



AN INTERACTIVE STUDY ON THE BRITISH AND GERMAN SEMI-COLONIAL STRATEGY AND THE CHANGE OF TRADITIONAL CHINESE SOVEREIGNTY-BASED ON THE COMPARISON BETWEEN SHANGHAI AND QINGDAO

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Abstract: The emergence of “Concessions” is not a simple historical problem. Based on the sovereignty declining theory, this paper attempts to explore the emergence of “Concessions” and the mechanism and process of sovereignty change. Unlike the ceded territory, Chinese “Concessions” in modern times are a special sovereign space. It means China shares its sovereignty with the western states. “Concessions” breaks the “supremacy” and “exclusiveness” of sovereignty. As “Concessions” with different legal statuses, Shanghai and Qingdao are not only part of the global colonial strategy between Britain and Germany, but also the watershed of Chinese sovereignty change. By comparing the changes in Chinese sovereignty in Shanghai and Qingdao, this paper finds out the mechanism and process of Chinese sovereignty weakening in the different Concessions. At the same time, the maintenance of sovereignty is related to whether China can form a centralized system. Before 1949, China could not form a centralized system, which was the main reason for the capacity of the state. The emergence and development of “Concessions” is also a manifestation of the Chinese vulnerable capacity to external interference and loss of sovereignty. This political phenomenon has affected the change of the Chinese state form.

Keywords: Concessions, Leased territory, Chinese Sovereignty, Shanghai, Qingdao, Sovereignty Declining, Special Space.

INTRODUCTION

Concession is a residence and trade area opened and operated by one state at the trading ports of other countries. It is characterized by the fact that foreigners take over and create local administrative power and some national sovereignty, and the above powers are mainly exercised by



foreign consuls or municipal organizations of the Ministry of Industry organized by overseas Chinese, thus making these areas become “windows” that are not subject to the administrative management of local governments and open to the world. [1] Concessions are divided into two categories according to the status of opening up and management. One is opened up and managed exclusively by one state, which is called “exclusive concession”, and the other is opened up and managed jointly by many countries, which is called “public concession”. Since the administrative power in the public concession belongs to the countries of the lease, there may be differences in the division of administrative power, which is beneficial for others to conduct improper or even illegal activities in the concession. [1] For China, there is another special space in addition to Processes, namely, Leased Territory.

Leased Territory refers to the area where one state obtains jurisdiction from another state by leasing within the agreed period. The leaseholder usurps the leased land by force or unequal treaties, but the leaseholder still retains the final sovereignty and can take it back after the expiration of the agreement. In modern history, the leased land is easily confused with the military base of one state in another state. In fact, the administrative and judicial powers of the latter still belong to the original sovereign state, and the sovereignty of the host state must be respected. [2]

Looking at the above definitions, it is not difficult to see that, although “Leased Territory” and “concession” are guaranteed by treaties, their legal status is based on the sharing of sovereignty between the leasing state and the leased state. The emergence of “public Concessions” is a special case. The definition of “public” itself is based on the premise of ignoring the existence of Chinese sovereignty.

The capacities lost by the Chinese government have developed from the original jurisdiction to sovereignty, and the government of the Republic of China at the beginning of the 20th century is still unable to overcome this problem. However, why did this phenomenon gradually disappear after the middle of the 20th century?

LITERATURE REVIEW

Based on this, this article will focus on the emergence and development of “Concessions” and “leased territories”. As a force of 19th-century globalization, why did “Concessions” and “leased territories” lead to the loosening of traditional Chinese sovereignty? After the weakening of sovereignty, what is the relationship between the central government representing the state and the special local space? Why did this phenomenon gradually disappear after the middle of the 20th century? The issues in this paper can be roughly divided into “Changes in Chinese sovereignty in the 19th century” and “Chinese Concessions” for discussion.

