorial of governor-general of Huguang Wang Zhiyi and the acting Hubei governor Dong Jiaozeng, 17 June 1808, GCMC-Jiaqing-Law, box 3, no. 1061–71.

prepare in a timely fashion. This was particularly the case when the local community had just suffered from dike failure or inundation of farmland and thus was unable to raise the necessary amount of money. It was not uncommon that local residents were forced to move out by a major flood. In this situation, the state recognized that it had a responsibility to disburse the project fees to repair the breached dikes; residents would come back only when the finished project had made farming possible again.²⁵ Second, when a hydraulic project was located between counties belonging to different provinces, it was often quite difficult for relevant communities to coordinate to contribute money for maintenance and repairs.²⁶ Finally, ecological changes sometimes led to a sharp increase in the cost to maintain private projects such as dikes or banks and local residents found themselves unable to bear the burden. This was particularly the case in northern China where the routes of major rivers changed dramatically.²⁷

As maintenance of the numerous dikes was vitally important to the welfare of local communities, a new financing method came into being which compromised between the rigid public finance of the state and the pressing needs of local societies. From the 1750s on the Qing state often made advances to finance the major reconstruction or repair of water control projects in localities. When the project was finished, the communities that benefited had to return the amount of investment to the state by paying extra rates. The time granted to clear this debt to the government ranged from two to twelve years. The total amount due was divided in proportion to

²⁵ The memorial of Huguang governor-general Naerjinge and Hubei governor Yin Jiyuan, 5 February 1835, GCMC-Jiaqing-Water Control, box 2, no. 227–30.

²⁶ One long dike which spanned the three provinces of Jiangxi, Hubei and Anhui could not be maintained by coordination of the people living in different administrative units, even though they obviously had a common interest. The memorial of Huguang governor-general Lin Zexu and Hubei governor Zhou Zhiqi, 17 March 1838, GCMC-Jiaqing-Water Control, box 2, no. 2326–9.

²⁷ The dike maintained by the people in Wuzhi county in Henan province along the Long River became vulnerable when the Yellow River moved north and converged with the Long. Local people had to appeal for help from the government. The memorial of Henan governor Ma Huiyu, 2 March 1804, GCMC-Jiaqing-Water Control, box 1, no. 2139–40.

the acreage of farming land and was collected along with the annual land taxes of each household. In this way, emergency measures to repair or rebuild people's hydraulic projects were covered first by official funds, which reduced the financial burden on local communities. As the communities would return the advanced funds by paying extra taxes, the Qing state did not seem to increase its spending responsibility. In essence, this financing method was equivalent to funding local infrastructural projects by collecting additional taxes. The accumulated scale of such state advancements for maintaining local non-official dikes was huge. By the mid-nineteenth century, the accumulated unpaid advances amounted to millions of *taels* of silver.²⁸

In this financial arrangement, both social and state actors shared a similar understanding of public interest. The state considered this method as fulfilling its moral responsibility to take care of the wellbeing of the people; while local communities were willing to pay extra taxes to return the state advancement as they benefited from the finished projects. Upon this common basis of public interest, proposals to disburse official funds for water control projects might come from local officials, particularly in the economically less affluent regions.²⁹ They could also be initiated by local gentry in the form of appeals to the magistrate or even provincial governors on behalf of the affected communities.³⁰ As the advancement of official funds for water control projects served the public interest to which the state had an obligation and would be returned by

²⁸ Wenkai He, 'Public Interest and the Financing of Local Water Control in Qing China, 1750–1850' *Social Science History* 39, 3 (2015): 409–30; Liu, *Qingdai shuili jixiang yanjiu*.

²⁹ For example in 1757 Yunnan governor Guo Yiyu reported to the center that an official advancement of 800 taels of silver to build an irrigation ditch in Huize county would be of benefit to more than two thousand *mu* of rice paddies, and this investment would be returned in one year by increasing land taxes. The memorial of Yunnan governor Guo Yiyu, 1 May 1757, GCMC-Qianlong-Water Control, box 1, no. 1161–2.

