

# The Red Cross Society of China in the Beiyang Government Period (1912-1928): A Civil Society Organisation Amidst Political Unrest

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## ABSTRACT

*The background of the Red Cross Society of China (RCSC) reveals the rich history of humanitarian efforts in the twentieth century in China, particularly during the Beiyang Government period (1912-1928). Against the backdrop of the First World War, the RCSC established strategic collaborations with external partners, including the United States. However, it also faced considerable challenges, many driven by a Chinese government whose vested interests often opposed the RCSC's goals. The Beiyang Government thus engaged in both constitutional and in strong-arm tactics to exert its control over key facets of the RCSC, which was then a well-established and globally reputable organisation. These circumstances make the organisation an effective test case of developing a humanitarian organisation in a country with an unstable governmental system. This paper argues that the ideological conflict between the RCSC and the Beiyang Government was a sign that civil society still lacked penetration and depth in China.*

**Keywords:** RCSC, Constitutional Republic, Civil Society, Beiyang Government, Government Interference

## Introduction

This paper will examine the development of the Red Cross Society of China (RCSC) during the Beiyang Government period, between 1912 and 1928. During this period, the Central Government was very weak, since the emergent Republic's Administration was in its infancy and several warlords threatened its stability. It was one of the most chaotic political periods in Chinese history, yet the Central Government still managed to control the RCSC. As discussed below, State intervention in the affairs of the RCSC ran unchecked under the Beiyang

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Government. It could thus be argued that the RCSC became a State apparatus during this period, for two main reasons: first, civil society organisations were heavily reliant on the government for financial support, and second, the culture of Confucianism hindered the formation of a public sphere where citizens could interact with each other without government interference.<sup>1</sup> Accordingly, this paper will explore RCSC operations between 1912 and 1928, to investigate the development of the Red Cross in China in this Republican period. It will finally be argued that the ideological conflict between the RCSC and the Government was a sign that civil society still lacked penetration and depth in China during the Beiyang Government period.

## Background

During the 1910s, 1920s and 1930s, China was characterized by a surge of peacetime activities, as the country attempted to recover from the Boxer Crisis and the ensuing revolution that took place at the turn of the century. These changes were especially evident in China's government system, as it made its first major strides toward instituting a system of democracy, breaking from its previous monarchy. In 1912, widely regarded to be the beginning of a new era for China, the Provisional Government<sup>2</sup> was established, as well as the National Assembly tasked with the election of a president and vice-president every five years. The first president appointed by the National Assembly was Yuan Shikai, a former military general. China also became a founding member of the League of Nations during this time, demonstrating its willingness to work with other countries on a global level.<sup>3</sup>

However, troubles were far from over for the people of China. Yuan Shikai (袁世凯) died before completing a full term, and what would follow was the period often referred to as the Warlord Era. A national army was also established, a controversial decision that involved forced recruitment and a grand display of power against the threat of uprising. The political tensions associated with World War I escalated these disruptions even further, with the fledgling government's second presidential election in 1918, which is widely regarded to have been rigged. After this time, various groups battled for control of China, chiefly competing factions based out of Beijing and Shanghai. The country's governmental system was fully rewritten several times as different entities took control, culminating in an expansionist,

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<sup>1</sup> Karla W Simon, *Civil Society in China: the Legal Framework from Ancient Times to the "New Reform Era"*, Oxford University Press, Oxford, 2013, p. 86.

<sup>2</sup> The Provisional Government of the Republic of China was established on 1 January 1912, marking the end of China's feudal monarchy.

<sup>3</sup> Julia C Strauss, *Strong institutions in weak polities: state building in Republican China, 1927-1940*, Oxford University Press, Oxford, 1998.

military rule that lasted from 1926 to 1928.<sup>4</sup> Throughout this time, the country's people faced widespread famines exacerbated by natural disasters, frequently unfair government practices, and many casualties stemming from a series of military conflicts.

The RCSC sought to alleviate these difficulties to whatever degree possible, and to achieve validation and successes similar to those it had during the Russo-Japanese War.<sup>5</sup> The Society opened up a number of hospitals in cities such as Beijing and Shanghai. The popularity of the outfit let it establish many local branches, expanding its network and operational ground in China. More Chinese people were able to access services and aid through these local chapters.<sup>6</sup> The local chapters were popular with many civilians due to their modernity, international connections and diversified humanitarian activities. In 1906, under the watch of Shen Dunhe (沈敦和),<sup>7</sup> the society sent its first workers to a foreign region, the United States, in response to an earthquake in San Francisco.<sup>8</sup> The earthquake was devastating, injuring and killing people from all over the world then based in the metropolis.