On the first issue, the concept of sovereignty is one of the most controversial political concepts. It is derived from the Latin word *superanus*, meaning “higher than”, indicating that authority is within a specific hierarchy. Sovereignty was originally the same supreme power. It was only used after



the Treaty of Westphalia (1648) that ended the Thirty Years War (1618-1648) and laid the foundation system of the state. Since then, it has been one of the basic sequencing principles in international politics. The concept of sovereignty spread with the colonization of the world by western countries and was fully accepted by the world after World War II. Jean Bodin (1530-96) was the first scholar to define sovereignty. He believes that sovereignty is “the state is above citizens and subjects, and is not subject to the law”. Later scholars, such as Jean Jacques Rousseau (1712-1778) and John Austin (1790-1859), discussed the concept of sovereignty, but the only consensus they reached was that sovereignty is the power of the state to manage society, and also the power of identity in the international community. With the change in the international community, the concept of sovereignty is still changing. [2]

For China, China in the 19th century did not have a clear concept of sovereignty. At the same time, the Chinese perception of the state is also different from that of western countries. For this reason, the Qing Dynasty was forced to sign unequal treaties, cede territory to aggressors and accept extraterritorial jurisdiction over foreigners in China [2]. Although many Chinese scholars are used to believe that Chinese sovereignty can be embodied in any aspect of governance since the 19th century, the establishment of the principle of “effective governance” and “direct governance” over all territories of China did not emerge until the establishment of the People’s Republic of China. For political reasons, although any previous Chinese government tried to establish a set of sovereignty principles and try to recover the lost sovereignty, it was unable to fight against it.

If we think from the western definition of sovereignty, although Chinese sovereignty gradually lost in the 19th century, is the loss of sovereignty in different regions and the weakening mechanism of sovereignty the same? On this point, the current academic circles all believe that the loss and weakening of sovereignty all present the same mechanism. [2] However, if the loss mechanism of territorial sovereignty is the same, why can China recover some territorial sovereignty lost in the 19th century? And some can’t? This is a topic that is rarely discussed in academic circles at present.

In the study of “Chinese Concession”, many scholars have discussed the governance of concessions from a historical perspective. Lockwood, Steinmetz, Haan, Stevens, Thomas, Mou, They all discussed the governance of the concession history. [2] However, there is no common investigation on concession governance and Chinese sovereignty. From the perspective of sovereignty, if China does have the sovereignty of the concession, why can't China compete with the West in governance in this space?

Fei (费成康) & Wang (王立民) analyzed the process of Chinese law from the perspective of Concessions. Fei combed the history of Concessions, but there are many nationalistic sentiments. Wang believed that although Concessions had a colonial nature, they also led to the modernization of Chinese law. [3] Although previous studies on Concessions mentioned the unfairness of the formation of Concessions, most of them still focused on the history of the formation of law and Concessions and did not explain the interactive process between the formation of Concessions and Chinese



sovereignty. The formation of Concessions is not only a historical issue, but also a political issue of Chinese sovereignty change.

On the whole, previous studies can find that there are few studies on the joint discussion of “Chinese Concessions” and “Chinese state Sovereignty”, but this is a simultaneous political phenomenon.

RESEARCH METHOD

This paper focuses on qualitative research methods, and mainly uses “seeking common ground” as the main research method. The “similarity-seeking method” adopts the “most similar systems design” of the five inductive methods described by Mill John Stuart in *A System of Logic*. According to Mill, if the phenomenon in the investigation occurs in one instance and does not occur in another instance, then all the situations are the same except for one common point, which only occurs in the former; Only when these two situations are different, is the effect or reason of the phenomenon, or an indispensable part of the reason. [4] This paper will compare the interaction between the formation of special space in Shanghai and Qingdao and the weakening of Chinese sovereignty, and conclude the laws and trends of the weakening of sovereignty by “public Concessions” and “leased territories”.

- 1 Analyze and compare the rule of Germany and Britain in the occupied areas of China?
- 2 Track the process of Chinese capacity degradation in Qingdao and Shanghai?
- 3 Examine the impact of semi-colonial regions on Chinese state capacity?

RESEARCH OBJECTIVES

For a state, when the central government becomes the center, the state must master three kinds of capacity, namely, “political capacity”, “economic capacity” and “social normative capacity”. “Political capacity” is the capacity to monopolize violence through tools; “Economic capacity” refers to the capacity to direct those without scarce resources to engage in specific economic activities; “Social normative capacity” is the capacity to express certain ideas through authority and exert influence on relevant people. Therefore, we can say that judging the degree of state capacity and state capacity of a state is the “degree of centralization” of whether the state can control its three capacities. [5]

However, sovereignty is the most basic right of the actors in the interstate community and is inseparable from the survival of the state. Since China gradually joined the interstate community in the late Qing Dynasty, the treaties signed between China and the West have shown the fact that sovereignty and jurisdiction (governance) are separated. The concepts of “sovereignty”, “state capacity”, “civil capacities” and “jurisdiction” were often confused in China in the late Qing Dynasty. The root cause of this situation is that the western states impose globalization on non-western states with their concept of interstate law, and then gain benefits from non-western states. In general,



“sovereignty” and “jurisdiction” are indivisible and exclusive, and “sovereignty” and “jurisdiction” are both systems of a state’s basic capacity.