³⁰ In 1755, Taicang and Zhenyang, two affluent counties in Jiangsu province, needed to disburse 16,000 taels of silver to repair the sea wall. But as the two counties were also raising money for a major dredging of the Liu River, the local gentry thus jointly appealed to 'borrow' money from the government to repair the sea wall and promised to pay back this investment in two years. The memorial of Jiangsu governor Zhuang Yougong, 13 January 1756, GCMC-Qianlong-Water Control, box 1, no. 1076.

the local communities in future, the central government routinely approved such demands. This financing method functioned similarly to the government's raising taxes to meet the increasing demand for local infrastructure, though in a reverse sequence.

The actual process of advancement was characterized by interactions between state and social actors. It was often the responsibility of local governments to estimate the cost of the proposed projects, which were further checked by higher-level officials who specialized in hydraulic issues. The approved funds were handed over to the gentry managers who were responsible for raising labor and organizing the project. This aimed to prevent government officials, especially the runners and clerks of county governments, from diverting the money into their pockets. Qing officials considered that the local gentry managers would carefully supervise spending and care about the quality of the project as they had both their own reputations and material interests at stake.

As the official funds for water control projects were independently managed by local communities, the actual spending did not have to be audited and approved by the central government when the project was finished. This enabled social actors to escape the rigid and harsh fiscal management of the central government. State involvement was restricted to ensuring that there was some involvement of officials in planning, in inspection of finished projects, and in record-keeping. As the state considered the advancing of funds for local hydraulic projects by local people to serve the public interest, the community had the responsibility not only to return the money to the state but to ensure the quality of the project. The finished project needed to be inspected by government officials who were familiar with hydraulic engineering. In order to

make officials inspect the finished project conscientiously, the Qing state set a ‘warranty period’ (*baogu qixian*) of three or even ten years for the finished project. If a major accident occurred within this warranty period, the relevant officials would be held accountable.³¹

Moreover, the Qing state had one indirect yet important method to supervise local gentry involved in organizing such projects: the accusation of abuses by gentry managers. The state adjudications were made after careful examinations of the evidence presented by the plaintiff and the bookkeeping records of the projects, as well as on-site inspection of construction quality and measurements of actual earth and labor used. If social actors were not satisfied by the adjudication of local officials, they could bring the case to Beijing, an act which represented a recognition of the center as the highest political authority in safeguarding the public interest.

In the summer of 1764, the dike in Huangmei county of Hubei province was breached by flood. The magistrate at the time, Zhu Yipei, originally asked local gentry to donate money to fund the repair of this dike, which had been maintained by local communities. However, as the money obtained from voluntary contributions was far short of the amount needed, the succeeding magistrate He Gangzhong consulted with local gentry and decided that in addition to the 5,000 *taels* of silver lent by the government, a special duty was to be imposed in proportion to the land taxes upon local residents so as to raise the money for repairs. The collection was handed over to members of the local gentry: Li Mingwu (a *juren* degree holder), Shi Shizun (a *shengyuan* degree holder) and eight other people. When the repair was finished in the spring of 1765, Qu Xuefu, who himself was also a *jianshen* degree holder, made an accusation to the provincial governor that Li Mingwu and other managers of the project not only overcollected from farmers

³¹ Liu, *Qingdai shuili jixiang yanjiu*, pp. 270–8.

but also underspent on construction, pocketing the difference. But Qu Xuefu's appeal was rebutted by the prefectural and provincial governments as a false accusation, and he was punished by eighty blows of the heavy bamboo by the provincial government. Qu Xuefu and his son Qu Shigui then brought this case to Beijing, and the Board of Punishment returned it to the Hubei governor to reinvestigate. The Hubei governor sent officials to check the bookkeeping records of duty collection and reconstruction disbursement, and insisted that Qu's accusation had no factual support. Qu then faced a heavier punishment: deprivation of his *jiانشen* title, 100 blows of the heavy bamboo, exile and three years' forced labor.³²