The successes of the RCSC were largely linked to the Beiyang Government period (1912-1928), when major milestones were achieved in its move towards a fairer and more stable society.<sup>9</sup> It is during this period, against the backdrop of the First World War that the entity attained international status, with many strategic collaborations with external partners, such as the United States. However, the

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<sup>4</sup> John R Watt, *Saving lives in wartime China: how medical reformers built modern healthcare systems amid war and epidemics, 1928-1945*, Brill, Leiden, 2013.

<sup>5</sup> Randall Peerenboom, *China's long march toward rule of law*, Cambridge University Press, Cambridge, 2002.

<sup>6</sup> May-ling Soong Chiang, *China shall rise again*, Harper & Brothers Publishers, New York, 1941.

<sup>7</sup> Shen Dunhe (沈敦和), Zi (字) was Zhong Li (仲礼), a Renxian (鄞县) County, Zhejiang Province, social activist and philanthropist. He studied at Cambridge University in England in the early years and specialized in politics and law. After returning to China, he served as a teacher at Jinling Tongwen Hall (金陵同文), Jiangnan Navy Teacher School (江南水师学堂 *Jiangnan shuishi xuetang*), and Wusong Self-Strengthening Military Operation Division Office (吴淞自强军营机处总办 *wusong ziqiang junying jichu zongban*), as well as the director of Shanghai Siming Corporation (上海四明公所 *Shanghai Siming Gongsuo*), the first president of Ningbo Traveler in Shanghai Association (宁波旅沪同乡会 *Ningbo lvhu tongxianghui*), and the director of Shanghai General Chamber of Commerce (上海总商会董事 *Shanghai zongshanghui dongshi*).

<sup>8</sup> Rajeswary Ampalavanar Brown, and Justin Pierce (eds), *Charities in the non-Western world: The development and regulation of indigenous and Islamic charities*, Vol. 1, Routledge, London, 2013.

<sup>9</sup> Chinese Red Cross Society, *National Red Cross Society of China: Medical relief commission*, Connaught Printing Press, Hong Kong, 1900.

Beiyang Government period also involved many challenges for the RCSC, ranging from government interference to internal strife within the humanitarian outfit.<sup>10</sup>

### **The RCSC during the Beiyang Government Period: 1912-1928**

The Provisional Government of the Republic of China was established on 1 January 1912, marking the end of China's feudal monarchy. Sun Yat-sen (孙中山)<sup>11</sup> became the provisional president of the Republic of China in Nanjing.<sup>12</sup> After the establishment of the Republic of China, the president of the International Committee of the Red Cross (ICRC) in Geneva, Switzerland, sent a letter to Shen Dunhe, the Director of the RCSC Board, confirming that "China had officially joined the ICRC as a member."<sup>13</sup> The Statutes of the International Red Cross and Red Crescent Movement clearly required that each member organisation "[b]e duly recognized by the legal government of its country on the basis of the Geneva Conventions and of the national legislation as a voluntary aid society, auxiliary to the public authorities in the humanitarian field."<sup>14</sup> This was the first time an independently founded Chinese organisation gained official recognition by the ICRC.

After the formal registration of the RCSC as a non-governmental organisation, two competing factions emerged, originating in Beijing and Shanghai respectively. The two factions battled for representation and control of the organisation. The Shanghai faction believed that the RCSC was established to provide relief during times of calamity and war, and hence should be managed by merchants without government interference. In contrast, the Beijing faction believed that the RCSC should be an extension of the government,<sup>15</sup> which would prevent the creation of a parallel power and any possible conflict with government policies. This view originated from the RCSC's constant need of government support to facilitate relief to injured soldiers. While the RCSC during this period was focused on providing aid to soldiers and others in need who often lacked access to care, it was

<sup>10</sup> Jean-Phillippe Lavoyer, "Implementation of international humanitarian law and the role of the International Committee of the Red Cross", in *International Humanitarian Law: Challenges*, Brill Nijhoff, Leiden, 2006, pp. 579-591.

<sup>11</sup> Sun Yat-sen was the provisional President of the Republic of China in Nanjing from 1 January 1912 to 1 April 1912.

<sup>12</sup> School of Sociology in Suzhou University 苏州大学社会学院 and Suzhou Red Cross Society 苏州市红十字会, *Zhongguo hongshizi lishi biannian (1904-2004) 中国红十字历史编年 (1904-2004) [Chronicles of the Red Cross Society of China (1904-2004)]*, Anhui Renmin Chubanshe, Hefei, 2005, p.19.

<sup>13</sup> *Ibid.*, p.19.

<sup>14</sup> *Statutes of the International Red Cross and Red Crescent Movement*, adopted by the 25<sup>th</sup> International Conference of the Red Cross and Red Crescent at Geneva in 1986, ammended in 1995 and 2006, p.9.