To answer the question of the weakening of Chinese sovereignty before the middle of the 20th century, we must think about why Chinese “sovereignty” and “jurisdiction” would be separated when the West negotiated with China, and even further produce the question of “weakening of sovereignty”.

First of all, in terms of the concepts of “sovereignty” and “jurisdiction”, in the interpretation of John Marshall, the United States Chief Justice, in 1812, it was pointed out that “the jurisdiction within the territory of a state must be exclusive and absolute, and the territorial principle does not grant any extraterritorial jurisdiction, and no state can exercise jurisdiction over acts within the territory of another state, the only exception is the consent of that state, otherwise, it is illegal” . [6]

In 1834, United States Chief Justice Joseph Story strictly stated “the territorial principle and stressed that each state enjoys absolute sovereignty and jurisdiction within its territory, That is, “whether the law of one state has effect in another state depends on the latter’s law and its express or implied consent”. [6]

From the interpretation of the United States Chief Justice in the different periods mentioned above, the jurisdiction of a state cannot be separated from sovereignty unless the consent of that state is obtained, but this principle of consent also allows the West to provide legal interpretation to divest the jurisdiction in practice.

After the Opium War, the western states mostly exercised personal jurisdiction. For example, Britain rarely exercised jurisdiction over British people outside Hong Kong in the 19th century. The so-called “sovereignty”, definition of “sovereignty” in this article will adopt Ulrich Beck’s definition of sovereignty: “The state establishes the scope of governance and exercises the law within a defined boundary. At the same time, on this basis, it will not recognize any political capacity above it through violent monopoly and tax monopoly”.

1 Why does Chinese state sovereignty capacity degenerate?

2 What are the differences in the mechanism of the colonization strategy between Germany and the United Kingdom in the formation of Chinese sovereignty withdrawal?

3 How did Britain and the United States form a semi-colonial form of governance in China?

THEORETIC HYPOTHESIS

According to Becker’s definition of sovereignty, this article defines “weakening of sovereignty” as “the state gradually loses the capacity to establish and exercise laws and the capacity to monopolize violence and taxation within the defined boundary, and begins to allow other political forces to coexist”. [7]



In Chong's (庄嘉颖) theory of state formation, the "degree of centralization" is the main embodiment of a state's sovereignty; The higher the "degree of centralization" of a state, the less likely it is that sovereignty will interfere. On the contrary, if a state's "degree of centralization" is lower, its sovereignty is more likely to interfere. [8] However, from the end of the 19th century to the beginning of the 20th century, the Chinese degree of centralization was on the decline. It is difficult for China to maintain its true sovereignty, and Chinese sovereignty has degenerated.

In this respect, Ren's (任孟山) theory of sovereignty degradation believes that sovereignty degradation can be divided into four stages: "challenging the state's geopolitical control capacity", "narrative decline of sovereignty discourse", "degradation of the state's economic sovereignty capacity", and "reduction of the state's sovereign political authority". These four stages are related to the three capacities "political power", "economic power" and "social normative power" proposed by Poggi. [9] They all explained what kind of situation the state's sovereign capacity should have. Although Mengshan Ren (任孟山) further proposed the mechanism of weakening sovereignty, this paper believes that Ja lan Chong (庄嘉颖) and Ja lan Chong each explained part of the reasons for the change of traditional sovereignty. Therefore, this paper attempts to integrate the theories of the two scholars to put forward the hypothesis verification of causal mechanisms and extend the theories of Ren and Chong.

1: The emergence of "Concessions" and "leased territories" has led to a decline in the degree of state centralization, which began with the challenge of the United Kingdom and Germany to Chinese "challenge to state geopolitical control capacity", resulting in the loosening of Chinese traditional sovereignty.