Nonetheless, the youngest son of Qu Xuefu, Qu Boji, came to Beijing to appeal his father's case. As Qu Boji was only fifteen years old, this caught the attention of the center. Two central officials, Mailaxun and Dingchang, were sent to Hubei province to investigate. In addition to catching inconsistencies in bookkeeping and contradictions in the statements made by the magistrate, county clerks, and gentry members involved, inspecting officials measured the amount of earth and found it well below the reported one. Moreover, the quality of some repairs was bad, and others were new, obviously made in preparation for the inspection by the center. It turned out that Li Mingwu and other gentry managers had let some members of their lineage off without paying but collected money from poor farmers who should have been exempted. These managers also diverted a total of some 326 *taels* of silver into their own pockets. In order to have the badly repaired dike pass government inspection, they bribed runners and clerks and sent expensive gifts to the magistrate He Gangzhong. Moreover, they removed 33 *taels* of silver from the project expenses to help the magistrate cover a shortfall in the collection of land taxes so that

³² The memorial of the Board of Punishment, 23 August 1767, GCMC-Qianlong-Law, box 1, no. 1488–95. Qu Xuefu's appeal can be found in GCMC-Qianlong-Law, box 1, no. 1470–86.

he could fulfill the quota of collection and avoid being disciplined. After the investigation, Li Mingwu received the death penalty, while ten other gentry and clerks were punished to various degrees. The magistrate He Gangzhong was exiled to the frontier. Although the total amount of embezzlement—660 *taels* of silver—officially found was much smaller than the 5,000 *taels* of silver originally charged, Qu was not punished for false accusation. Instead, he was pardoned because his appeals finally led to the exposure of this scandal.³³

Not every appeal brought by social actors was made out of concern for the public good. Some plaintiffs who went to Beijing were unwilling to contribute their dues to a local project and intended to use legal means to frame gentry managers. Some appeals were based upon inaccurate information about tax exemption. The original bookkeeping of gentry managers which recorded spending on both labor and the amount of earth used for projects was thus crucial evidence to prove their impartial management. When government officials investigated appeals, they often checked whether the amount of earth actually used in the project matched the amount calculated according to the original accounts. For example, the gentry of Henei county in Henan province established a ‘public office’ (*gongju*) to manage the accounts of all spending on repairing and maintaining the bank against the Qin River. When an accusation was brought against them, their innocence was proved when government investigators found the materials used matched with the records kept by gentry managers.³⁴ In 1829, Liu Ruzhen and Luo Bingnan from Jianli county of Hubei province went to Beijing to accuse the county clerk Sun Lunyuan of underspending on dike repairs to benefit himself. Government officials came to inspect the quality of the finished project and found the work had been done according to the original design. Moreover,

³³ The memorial of Mailaxun and Dingchang, 22 October 1767, GCMC-Qianlong-Law, box 6, no. 2046–57.

³⁴ The memorial of the director-general of the Grand Canal (Hedong hedao zongdu) Li Fenghan, 29 September 1796, GCMC-Jiaqing-Law, box 14, no. 2883–93.

government inspectors convened fifteen labor-heads who took money from the gentry managers and distributed it to laborers under their respective supervision; they all testified that there had been no deductions in wages.³⁵

However, the capital appeal itself may suggest that social actors had no effective means to hold local officials accountable to the normative basis of the legitimation of state power. The case of Qu Xuefu showed how difficult it could be for local residents – commoners or gentry – to sue gentry managers of water control projects who were well connected with local officials. In Qu’s case, the gentry managers disbursed project money not only to bribe magistrates and clerks in the county government but also to cover the deficits of local government in collecting land taxes or other public expenditures. Magistrates who were constrained by the state’s rigid fiscal system often did not have adequate funds for local governance.³⁶ Financial contributions from gentry managers of projects would thus be welcomed by local officials. Such collaboration between gentry managers and local officials may explain why circuit and provincial officials did not conduct a field inspection and measure the amount of earth used in construction when they received the appeal from Qu Xuefu. Although they had the ability, they did not have the institutional motivation to do so.