<sup>15</sup> *Chronicles of the Red Cross Society of China (1904-2004)*, above note 12, p. 15.

consistently viewed with suspicion by the various parties involved in the battle for control of the country. They viewed the RCSC as either an institution of power presenting competition for political power, and thus an enemy, or as a tool that could be leveraged for some kind of gain. This presented many challenges for the RCSC, which continually faced actions from both the faction currently in power and from other factions aiming to seize control.

There was also an existing relationship between the American Red Cross and the RCSC since both had made mutual donations in a major disaster, so relations between the two countries were harmonious. This relationship was maintained until 1918 when the American Red Cross wished to establish a branch in China, to increase donations and publicity as well as recruit members for the American Red Cross. However, Shen Dunhe and other members of the RCSC opposed the American Red Cross having a branch in China, thus resulting into a series of disputes. The conflict was not only personal, but also affected the RCSC and other branches of the Red Cross. The Chinese government and the American Red Cross in Washington, the United States Embassy Minister, and the Consul in Shanghai all paid close attention to the conflict, which had a profound impact on the RCSC.

The American Red Cross asked the Consul-General of the United States in Shanghai to discuss with Shen Dunhe how the United States could set up the branch of the American Red Cross in China. Specifically, the United States intended to establish a Red Cross branch in Shanghai to facilitate the transport of medical supplies for the French war relief and for fundraising in China. In Shen Dunhe's view, Britain, France and other countries had already established Red Cross branches in Shanghai, so it was illogical to prevent the American Red Cross from also doing so. In addition, the branch of the American Red Cross in China was mainly for fundraising. Therefore, the RCSC was also in favour of an American Red Cross branch in Shanghai.

Shen Dunhe had also established the Huayang Charity (华洋义赈 Huayang yizhen), which gained the appreciation of the American Red Cross. When the American Red Cross asked to establish a branch in China with a charity focus, Shen Dunhe agreed.<sup>16</sup> At the time, the United States had received no formal agreement documents from China. However, Sa Moji (萨门司) had called Shen Dun and said:

There is no opposition to the American Red Cross setting up a branch in China, and the vice president of the RCSC, Shen, agrees to that. We welcome the American Red Cross undertaking

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<sup>16</sup> "Shen Dunhe zhi Xia Yingtang han 沈敦和致夏应堂函 [Letter of Shen Dunhe to Xia Yingtang]", *Shun Pao*, 7 May 1918.

worthwhile activities in China, so the RCSC will give strong support to the American Red Cross.<sup>17</sup>

When Sa Moji sent this letter, the society understood that the American Red Cross was to set up a branch in China, and that Wang Zhengting (王正廷) would be the president for the branch. The Chinese government, Shen Dunhe, and local chapters had put forward their views. The debate between the RCSC and the American Red Cross regarding the proposed branch continued for more than a year. The conflict affected the normal development of the RCSC: as Shen had agreed to set up the branch of the American Red Cross, he was forced to resign.

In January 1918, the Chinese government, Shen Dunhe and the RCSC agreed that the American Red Cross could come to China for fundraising activities. However, the United States wanted to establish a branch of the American Red Cross in China; the Chinese government and RCSC opposed this idea. In April 1918, a document produced by the Army of China explicitly forbade the establishment of an American Red Cross branch in China because the American Red Cross had only negotiated with, and gained permission from, Shen Dunhe. However, the American Red Cross had already publicly announced that it would be allowed to establish a branch in China. This situation was embarrassing for the American Red Cross, which resulted in Shen Dunhe being censured by other members of the RCSC.<sup>18</sup> In Shen's account:

If the American Red Cross is only to set up transit agencies primarily responsible for transport of relief goods, it can be considered. If the American Red Cross sets up a branch in China, which is half the national nature of the Red Cross, it cannot be allowed in my own opinion. So, I cannot give feedback about it.<sup>19</sup>

Thereafter, Shen shifted to a neutral attitude and no longer expressed any opinion. Due to the attitude of the RCSC, the American Red Cross sought another way to secure consent from China. Meanwhile, the American Red Cross declared that it was not going to establish a branch in China after all. Wang Zhengting, as the president of the American Red Cross in China, was misinformed.