2: The impact of "challenging the state's geo-control capacity" is further expanded, and the "narrative decline of sovereignty discourse" of "Concessions" and "leased territories" begins to be contested, resulting in the Chinese practice of sovereignty becoming a nominal slogan rather than a practical capacity.

3: After the degradation of the actual sovereign capacity, the economic autonomy of "Concessions" and "leased territories" is controlled by western states, breaking the situation of "monopoly violence and the capacity to monopolize taxes" in the definition of sovereignty, thus causing the phenomenon of "the degradation of the state economic sovereign capacity".

4: After the formation of the phenomenon of "degradation of state economic sovereignty", Chinese political authority over the sovereignty of "Concessions" and "leased territories" will be further weakened.

5: As the central government representing the state is unable to centralize the political, economic, social norms and other powers within its territory, China shares sovereignty with western states in "Concessions" and "leased territories". However, due to the decline of the central government's state capacity, Chinese sovereignty has been marginalized.



RESULTS

1. Britain and Shanghai sovereignty governance

In 19th-century British law, for all kinds of leasing and colonial affairs, the way of “letters patent” is mostly adopted, that is, the legal documents issued by the British monarch or the governor on behalf of the British monarch can become administrative orders or even constitutional documents without going through legislative procedures. The British lease of Shanghai also belongs to this category, so although the Nanjing Treaty stipulates that the nominal sovereignty belongs to China, Britain treats the lease of Shanghai in the same way as the colonies. [10] Shanghai opened its port in 1843. In 1844, the United States and France signed the Whampoa (黄埔) and Treaty of Wanghia (望厦) Treaties with the Chinese government and obtained the right to free trade in China. The interests of various states in Shanghai are complex, which makes the formation of the concession naturally international. How foreigners should do business and live in Shanghai according to the treaty is the focus of western states. In 1845, the Shanghai government and foreign consuls jointly promulgated the “The Land Regulations of 1845”, stipulating that “The British are allowed to live in the north and south of Shanghai, and the British are allowed to build some basic public facilities for management”. [11]

This decision led to the establishment of the “Committee On Roads and Jetties” in Shanghai concession in 1846. The success of the United Kingdom also further led to the establishment of the American and French concessions in 1848 and 1849 and enjoyed privileges. Therefore, the area and classification of foreign concessions in Shanghai have been roughly formed. The concessions in this period were only the concentrated residence of foreign nationals, and the Chinese government reserved some jurisdiction. However, many provisions, including “permanent leased right”, “British consular monopoly” and so on, lay the groundwork for these overseas Chinese concessions to gradually encroach on Chinese sovereignty and form a “state within the state” in the future. [11] In the aspect of challenging state geo-control capacity, The geographical out-of-control of Chinese concession to Shanghai originated from the Taiping rebellion (太平天国之乱). In 1853, the Taiping Army directed its troops to the south of the Yangtze River. To safeguard the interests of the overseas Chinese, the American envoy to China, Humphrey Marshall, arrived in Shanghai and met with the British envoy to China and Governor of Hong Kong, George Bonham (文翰), to negotiate the joint defense of the concession and reach an agreement. In April 1853, the British consul to Shanghai, Alec, called the foreigners in Shanghai, “The Shanghai Local Volunteer Corps” and the “Committee of Co-operation” were established, and the consuls and naval officers of Britain, France, and the United States attended the meeting as nonvoting delegates. [12]

Western states have achieved “international cooperation” in Shanghai, formed local armed forces and declared “neutrality”, and refused all Chinese forces to intervene in the concession situation. In the same year, the Little Knife Society Rebellion captured the county seat of Shanghai, and Chinese rule collapsed. The concession named “Neutral” often helped the Rebellion to attack the



Chinese army. In 1854, the Volunteer Corps clashed head-on with the local Chinese army in the Battle of Nicheng (泥城) and defeated it. Chinese authority in the concession has disappeared. [13] Regarding the degradation of state economic sovereignty capacity, On the issue of land leasing, in the past, with the authority of the Chinese government and the United Kingdom, the charter of land leasing has lost its binding force on foreign nationals with the collapse of the Shanghai government. Western states urgently need to conclude a new charter that is in line with their interests. Focusing on the disputes in three aspects, the second Charter of Land Lease was issued. This time, the charter was completely negotiated by the consuls of the three states in private: “Foreigners here need to apply to the Chinese government if they want to buy or rent a house with Chinese people. However, other civil matters such as business and restaurant openings must be applied to consulates of various states”. [14]