The state and popular appeals in cross-regional conflicts of interest over water

The Qing state took the safeguarding of a public interest that went beyond local particularized concerns as an important responsibility. For example, it prohibited over-construction of private

³⁵ The memorial of Hubei governor Yang Jian, 7 November 1829, GCMC-Daoguang-Law, box 3, no. 3083–94.

³⁶ Madeleine Zelin, *The Magistrate’s Tael Rationalizing Fiscal Reform in Eighteenth-century Ch’ing China* (Berkeley: University of California Press, 1984), p. 47; R. Bin Wong, ‘Taxation and good governance in China, 1500–1914’, in Bartolomé Yun-Casalilla and Patrick K. O’Brien (eds), with Francisco Comín Comín, *The Rise of Fiscal States: A Global History 1500–1914* (Cambridge: Cambridge University Press, 2012), pp. 353–77, at 360.

dikes along major rivers or lakes which obstructed the routes to discharge excess water in the rainy season. It also tried to preserve forests in mountainous regions to reduce incidence of downstream inundations. Yet the Qing state did not have the capacity to prevent man-made environmental degradation to protect the public good.³⁷ It had to weigh competing claims to the well-being of both local residents and the unemployed immigrants and tried to find compromises.³⁸ In order to secure the food supply of Beijing by the ‘tribute grain’ shipped along the Grand Canal from the southern provinces, the Qing state sacrificed the irrigation needs of regions adjacent to the Canal.³⁹

Nonetheless, the Qing state still played a significant role in protecting the public welfare by acting as the highest legal authority in settling disputes among regions that had conflicts of interests in utilizing water. Rivalry of interests was inevitable where water crossed different regions. For example, people living upstream preferred to discharge excess water to prevent their lands being inundated. This action, however, meant an increased danger of floods to people in downstream areas. Whereas people living downstream preferred to build strong dikes to hem in the water in the rainy season, this meant a greater risk of inundation for people living upstream. Likewise, when people on one side of a major river tried to reinforce the bank, the danger of breaching increased on the opposite side. With regards to these conflicts of interest over water use, Pierre-Étienne Will emphasizes that the Qing state was important as an ‘impartial’ guardian

³⁷ See the case of Dongting Lake in Perdue, *Exhausting the Earth*, chapter 7.

³⁸ See the emphasis on the livelihoods of migrants in the comment of the Jiaqing emperor on a memorial in 1815 discussing the serious deforestation problem in Anhui, Jiangxi and Fujian provinces. The memorial of Zhejiang governor Yan Jian, 2 May 1815, Palace Memorial Archives-Jiaqing reign (Institute of Modern History, Academia Sinica).

³⁹ Ma Junya, *Beixisheng de ‘jubu’: Huaibei shehui shengtai bianqian yanjiu* [The ‘part’ sacrificed: Ecological change and Huaibei society] (Beijing: Beijing University Press, 2011).

of the public interest in arbitrating contradictory claims.⁴⁰ The Qing government also used its coercive power to enforce the legal rights of those who had invested in constructing ditches or canals for irrigation to sell water rights to communities or households that had not participated in the projects.⁴¹ Upon the recognition of the state as the guardian of the public interest, local people would petition local governments and even the central government to adjudicate their disputes. Without effective intervention from the Qing state, the parties to such disputes often had to resolve their conflicts by violence.⁴²

The responsibility of the state to protect the welfare of the people in hydraulic projects served as a rightful channel for local gentry and commoners to plead with or make demands on the Qing state. In the second month of 1795, Yan Shihong (a *shengyuan* degree holder) and several others from Anyang county of Henan province went to the Censorate in Beijing, petitioning to construct a dike along the Zhang River after a major flood the previous year. In this petition, they especially charged that people living on the opposite bank of the river refused to cooperate in this proposed project. In response, the court sent officials to the site. They found that people on the south side of the river suffered from inundation, but people on the north side actually benefited from the fertile soil which silted out.⁴³ After field investigations, government officials realized that this situation was due to the fact that the previous year's high water level had led to an unexpected change of the course of the river, causing the Zhang River to enter the Wei River. As a result, the old river channel became silted up, benefiting the north side while flooding the south

⁴⁰ Will, 'State Intervention in the Administration of a Hydraulic Infrastructure', pp. 320–30.