Subsequently, Anrid, the representative of the American Red Cross in China and the United States Embassy commercial counsellor, clarified the misunderstanding. Anrid stated that:

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<sup>17</sup> *Ibid.*

<sup>18</sup> *Ibid.*

<sup>19</sup> *Ibid.*

[t]he United States was to establish a temporary agency to collect donations in China, such as clothes, hand-made bandages, and other items to send to the European battlefield for the wounded. This activity was not seen as the American Red Cross acting independently but had unanimous treaty approval. Although the name “American Red Cross in China” literally translated into Chinese as “the branch of the American Red Cross in China”, the nature of its activity was different from that of the RCSC, so the institution would not infringe on the RCSC.<sup>20</sup>

The conflict between the RCSC and the American Red Cross was a misunderstanding caused by English translation. Shen Dunhe, the president of Shanghai Commerce Association, along with a representative of the American Red Cross and the Vice-Consul of the United States in Shanghai (who was proficient in Chinese), jointly decided to translate “the American Red Cross” as “the preparatory ambulance material department of the United States”.<sup>21</sup> When asked by the Ministry of Interior, the Ministry of Foreign Affairs and the Department of the Army, Shen Dunhe said: “the branch is incompatibly involved.”<sup>22</sup> Subsequently, Shen Dunhe sent the announcement to the European battlefield that the American Red Cross relationship was purely charitable in nature and did not interfere with the sovereignty of the national Red Cross, but instead gave it support. Local branches of the Red Cross were informed about the preparatory ambulance material department of the United States going to various regional areas to raise funds, and were told that they should provide hospitality and assistance.<sup>23</sup>

Parallel with this internal conflict, the government also attempted to control the RCSC.<sup>24</sup> For example, soon after the creation of the RCSC the American Red Cross attempted to establish an office in China, but the request was denied by the government since it was suspicious of possible interference by foreigners in internal

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<sup>20</sup> “Guanyu Meihonghui zai hua mukuan xiaoxi 关于美红会在华募款消息 [Reports on the Fund Raising of the American Red Cross in China]”, *Shun Pao*, 4 May 1918.

<sup>21</sup> “Meihonghui yizheng zai hua mujuan mingcheng zhi baogao 美红会译正在华募捐名称之报告 [Report on Fundraising Activities in China Translated by the American Red Cross]”, *Shun Pao*, 21 May 1918.

<sup>22</sup> *Ibid.*

<sup>23</sup> *Ibid.*

<sup>24</sup> Zihua Chi 池子华, *Compilation of Historical Materials of Red Cross Movements in China (Volume I)*, Hefei University of Technology Publishing House, Hefei, 2014.

affairs.<sup>25</sup> The government enhanced its pressure on the General Assembly of the RCSC to clarify several issues, such as the location of the head office and the nature of the organisation.<sup>26</sup> As a result, the RCSC became a non-governmental charity organisation with its headquarters in Shanghai.

Under the Beiyang Government, there were several drastic changes in government involvement with the evolution of civil society. During the Qing government, the appointments of presidents of the RCSC were subject to approval by the imperial crown.<sup>27</sup> However, from 1914 onwards the Government could make direct appointments without need of approval by the Congress. Under the RCSC Statutes, the supervision of the RCSC was placed under the Department of the Army and the Department of the Navy.<sup>28</sup>

The Red Crescent Movement and the International Red Cross' Statutes state that a Red Cross society should be recognized in its host country through national legislation.<sup>29</sup> Accordingly, Shen Dunhe successfully negotiated the recognition of the RCSC by the Ministry of Interior in 1912.<sup>30</sup> The conflict between Beijing and Shanghai escalated due to events at the International Conference of the Red Cross in Washington. In 1912, the Ministry of Foreign Affairs received notice from the International Conference of the Red Cross. It first informed Shen Dunhe of the Shanghai Committee of the Red Cross and expected him to participate in the Conference on his own. Shen was not concerned about this matter, however, so he passed the notice to the Head Office of the Red Cross in Beijing. Subsequently, Beijing reported to President Yuan Shikai that Rong Kui (容揆), a Chinese Counsellor in the United States, would attend the Conference on behalf of the RCSC. Beijing, however, sent John Calvin Ferguson to accompany Rong Kui as a consultant, as Rong Kui had little knowledge on the RCSC.<sup>31</sup> As a result, Beijing announced a conference to discuss combining all the Red Cross Societies, whereas Shanghai announced a first general meeting for the election of directors, president,

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<sup>25</sup> Carolyn L Hsu, *Social entrepreneurship and citizenship in China: The rise of NGOs in the PRC*, Taylor & Francis, Oxfordshire, 2017.

<sup>26</sup> Jianqiu Zhang 张建倅, *Zhongguo hongshizihui chuqi fazhan zhi yanjiu 中国红十字会初期发展之研究 [Research on the beginnings of the Red Cross Society of China]*, Zhonghua Shuju, Beijing, 2007, pp. 3-4.

<sup>27</sup> Qiuguang Zhou 周秋光, *Hongshizihui Zai Zhongguo (1904-1927) 红十字会在中国 (1904-1927) [The Red Cross Society in China (1904-1927)]*, Renmin chubanshe, Beijing, 2008.

<sup>28</sup> David P Forsythe, *The humanitarians: The international committee of the Red Cross*, Cambridge University Press, Cambridge, 2005.

<sup>29</sup> J. Zhang, above note 26.