This charter cancels the exclusive jurisdiction of British consuls, greatly expands the jurisdiction of consuls stationed in Shanghai over the concession, clarifies that the concession can collect taxes, establish administrative agencies, and recognize the right of Chinese to live on the lease upon approval in the lease form, laying the foundation for the establishment of autonomous institutions in the concession and gradually independence from the authority of the Chinese government. [15] The predecessor of the Shanghai Municipal Council was established in this context, and began to replace the ecological niche of the Chinese government, gradually establishing political authority and monopoly economic interests. The original “Committee On Roads and Jetties” (道路码头委员会) was transformed into the Municipal Council after the second Charter was passed. The British Consular State of Ashley has clearly explained the nature and purpose of the new agency: “The new constitution is formulated according to the needs of foreigners, because foreign governments need to establish an institution here that can protect foreign citizens, and this institution needs to have administrative power and ruling power”. [16]

In July 1854, after the “Public Meetings of Land renters” (租地人大会) resolution, the Concession Administrative Committee was formally established. The representatives were mostly British corporate partners, business celebrities, and church members, and some American, French and even German expatriates also joined. [17] The General Assembly appointed many subsidiary bodies under the Administrative Committee: the Defense Committee (on defense, drainage, lighting, and Concessions construction), the Evaluation Committee (evaluation of foreign property) The review committee (examining and approving the amendment of the Charter of Land Lease), the consultation committee (negotiating with the Chinese and foreign authorities), and some road administration and tax committees (Bickers, 1998). In the social aspect, the Anglican Church of England, the “Chinese Hospital” (仁济医院), the Royal Asian Society and some foundations were introduced. In addition, the volunteer team was reorganized into the World Trade Organization. The committee has a strong color of the Western representative system, in which the United Kingdom occupies the leading position, with the core of serving the commercial interests of the United Kingdom and other Western states.



[18]

This executive agency with a violent organ has become the only administrative organ in the concession. In the past, the situation of foreign consuls and Chinese local officials in joint management no longer exists. Westerners in the concession have only paid taxes to the committee since then, and the smuggling of Western businessmen to the concession has become increasingly rampant. [19] In the 1858 Tianjin Treaty, Western states forced China to recognize the contracting states that it enjoyed consular jurisdiction and one-sided MFN treatment, and the Chinese market was further opened.

Supplementary provisions to the Sino-British Tianjin Treaty: Article 10 of the Sino-British Treaty on the Aftermath of the Articles of Trade: “The British government can manage Chinese tax and continue until 1943.” [20] Shanghai’s position as a port is becoming more and more important. Britain, which took over the customs, also plans to rectify the Chinese foreign trade order. As the bridgehead of Shanghai’s foreign trade, its scale and authority need to be further expanded. At this time, China not only surrendered to the western states but also suffered a serious blow from the Taiping rebel army(太平天国军) in its rule in the south of the Yangtze River. [21]

Its political authority was almost exhausted, and it had no intention or ability to govern the concession. The western states were already able to ignore the influence of the Chinese government and act freely, and the only obstacle was the Taiping Army, which had rallied under the command of Xiucheng Li (李秀成). In terms of the reduction of state sovereignty and political authority, The Eastern Crisis broke out in 1853, and the following year Britain and France jointly declared war on Russia. The two old colonial enemies joined forces driven by the interest of external expansion. The Crimean War in 1856 ended with the victory of Britain and France. In the same year, the “the Arrow incident” (亚罗号事件) occurred in China, and the two states, which had already had the basis of cooperation and had reached an agreement on the issue of aggression against China, took joint action again, sent troops to the Far East, captured the capital of China, Beijing, and the emperor was exiled to Rehe (热河). [22]

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In 1862, the French Concession, which had been obstructing the issue of the merger, established the Public Council and completely withdrew from the public concession system. The merger of concessions, which had been delayed repeatedly due to the unclear attitude of France, was put on the agenda again. The long-term loss of governance has made the concept of sovereignty increasingly



blurred. [24] Many foreign nationals and envoys have proposed to establish a free city in Shanghai, form a strong government elected by the renters to replace the Ministry of Industry and the local government of China, and strip Shanghai from China. However, the British and American envoys of China rejected this proposal on the grounds of compliance with the treaty, considering that the prospect of Shanghai as a foreign trade port of China is far greater than a substantially independent free city. [25]