⁴¹ Zhang Jianmin, *Ming-Qing Changjiang zhongxiayou nongcun shehui jingji yanjiu* [Agricultural society and economy along the Lower Yangzi during the Ming and Qing] (Beijing: Shangwu yinshuguan, 2010), pp. 96–7 and 102–7.

⁴² William T. Rowe, 'Water Control and the Qing Political Process: The Fankou Dam Controversy', *Modern China* 14/4 (October 1988): 353–87.

⁴³ Imperial edict of the Qianlong emperor, *Veritable Records of Qing* [Beijing: Zhonghua Shuju, 1986], vol. 27, p. 636.

side. The solution recommended by the investigating officials was to dredge the old river route wider so as to enable the water of the Zhang River to enter the Wei River as before; the inundation of the south side would be resolved without constructing a dike.⁴⁴

When people petitioned the Qing state to become involved in local hydraulic projects, they often borrowed copies of previous government documents or memorials to the emperor to make their case. The Mengdu River in Wujin county of Changzhou prefecture was important both to the navigation of the Grand Canal and the irrigation of farmland. This river had not been dredged from 1766 onward, which led to flooding in the high water season and scarcity of irrigation water in winter. Several petitions by local people to the Directors-general of the Grand Canal led to surveys but no real action. In November 1804, Yin Rongshu, a commoner from Wujin county, went to the Censorate in Beijing to petition the government to advance the estimated cost to dredge the river; the local population would return the investment by paying extra duties. In order to justify this request, he also attached copies of the memorial to dredge the river in 1765, as well as the positive comments of governors on previous versions of the petition. Although the censors considered it inappropriate for a ‘foolish commoner’ to estimate the cost of the proposed project, they did urge the court to order the governor-general of Liangjiang to further investigate the case.⁴⁵ The dredging was finally conducted in 1812.

The central government’s attitude toward petitions related to hydraulic engineering often appears derogatory, as shown by words such as ‘foolish’ or ‘ignorant’ to describe petitioners.

Nonetheless, as these pleas had significant bearing on the livelihood of local residents and their

⁴⁴ The memorial of the director-general of the Grand Canal Li Fenghan and Henan governor Ajinga. *Veritable Records of Qing* [Beijing: Zhonghua Shuju, 1986], vol. 27, p. 687.

⁴⁵ Memorial of censors Yingshan and et al., 28 December 1804, GCMC-Jiaqing-Water Control, box 1, no. 2476–80.

ability to pay annual land taxes, the Qing government often responded with official surveys or investigations. For example, in the second month of 1807, Pang Chun and Yu Zhiqi, who lived in the east part of Cangzhou city in Tianjin prefecture, petitioned the Censorate in Beijing. They claimed that a sluice had been built on the Jian River on the site of Jiedizhuang in 1726. In 1771, this sluice was replaced by a dike. As the height of this dike was lowered later, some sixty villages downstream began to frequently suffer floods and inundation. They requested that the original sluice be restored so as to prevent excessive water from flowing downstream. The censors held that these ‘foolish’ villagers would have no means to grasp the details of the hydraulic project, which was crucial not only to irrigation but also to the navigation of the Grand Canal. They were also suspicious that the petitioners had private interests involved. When the censors checked the records of disasters, however, they did notice that no flooding had occurred when the sluice controlled the flow of water; yet the farmland of that area was now covered by deep water. They then memorialized the emperor to order the governor-general of Zhili to send officials to conduct a field investigation. The two petitioners returned to their villages.⁴⁶

After the investigation by the governor-general of Zhili Wen Chenghui and the Salt Commissioner Li Rumei, the provincial government of Zhili decided to increase the height of the dike as a temporary solution. This measure was, however, not effective to prevent flooding. In consequence, Pang Chun and other residents continued to plead with provincial officials for a better solution; and in 1819 they brought this case to the Censorate in Beijing again on behalf of the affected 60 villages.⁴⁷ Censors realized that if the height of the dike was as high as demanded by the petitioners, then the navigation of the Grand Canal would be affected; yet if it remained at

⁴⁶ The memorial of censor Gengyin et al., 17 March 1807, GCMC-Jiaqing-Water Control, box 2, no. 248–52.