<sup>30</sup> *Chronicles of the Red Cross Society of China (1904-2004)*, above note 12, p.15.

<sup>31</sup> *Ibid.*, p. 21.

and members.<sup>32</sup> At that point, the Beijing branch enjoyed government support but lacked functional capability in medical care, relief and fundraising, while the Shanghai faction had support from merchants but lacked the government acknowledgment critical for cooperation and international recognition.<sup>33</sup> This situation demonstrates the compounding struggles of humanitarian organisations operating out of countries in turmoil, as the restrictions set by their governments may come into conflict with international policies.

On 29 September 1912, the first General Assembly of the RCSC was held in Shanghai. The Assembly adopted a Constitution that authorized the merging of Beijing, the location for the head office and the president, and Shanghai, the location of the affairs office and vice-president.<sup>34</sup> The new RCSC Constitution marked the end of the conflict between the two cities.<sup>35</sup> Its aim was to ensure that the organisation could operate without government interference. The International Red Cross also required a congressional structure to be implemented in all Red Cross societies through a secret ballot. Thus, the RCSC converted its board system into a congress that attracted more than 1,000 delegates from across China. This conference attained a standardized management system that eliminated controversies between officials and merchants.

On 6 October 1912, the congress of the RCSC was officially established. Based on the charter of the East-West countries, the congress established the Charter of the RCSC, electing the president and vice president of the Republic of China as the honorary president and vice-president, respectively. On 18 October 1912, the Government of China acknowledged the decision and announced it in the presence of representatives from the Navy and the War Department, the Ministry of Internal Affairs and the Ministry of Foreign Affairs,<sup>36</sup> but it was not satisfied with the Charter restricting the relevance of Beijing. For this reason, the Commission of Legislative Affairs of the Senate did not approve the draft Charter.<sup>37</sup> The Government later issued Regulations of the RCSC that allowed the former to appoint senior officials and enabled the Ministry of Internal Affairs, the Department of Navy and the

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<sup>32</sup> “Zhongguo hongshizihui di yi ci huiyuan dahui guanggao 中国红十字会第一次会员大会广告 [Advertisement of the First General Meeting of the Red Cross Society of China]”, *Shun Pao*, 7 August 1912.

<sup>33</sup> “Zhongguo hongshizihui dahui gaiqi guanggao 中国红十字会大会改期广告 [Advertisement on the Date Change of Conference of the Red Cross Society of China]”, *Shun Pao*, 12 September 1912.

<sup>34</sup> *Chronicles of the Red Cross Society of China (1904-2004)*, above note 12, p.21.

<sup>35</sup> *Ibid.*

<sup>36</sup> “Hongshizihui kaihui mang 红十字会开会忙 [Tight Meeting Schedule of the Red Cross]”, *Shun Pao*, 16 October 1912.

<sup>37</sup> *Ibid.*

Department of Army to control the Red Cross. The new orders meant that the Affairs Office in Shanghai was reduced to a Branch Office.<sup>38</sup>

After the conflict between the Red Cross Societies in China and the United States, a series of actions by the Beiyang Government led to “people from civil society misunderstanding that the government was going to take the Red Cross back to being a government-run organization.”<sup>39</sup> Until 1919, the Department of the Army, together with the Department of the Navy and the Department of Internal Affairs, regularly sent representatives to Shanghai in response to criticism by the American Red Cross Society of the RCSC, to investigate the accounts of the General Affairs Office. The Head Office of the RCSC in Beijing proposed to actively release the regulations and implementation rules issued by the Government; however, such a release was still opposed by Shen Dunhe. Shen Dunhe even attempted to draft a revision of the foregoing regulations for review by the General Assembly and final approval at the National Conference of the General Assembly, based on which he would plead with the Government to make the revision.<sup>40</sup> This attempt illustrated continued opposition to the intent of the Government to exert greater control over the General Affairs Office. This was obviously unacceptable to the Beiyang Government, which then decided to take drastic action.<sup>41</sup>

The Beiyang Government was dissatisfied with the current work of the Red Cross and attempted to select new officers. Shen Dunhe noted that “the government’s intention to replace employees was designed to rectify and expand the scope”<sup>42</sup> of the RCSC. On 29 April 1919, the Beiyang Government directly announced that Cai Tinggan (蔡廷干)<sup>43</sup> would be dispatched to undertake the position of vice-president

<sup>38</sup> “Paiding hongshizihui huizhang yaodian 派定红十字会会长要电 [Telegram of the president of Red Cross]”, *Shun Pao*, 20 October 1912.

<sup>39</sup> “Zhongguo hongshizihui quanguo dahui ji (xu) 中国红十字会全国大会纪 (续) [Minutes of General Meeting of the Red Cross (continued)]”, *Shun Pao*, 27 June 1922.