However, the protracted war has made the population of the concession increasingly large, and the change of the concession system is also imperative. Because the British concession is under the jurisdiction of the Concession commission for administration, the management is relatively strict, and all kinds of religions have fled from the United States and have poured into the United States concession, causing security problems in the United States concession. The United States concession decided to incorporate six patrols into the British concession patrolling room. Taking this opportunity, Edward Cunningham, a foreign company in Qichang (旗昌), and George F. Seward, the American consul, proposed to merge the two concessions. [26] In 1864, the Beijing Diplomatic Mission held a meeting and put forward five principles of public concession: the exercise of power must be approved by the Chinese government, the power should only be used for municipal purposes, the Chinese should be under the jurisdiction of Chinese officials, the municipal officials should not exercise judicial functions, and the municipal authorities should have Chinese representatives. The public concession began to operate. [27]

In the aspect of The narrative decline of sovereignty discourse, western states' respect for Chinese sovereignty is only superficial. First of all, the public concession is based on the private acceptance of western countries, and the consolidation of the leased territory is itself a denial of sovereignty. Secondly, the principles of public concessions are also negotiated and promulgated by the western diplomatic missions themselves. China cannot obtain any voice in the establishment and operation of public concessions, and can only accept "international decisions". The Chinese judges and foreign consuls appointed by Shanghai Circuit Intendant (道台) are specially responsible for the trial, depriving the local government of judicial power. In 1866, the charter was revised again, and the Public Concession Bureau was formally established. It was given the right to collect taxes, and the provisions on Chinese participation in politics were deleted. [28]

In 1866, the charter of the concession was revised again, and the Municipal Council of Public Concession was formally established, which was endowed with the right to collect taxes, and the provisions on Chinese participation in politics were deleted, and the charter was revised to "no need for the consent of the Chinese government, only the consent of the diplomatic envoys of the foreign government, and the local government of Shanghai was notified". With the departure of the British and American envoys who adhered to the treaty, Sir John Rutherford Alcock became the British envoy, and Act more aggressively. [29]

The public concession acquired a large amount of land in Shanghai through nominal lease and



actual possession. By its force and taking advantage of the chaotic situation in China, the international resolution formed through internal negotiation weakened the central government's geo-control ability, and established an autonomous government controlled by foreign policymakers and local overseas Chinese on the land of China, which controlled local administrative, tax, judicial and other powers in the name of "municipal construction", Weaken the authority of the central government, and finally weaken the concession sovereignty. [30]

2 Germany and Qingdao sovereignty governance

For Germany, the German colonial law at that time regarded Kiaochow (胶州) as a new colony. Although it was leased territory in the eyes of the Chinese government, Germany still regarded it as a colony. In the late 19th century, the economic and military strength of the German Empire expanded rapidly and began to seek world hegemony, expand abroad, and try to challenge the international order built by the old colonial western countries such as Britain and France. However, the German East Asian Fleet has long lived in Hong Kong and can only obey British orders. After the signing of the Treaty of Shimonoseki (马关条约), Germany united with France and Russia to force Japan to return to Liaodong, which became the first step of expansion in China. [31]

In the aspect of challenging state geo-control capacity, In 1890, Germany took over Shandong's "right to padroado" (保教权) from France. In 1897, two missionaries were killed in Juye, Shandong Province. The German policy-makers headed by William II decided that it was time to lose sight of the attitude of other western countries and ignored the Chinese Kiaochow negotiation to ensure proper compensation. They directly sent troops to land in Bay on October 20. The German troops occupied the key points of the mountains, cut off the power lines, and asked the Chinese garrison to immediately retreat to the outside of Nugukou (女姑口) and Laoshan (劳山). The German army declared: "In the German-occupied areas, Germany will not interfere with the administration of local governments in China. However, if any judicial case occurs later, it needs to be handled by the German government". [32]

Germany's actions are intended to replace Chinese control of the local government. The local government in Shandong, China, could not resist the German invasion and could only accept the request of the German government. 1897, Germany submitted the "Vertrag zwischen dem Deutschen Reiche und China wegen Ueberlassung von Kiautschou" (Treaty between the German Reich and China for the omission of Kiaochow). The content includes: 1 Germany has the right to use Chinese waterways in Shandong. 2The Chinese government has no right to intervene in German administrative matters in Shandong. 3 The lease term has not ended, and the Chinese government has no sovereignty. 4 China gave Germany the right to Shandong, which other governments can share. Chinese vessels on their territory need to be subject to the jurisdiction of German law, and the domestic supremacy of sovereignty has disappeared, but this clause has been recognized by the Chinese government. [33] Qingdao's legal status is only "Leased Territory", and its sovereignty is still



nominally owned by China. However, Germany intended to seize both governance and substantive sovereignty at the beginning of its occupation of Qingdao.