⁴⁷ The petition letter of Pang Chun et al., 11 July 1819, GCMC-Jiaqing-Water Control, box 4, no. 957–60.

the current height, these villages would be flooded almost every year. Censors then suggested further surveys so as to find a method to secure the navigation of the Canal while taking care of the agricultural interests of the villagers.⁴⁸ The commoner Pang Chun was the leading figure in the series of petitions, which spanned the years 1807 to 1819, and he was never punished.

When receiving petitions from people with conflicting demands regarding river work, Qing officials often behaved as ‘impartial arbitrators’ to persuade both sides to accept a reasonable solution, rather than simply relying on state power to impose their solutions on social actors. For example, in 1807, the Niutou River in Shandong province had not been dredged for a long time. Residents of Yutai county in the downstream area took advantage of this situation to plant on the silted soil, and they were therefore opposed to attempts to dredge the river. In contrast, farmland in upstream counties such as Jining, Jiaxiang, Juye, Jinxiang, and Wenshan were often severely inundated when excess water could not be discharged through the Niutou River. When Grand Canal officials found in 1806 that the water in Weishan Lake was inadequate to carry the canal transportation, they planned to dredge the Niutou River so that more water would be channeled into Weishan Lake. Liu Yunzhong (*shengyuan* degree), Ma Zenghua (*juren* degree) and several other elders from Yutai county petitioned against such a plan. Not surprisingly, Qing officials gave priority to securing the transportation along the Grand Canal over the protection of local interests. In fact, they reminded the Yutai gentry of the importance of maintaining the former. Moreover, they conducted several field investigations and argued that Weishan Lake was big enough to contain water flow from the Niutou River in normal years. Even in the season of high water, the land that was likely to be inundated was the newly silted area which Yutai residents were not entitled to own. The officials argued that the combined benefit to Grand Canal

⁴⁸ The memorial of censor Pugong et al., 11 July 1819, GCMC-Jiaqing-Water Control, box 4, no. 974–6.

transportation and to five upstream counties outweighed the narrow interest of Yutai residents in cultivating the downstream soil. The Yutai gentry did not come up with a better counterargument and had to accept the official plan to dredge the river.⁴⁹

The above petitions all utilized the state's obligation to protect the welfare of its subjects to invite the government to adjudicate competing claims among different communities. They were by nature different from the attempts of certain social groups to use violence such as feuds or forceful breaching or construction of dikes to 'beggar thy neighbor.' Such open acts of violence often incurred state repression. Meanwhile, the petitioners, who were often low-degree gentry or even commoners, could claim to represent the collective interests of the affected villagers and thus derived moral authority to negotiate with the Qing state. The travelling expenses of petitioners to Beijing sometimes were funded by residents of the affected area.

In May of 1812, Wu Lianfeng, a commoner from Wuqing county in Zhili province, went to appeal to the Capital Gendarmerie in Beijing. He claimed that in 1808 some people in his village illegally blocked an officially built sluice. This led to a dike breach that inundated the lands of the three counties of Wuqing, Dongan, and Tianjin. Wu did not appeal to the provincial governor before conducting this capital appeal, which was procedurally inappropriate. The court also wondered why there was only one petitioner if three counties were affected as Wu claimed.⁵⁰ Nonetheless, the emperor sent two censors, Cheng'an and Li Junjian, to Wuqing county to investigate.

⁴⁹ The memorial of the director-general of the Grand Canal Wang Jing, 13 October 1807, GCMC-Jiaqing-Water Control, box 2, no. 709–11.

⁵⁰ The memorial of censor Jilun et al., 13 June 1812, GCMC-Jiaqing-Water Control, box 3, no. 1380–2.