<sup>40</sup> The Second Historical Archives of China, “Zonghui fa Shen fu huizhang han 总会发沈副会长函 [Letter from the Head Office to Vice President Shen]”, in *Hongshizihui dang'an 红十字会档案 [Archives of the Red Cross Society]*, 19 February 1919, pp. 476-3241.

<sup>41</sup> The Second Historical Archives of China, “Zonghui fa Wu jingzhong han 总会发吴敬仲函 [Letter from the Head Office to Wu Jingzhong]” in *Hongshizihui dang'an 红十字会档案 [Archives of the Red Cross Society]* (16 April 1919), pp. 476-3239.

<sup>42</sup> “Shen Zhongli laidian 沈仲礼来电 [Telegram from Shen Zhongli]”, *Shun Pao*, 18 July 1919.

<sup>43</sup> Cai Tinggan, called Yaotang (耀堂) as a courtesy name, was a native of Xiangshan (香山, Guangdong). He was sent to America for study in the 12th year of Emperor Tongzhi in the Qing Dynasty (同治十二年 A.D. 1873), when he was still a child. Later, he came back and served at Dagu Torpedo School. During the First Sino-Japanese War, he even led a torpedo boat in combat. In the 3rd year of Emperor Xuantong (宣统三年 A.D. 1911), he was assigned as the Chief of the Navy

of the RCSC, which meant removing the former Vice-President, Shen Dunhe, from the position.<sup>44</sup> This act embarrassed Shen, who issued a letter to the General Assembly the same day issuing his resignation.<sup>45</sup>

In 1921, Tang Yuanzhan (唐元湛), who had been appointed General Director of the General Affairs Office by Vice President Cai Tinggan, died from a stroke, so he was succeeded by Zhuang Lu (庄篆), who was elected by the General Assembly.<sup>46</sup> The succession orders were issued by the President and completely bypassed the election of the RCSC. The Government's behaviour allowed the private sector to reframe the RCSC as a government-run organisation. Therefore, Cai Tinggan declared that "all these positions were taken over in accordance with the regulations."<sup>47</sup>

To resist pressure from the Government and satisfy the grassroots public's desire for non-government organisations, the General Assembly convened the Second National Conference in 1922, as the expiration of the standing members' office term had brought about the abovementioned conflict. On 29 June, the 3rd Session of the National Conference was held for the election of standing members. The National Conference was a victory for the gentry and merchants in Shanghai.

Inspection Division under the Department of the Navy. During the 1911 Revolution, he went to Wuchang, following the orders of Yuan Shih-kai, to negotiate with Li Yuanhong (黎元洪). In 1912, he was promoted to be a senior military staff officer, ranked as a vice admiral; in 1913, he was made the Superintendent of the Department of Revenue, and latter additionally made the protocol officer of the President's Office, or the English secretary of Yuan Shih-kai according to another source. In 1918, he became a member of the Customs Revision Committee. Cai Tinggan had been serving in Beijing since the late Qing Dynasty, and had been placed in important positions by successive presidents in the Beijing Government since the reign of Shih-kai Yuan, due to his specialty in foreign languages. This was probably one of the reasons why he was selected by the Beiyang Government as the Vice President of the Red Cross Society of China. Youchun Xu 徐有春, *Minguo renwu da cidian 民国人物大辞典* [The Great Dictionary of Figures in the Republic of China], Hebei renmin chubanshe, Shijiazhuang, 1991, p. 1363.

<sup>44</sup> "Da zongtong ling 大总统令 [Presidential Order]", *Zhengfu gongbao 政府公报* (Nanjing), 30 April 1919.

<sup>45</sup> The Second Historical Archives of China, "Zonghui Feng Enkun fa Lv huizhang han 总会冯恩昆发吕会长函 [Letter from Feng Enkun of the Head Office to President Lv]", in *Hongshizihui dang'an 红十字会档案* [Archives of the Red Cross Society], 1 May 1919, pp. 476-3239.

<sup>46</sup> "Zhongguo hongshizihui ershinian dashi gangmu 中国红十字会二十年大事纲目 [List of Major Events for Red Cross Society of China in 20 Years]", in *Zhongguo hongshizihui yundong shiliao xuanbian 中国红十字会运动史料选编* [Selected Historical Materials of the Chinese Red Cross Movement], Hefei gongye daxue chubanshe, Hefei, 2014, pp.30-37.

<sup>47</sup> "Hongshizihui changyiyuan hui jishi 红十字会常议委员会纪事 [Meeting Minutes of the General Assembly of the Red Cross Society]", *Shun Pao*, 13 August 1919.