Since the western countries have acquiesced that Shandong belongs to the sphere of German influence, Germany's expansion has no restraint, and the German government urgently needs to establish a Far East stronghold, so it takes swift and violent measures to implement all-round colonial rule over Qingdao as soon as possible. In April 1898, the Governor's Office of Kiaochow, Shandong Province, Germany, was established. It has under its jurisdiction the Ministry of Military Affairs, the Ministry of Civil Affairs, the Department of Management, the Ministry of Public Works, and the Council of Counselors, and is directly under the jurisdiction of the German government. [34]

In 1900, the Chinese government sent Yüan Shih-k'ai (袁世凯) to try again to participate in the sovereignty struggle of Qingdao. The Chinese government proposed a new constitution (中德山东胶澳交涉简明章程) to Germany. The main content is as follows: 1 Germany should consult with China on all matters concerning sovereignty. China can share Qingdao's sovereignty with Germany, including administrative power. However, the German government did not agree with the Chinese request, and the Chinese government lost Qingdao's geo-control capacity. [35]

Regarding graduation of state economic sovereignty capacity is mainly reflected in local tax and trade tariffs. First, Germany's encroachment on tax rights. At the beginning of the occupation of Jiaozhou Bay, the German army took away the local population files and told the local government: "Germany has not yet clearly understood the population distribution and geographical distribution pattern of Qingdao, so we hope that the Chinese government can give us a report to the German government in Qingdao, and we would help China to rectify its taxation in Qingdao from today" . [36]

After Qingdao was ceded to the German government, the treaty did not make clear provisions on taxes, so Shandong Province continued to collect taxes in the concession, but the Governor's Office also began to exercise its functions. At the same time, two governments went to the stateside to collect taxes. Zhang Rumei (张汝梅), governor of Shandong Province, said: "The people of Qingdao have not yet paid their taxes this year, but they are unwilling to fulfill their tax obligations. They are unwilling to pay their taxes to the German government and transfer their taxes to other places. Even if the Chinese government urges them to pay taxes, they are indifferent". [37]

The local government of China rejected the request of Germany with a vague strategy and tried to avoid damage to Germany, but it led the German government to further violate Chinese sovereignty. The German government began to establish a mint in Qingdao and issue its currency to the re-establish economic order. In 1914, the Japanese army occupied Qingdao and continued to issue military tickets and force the people to use them. Before the return of Qingdao in 1922, China had not been able to control the currency autonomy of Qingdao. [38]

In terms of the reduction of state sovereignty and political authority, the ability of geographical control and economic sovereignty has gradually fallen, leading to a serious blow to the political



authority of the Chinese government in Qingdao. The German colonial authority took a two-pronged approach, weakening the old authority of the Chinese government on the one hand, and establishing a new political authority on the other. The German army has repeatedly crossed the border into Shandong, killing Chinese civilians and destroying cultural relics. In 1898, the German army forcibly entered JiMo (即墨) County and destroyed the Confucius Temple. [39]

In the face of Chinese negotiations, the German envoy Friedrich Gustav von Heyking(海靖)spoke strongly and declared: “Germany has not damaged Chinese assets. Please ask the Chinese government not to insult the German government until the matter is clear. At the same time, we hope the Chinese Office for the General Management of Affairs Concerning the Various Countries (Foreign Ministry) will take this matter seriously”. [40]

The fact that the German officials in Jiaoao put forward “unintentional damage” as a fact not only refused to compensate but also asked China to ban relevant reports. Since the 20th century, Germany has become increasingly isolated in Europe. Policymakers intend to cultivate China as an international ally. Influenced by Germany's foreign policy, the colonies began to develop toward open exchanges and cultural integration.