The two censors found that there was no such sluice in the area named Kuang'erjiang in Wuqing county. Instead, there was a stone-dike to discharge excess water so as to maintain the navigation of the Grand Canal. Upon this stone-dike, there was an earth-dike to block water. It turned out that the excess water discharged from the stone-dike used to flow into the sea through a small canal (*yinghe*). Yet the soil along this canal was too soft to build a solid dike. As a result, farmland on both sides of the canal was often inundated. This canal became completely blocked after a heavy rain in 1801, and some seventy-one villages to the south of the canal were flooded almost every year. Although the government had reduced their annual land taxes by forty percent, the villagers found it hard to make a living. In 1803, the gentry of these villages pleaded with the prefectural government to allow them to build an earth dike upon the stone-dike in the third and fourth month each year so that they could plant wheat. In the fifth month, they would destroy this earth-dike for the purpose of maintaining the navigation of the Grand Canal. This practice was not only noted in the government records each year but also confirmed by inquiries with the gentry of these seventy-one villages during the field investigation. The censors also found that among the villages that Wu Lianfeng claimed were annually inundated, some were actually located upstream of the stone-dike, such as Wangjiazhuang. Those located downstream, such as Majiakou, were on the east bank rather than the north bank.⁵¹ The two censors further summoned a number of people from the villages that Wu Lianjiang claimed to be victims of the man-made floods; yet none of them considered the construction of the earth-dike to be harmful to their lands. The lack of support from his fellow villagers was disastrous to Wu's petition and he was punished for false accusation.⁵²

⁵¹ The memorial of censors Cheng'an and Li Junjian, 21 June 1812, GCMC-Jiaqing-Water Control, box 3, no.1396–9.

⁵² The memorial of censors Chengan and Li Junjian, 27 June 1812, GCMC-Jiaqing-Water Control, box 3, no.1401–5.

The above petitions were peaceful actions conducted by low-degree gentry or commoners who were supposed to represent the collective interest of the communities at stake. They were different from cases which involved popular protests. In 1741, government officials were ordered to dredge a canal between Huai'an and Yangzhou that was crucial for transporting salt, a commodity subject to state monopoly and a major source of revenue. This, however, could not be carried out due to heavy rains. Hydraulic officials asked the magistrate of Tongzhou, Wang Shidang, to open the two sluices to discharge extra water so that the dredging could be conducted. Wang only agreed to open one sluice, the Tangjia Sluice; and he postponed doing so. Wang was obviously concerned about the negative effects on peasants. Indeed, when the people heard about this plan, they worried that there would be inadequate water for irrigation. They pleaded with the prefectural government not to open the Tangjia Sluice, and there were market strikes to pressure the government. Faced with these two competing claims among local peasants and the powerful salt merchants, Yang Sijing, an official in the Board of Personnel in Beijing, tried to impeach the hydraulic officials for their callous attitudes toward the interest of farmers.⁵³

In response to petitions made by representatives of local communities who expected the state to behave as an impartial arbitrator of conflicting claims to various means of using water, the Qing state sometimes adopted a quasi-utilitarian definition of public interest by giving priority to protecting the interest of larger areas of farmland which contributed more taxes to the state at the cost of much smaller communities. In the meantime, it also tried to seek a solution that would satisfy both sides in disputes. For example, the excess water of both the Guyang river and Xujia river in Xian county in Zhili province flowed into the Ziya river. When the government built a

⁵³ The memorial of governor-general of Liangjiang Yang Chaozeng, *Veritable Records of Qing* (Beijing: Zhonghua Shuju, 1986), vol. 10, p. 1034 and 1123.

long dike along the Ziya river, villages in the lower areas began to suffer from inundation caused by the Guyang river and Xujia river. In 1780, downstream villagers thus appealed to the magistrate to let them build a dike to block the water from upstream. Villages in the upstream region petitioned the magistrate to remove this newly built dike as the excess water had no route out. Violent conflicts happened when the upstream villages tried to use force to destroy this dike while downstream villagers did not yield. The magistrate conducted field investigations along with some villagers and decided to dig a new canal to release the excess water so that both upstream and downstream villages would be free from inundation. This solution was approved by the superior officials.⁵⁴