The Conference passed the revised Constitution and ensured that the General Assembly was the central authority of the RCSC; the President was appointed by the Government but now occupied an honorary position and was subject to election by the General Assembly. Adding a vice-president position in Shanghai meant that the General Affairs Office dominated governance via the vice-president in Beijing. Meanwhile, the newly elected members of the General Assembly were more representatives of the Shanghai side. Finally, the president and vice-presidents were elected by the General Assembly and only passively acknowledged by the Beiyang Government. As mentioned above, Shen Dunhe hoped to adhere the Red Cross to the private sector and successfully achieved his goal, while the Beiyang Government's attempt to make the Red Cross a government-run organisation was defeated. Therefore, during the subsequent reign of the Beiyang Government or even during the reign of the Government of the Republic of China, the RCSC constantly maintained its status as a civilian-run organisation, while the General Assembly, dominated by partial gentry and merchants in Shanghai, remained in a leadership position.

The office terms of the president and the vice-presidents expired in 1924, so the General Assembly held a meeting on 23 March. There, Yan Huiqing (颜惠庆) was elected as the president and Cai Tinggan and Yang Sheng (杨晟) were elected as the vice-presidents; on 29 April, the Beiyang Government approved the appointments as usual.<sup>48</sup> In 1928, Yan Huiqing was re-elected before the restructuring of the Head Office. During his tenure, however, the General Assembly, consisting of partial gentry and merchants in Shanghai, remained the central authority of the RCSC. After the founding of the Republic of China, the controversy about having a government-run or civilian-run Red Cross Society also came to an end.

### **The Rationale Behind the Beiyang Government's Interference in the RCSC**

The Beiyang Government's interference into the RCSC can only be understood through the incorporation of civil society management theories and by considering the dictatorial tendencies of the Beiyang Government. The "Constitutional Republic" established in 1912 was supposed to be a democracy. It incorporated an

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<sup>48</sup> "Hongshizihui gaixuan zheng fu huizhang 红十字会改选正副会长 [Reelection of the President and Vice Presidents of the Red Cross Society]", *Shun Pao*, 17 April 1924. "Zhongguo hongshizihui ershinian dashi gangmu 中国红十字会二十年大事纲目 [List of Major Events for Red Cross Society of China in 20 Years]", in *Zhongguo hongshizihui yundong shiliao xuanbian 中国红十字会运动史料选编 [Selected Historical Materials of the Chinese Red Cross Movement]*, Hefei gongye daxue chubanshe, Hefei, 2014, pp. 30-37.

elected parliament, which was keen on coordinating with the government under President Yuan Shikai. However, Yuan was against sharing power with the parliament as it was dominated by Sun Yat-sen's party. This was captured in how often he ignored any decisions emanating from the National Assembly. The dissolution of the parliament in January 1914 was a major step by Yuan in consolidating his power as a dictator. The dissolution provided him wide powers over the next ten years, which he used to safeguard his personal interests. This transition significantly strained governmental relations with the RCSC.

As a non-governmental organisation, the RCSC enjoyed much legitimacy from the public. Its aid during the Russo-Japan disaster was critical in rallying support across China. It is prudent to note that the humanitarian mandate was critical in ensuring that the Shen Dunhe-led entity acquired material and financial support from the Shanghai elite. The RCSC was also seen to be much attuned to the public's concerns and to the needs of several maligned groups that could have easily escaped the government's net due to religious standing or political inclination.<sup>49</sup> With chapters across China, the RCSC network was also much different from the Beiyang Government, which was founded on traditional monarchical structures. This could have been one of the reasons why the Beiyang Government was keen on exerting its control over the organisation but not to the extent of fully crippling it. The network structures were complementary to many governmental functions—hence the calculated control of the RCSC under Yuan's tenure.

The Yuan dictatorship sought to contain the RCSC, the only civil society organisation at the time, through different strategies. Many governments make it impossible or difficult for NGOs to get registered.<sup>50</sup> However, in the Beiyang Government's case, the registration of the RCSC was a matter beyond its control due to the RCSC's international standing and links. The only viable approach for the Yuan administration was to contain or usurp the organisation's power by shrinking the legal and administrative space that it could work with. Through purported constitutional changes, the Government showed its true intentions of curtailing the organisation's independence.

Smear campaigns are one of the tactics used by governments in fighting non-governmental organisations. These campaigns may be levelled against the organisation's leaders, sponsorship or mandate. The linkage of the RCSC to the

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<sup>49</sup> David C. Korten and Antonio B. Quizon, "Government, NGO and International Agency Cooperation: Whose Agenda?" in *Government-NGO relations in Asia*, Palgrave Macmillan, London, 1995, pp. 131-164.

<sup>50</sup> Grace Chikoto, "Steering international NGOs through time: The influence of temporal structuring in government accountability requirements", *Nonprofit Policy Forum*, vol. 6, no. 1, De Gruyter, Berlin, 2015, pp. 59-90.

