

From “Common Property” to Corporation: The Institutional Changes of the Merchant Associations of Suzhou and Shanghai in Late Qing.

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Abstract

The traditional merchant associations named Huiguan or Gongsuo established mainly by the donations of their own members often appealed to the local governments of Suzhou and Shanghai to protect the hall building and their other “common properties” in the eighteenth and nineteenth century China. This commercial-cum-legal procedure not only recognized as a local knowledge shared by both merchants and officials in an urban society both in Suzhou and Shanghai but also led to a kind of institutional evolution. To the contrary, there constituted a sort of institutional revolution at the beginning of the twentieth century China-- the introduction of the chambers of commerce. Many intellectuals and officials overwhelmingly urged the necessity and legitimacy of the chamber of commerce and ardently promoted this western-originated merchant association with the very mission to overcome the foreign competitions and secure the Chinese economic privileges. At the wake of the promotion the chamber of commerce was eventually delineated as a corporation, a legal term apparently borrowed from the modern western jurisprudence. This paper will distinguish the evolution with the revolution in the institutional changes of the Chinese merchant associations, and delve into the significance of the commercial-cum-legal procedure for protecting the merchants’ “common property” in some prosperous Chinese cities at least from the eighteenth century on.

Keywords: common property, corporation (artificial person),
huiguan, gongsuo, chamber of commerce, urban
society, Suzhou, Shanghai, Qing