In adjudicating litigation among various social groups over water, the Qing state portrayed itself as an ‘impartial arbitrator’ which treated its subjects on equal basis (*yishitongren*). Social actors then utilized such norms to express their grievances in capital appeals when they felt that they were treated unfairly by specific officials. For example, petitioners often demanded fair adjudication on the basis that both sides in litigation were the ‘same innocent subjects under Heaven,’ a normative term that often appeared in imperial edicts in regard to protecting the general welfare of the people.⁵⁵ In response to disputes among various social groups, the Qing state leaned favorably toward those appeals that presented evidence to show that they were representing the common interest of the affected communities rather than those of the individual

⁵⁴ The memorial of Zhili governor-general Yuan Shoutong, 22 December 1781, GCMC-Qianlong-Law, box 1, no. 2135–45.

⁵⁵ One such example can be found in the petition to the center made by a commoner, Dai Liansan, in regard to the conflicts between the two neighboring counties of Mianyan and Jiayu in Hubei province. Dai Liansan’s petition, 31 March, GCMC-Jiaqing-Law, box 6, no. 1190–5.

petitioner. This contrasted sharply to the Qing state's severe punishments in litigations against officials.⁵⁶

Conclusion

The state is not just an apparatus of violence. To legitimate state coercive power by its contribution to the general welfare or public interest of society was crucial for the state's governance to be accepted by society. In early modern times, the norms of state legitimation that were shared by both state and social actors constituted the basis of dynamic interactions between them. This is shown in the specific case of financing water control projects and settling disputes over using water in Qing China.

The state's advancement of money was crucial for hydraulic projects which had previously been managed by local communities. The same concept of public good that the state used to legitimate its power was employed by social actors to demand the state's participation in the financing of water control projects. The return of this investment to the government by paying extra taxes whose collection was backed by state coercion appeared more acceptable to social actors as they considered that the project safeguarded their common interest. The goal of building public facilities that this financing method served also made both state and social actors put forward methods to supervise the spending in practice. Self-management of investment by social actors coexisted with the government's measures to inspect the quality of the finished work.

⁵⁶ Hung Ho-Fung, *Protest with Chinese Characteristics: Demonstrations, Riots, and Petitions in the Mid-Qing Dynasty* (New York: Columbia University Press, 2011); Wu Renshu, *Jibian liangmin: Chuantong Zhongguo chengshi qunzhong jiti xingdong zhi fenxi* [Upheavals of the people: An analysis of collective actions in traditional Chinese cities] (Beijing: Beijing University Press, 2011).

In cases of cross-regional conflicts involving the particular interests of various social groups, social actors at times brought their cases to Beijing because they viewed the central government as the ultimate source of the legitimate use of political power within the territory of the state. In sharp contrast to its repressive approach toward capital appeals accusing officials of abuse, the Qing state appears to have been more tolerant of appeals that respected the role of the state as the impartial adjudicator. Instead of relying upon violence to make arbitrary adjudications, the central government often sent out officials to conduct field investigations and make inquiries of local people. The state attempted to find a solution which would take care of the interests of the two competing parties; this reflected its aim to behave as an impartial protector of the public good of society. When the circumstances or the technology available to the state actors did not allow such ideal solutions, Qing officials then gave priority to the interest of the majority. In this aspect, the Qing state appears to have been a ‘reasoning’ agent rather than a violent machine in trying to persuade the disputing parties to accept its resolutions.

Nevertheless, the role of the normative basis of the public good in the political space of the Qing state was limited. Although the Qing state proclaimed itself as a guardian of the public good, the interactions between the state and society in water control projects were mainly between government officials and politically well-connected local gentry. The vast majority of social actors could not be organized into a collective social force to hold the government accountable in providing for the public good in various hydraulic projects. In consequence, collusion between local gentry and government officials often sacrificed the public good and this distortion could not be rectified by the political participation of a wider range of social actors.

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