To improve Sino-German relations and promote the integration of local Chinese into the colonial system of Qingdao, the German government tried to create a fair ruling image in the judicial, administrative, and other fields, deliberately covering up the inequality in the colonies and making concessions to the Chinese. In 1900, a Chinese serving as a groom for foreigners in Qingdao was beaten by foreigners without reason and then sued the German government. Because the foreigners had been fined 20 yuan of foreign silver for beating people without reason before, the German judicial department increased the punishment to 35 yuan for the foreigners, which was a rare case of colonial China winning the lawsuit against the foreigners. [41]

In an aspect of The narrative decline of sovereignty discourse, With the increasingly stable colonial rule of Germany and the adjustment of policies, the signs of decline in the Chinese sovereignty discourse narrative began to implement the daily life of Qingdao residents. Although Beijing and Jinan insist that Jiaozhou is a “leasehold”, both the Qingdao authorities and the German Ministry of the Navy have publicly declared Jiaozhou a “protectorate” for Germany, and Germany has also granted “leasehold citizenship” to Chinese born locally. They will be protected by Germany and will not be extradited to China. [42]

They can also retain the right of residence when living outside the colonies. The overall planning of Qingdao completely ignores the original streets and buildings. The Germans forcibly bought a large amount of land from the old owners and built large and small German-style buildings in the European region of the city. The original villages were razed to the ground. Thousands of trees and shrubs were planted on the new streets, which were named after the German rulers. [43]

The copper-nickel coins used daily by Qingdao residents have the state emblem of the German eagle on the front and the words “Deutsch Kiautschou Gebiet” on the front. Influenced by German



culture day and night, Chinese native Wang Yi (王埏), who lived in Qingdao, could not help exclaiming: “The sad dream is bleak, and has been turned into a barbarian territory”. In his mind, Qingdao is no longer a sovereign territory of China, but a barbarian territory where “people are accustomed to the smell of blood, and soldiers come from the wild”. Germany's long-term colonial rule has also had an international impact. [44]

In the eyes of the major powers, Chinese nominal sovereignty is not worth mentioning, and Qingdao is regarded as Germany's overseas territory. In 1914, Japan declared war on Germany, and the Japanese army forcibly passed through Shandong to seize Qingdao. The western states also transferred Qingdao, the sovereign territory of China, the victorious state, to Japan as part of the peace treaty with Germany, in the Treaty of Versailles, completely ignoring Chinese sovereignty and demands. [45]

Figure1 Sovereignty declining comparison between Qingdao&Shanghai(Self-drawn by author)

location	Qingdao	Shanghai
Property		public concession
Challenging state geo-control capacity	Western states negotiate to divide Qingdao as a sphere of influence	Western states play local games and negotiate to divide Shanghai's sovereignty
The narrative decline of sovereignty discourse	Rapid decline	Slow decline
Degradation of state economic sovereignty capacity	The state's capacity to exercise economic sovereignty is rapidly deteriorating	The capacity of state economic sovereignty is slowly deteriorating
Reduction of state sovereignty and political authority	Rapid decline	Slow descent

CONCLUSION

Through hypothesis, this paper finds that Concessions, as a force of political globalization, have two mechanisms to impact Chinese sovereignty. The first is similar to the situation in the Shanghai concession, which is a kind of implicit weakening of sovereignty. European states have gradually expanded their jurisdiction and administrative authority through forced Concessions or leased territories. The emergence of public Concessions is that with the decline of the Chinese government's capacity, China finally gained its territorial sovereignty by seeking a free market and merging



concessions. The second, represented by Qingdao's leased territories, divides Chinese territorial sovereignty in the form of direct denial and forced divestiture.

By comparing the weakening mechanism of sovereignty between Shanghai and Qingdao, this paper believes that “sovereignty” and “governance” have broken under the impact of political globalization in the 19th century. At the same time, it is precise because of the rupture of the two that the weakening model of territorial sovereignty based on the two has emerged in China. The weakening of sovereignty in port cities is different from that in border areas and is more related to the interstate strategic considerations of western states. Although the Chinese government tried to maintain sovereignty at the port, it was more to maintain nominal sovereignty under the compromise of the interests of the major capacities. For this reason, before the middle of the 20th century, the “Concessions” and “leased territories” within Chinese sovereignty showed the nature of different degrees of separation from Chinese influence.

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