International Red Cross Society was one of the premises for the smear campaigns launched by the Yuan Administration. The leakage of a news piece regarding the conflict between Beijing and Shanghai on the Red Cross delegation to the United States was aimed at highlighting the disarray in the organisation. Since the newspapers were the popular information media, leaking the conflict can be said to have been government-engineered. News of the conflict would have augured negatively with the Chinese population, whose cultural values were non-confrontational, honest and inclined towards wisdom. A smear campaign strategy may also have been used against Shen Dunhe, who was the strongest personality at the time standing up to the Yuan Administration in its quest to control the RCSC. By targeting its topmost official, the Yuan Administration tried to delegitimize the RCSC as it was then constituted, in order to justify its need to take more control over the RCSC activities in China.

The countermoves of the Beiyang Government also exhibit its desire to install its puppets in major offices. A good example is the mooted of the Cai Tinggan candidacy in April 1919 to replace the influential Shen Dunhe. The decision was made with the goal of humiliating Shen and flexing its muscle, in accordance with the new constitutional changes dubbed “Regulations of the Red Cross Society” that had been ratified by the legislature.<sup>51</sup> The puppeteering of the top leadership by the Government can be explained by the intentional skipping of pertinent meetings by Cai Tinggan, particularly those that sought to mount attacks on the government’s interference.

Intimidation was one of the other tools adopted by the Beiyang Government. This was observed through the deliberate push by Beijing to have new regulations introduced to restrict the RCSC’s Head Office. This led to the announcement of the Regulations of the RCSC (Article 11). The decision by the government to ignore the Affairs Office and Executive Council amounted to strong-arm tactics that could only be equated to intimidation.

### **Left-Wing Perceptions of Civil Society**

According to the framer of the concept of civil society, Georg Wilhelm Friedrich Hegel, He identifies family, religion, morality, legislation, education, class relations, laws and relationships between citizens as the basic components of civil society.<sup>52</sup> Under this theoretical framework, the State plays the pivotal role of balancing interest

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<sup>51</sup> R. Gallop, H. Beer, and O. Stroh, “International Assistance of the Red Cross in Indo-China”, *International Review of the Red Cross*, Archive 14, no. 157, 1974, pp.194-195.

<sup>52</sup> Peter G. Stillman, “Hegel, Civil Society, and Globalization,” in Andrew Buchwalter (ed.), *Hegel and Global Justice*, Springer Dordrecht Heidelberg, New York, London, 2012, pp.112-13.

groups' influence and ensuring that civil society is developed for the public good. Building on this theory, Karl Marx stated that the civil society under capitalism would be eager to advance individual interests, which in the end would evolve into the focus of the society in context. Thus, in a capitalistic society the capitalist class would use the civil society to advance its agenda.

In light of this theory, it is worth noting that the RCSC was initially founded and funded by the elite class in China under the leadership of Shen Dunhe. Before legal ratification of the RCSC by the Government, the body's agenda could have been influenced by the interests of its major stakeholders: the elite class. As such, Shen Dunhe emerged as the leader of a civil society organisation which had the potential to deviate from its core mandates, in order to advance the individual interests of its top financiers. However, with the Government's interference, under this theory, the potentiality of such an action was contained. This may be used to highlight the positive implications of the Government's involvement in the RCSC operations in China.

Reviewing the constitution of the body from a leftist perspective suggests that the Yuan Administration might have been serving the greater good for the Chinese public. As a provisional government, the Yuan Administration had the legal mandate of protecting the public's interests. This was achieved through the establishment of special internal coordination in the entity via government representatives. Officials drawn from the Ministry of Foreign Affairs, the Department of the Navy, and the Department of the Army were incorporated into the Red Cross Society in order to provide governmental oversight, which otherwise would not have been possible with the government participating in the periphery.

The actions of the Government could also be argued as ensuring that the body was rooted in its core mandate of providing humanitarian assistance.<sup>53</sup> With the First World War taking place, the Government had to take an active role in the affairs of the Red Cross Society with the intent of creating the much-needed synergy between the two parties, as envisioned in the Geneva Conventions. This is observed in the long-term relationships between the Government and the Red Cross. The Red Cross provided the logistical support which was critical in aiding victims on the battlefield. The Government, on the other hand, focused on providing the material aid to enhance the Society's capacity to perform its functions. Under the Left-Wing Theory, the Government acted as the chief public watchdog against an entity that could have easily been used to advance vested interests by its local and foreign financiers.

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<sup>53</sup> David C. Korten, and Antonio B. Quizon, "Government, NGO and International Agency Cooperation: Whose Agenda?", *Government-NGO relations in Asia*, Palgrave Macmillan, London, 1995, pp. 131-164.

### **The Liberal School of Civil Society**

According to the framers of the civil society management theory, the civil society acts as the middle ground between the ruling class and its subjects.<sup>54</sup> It is the only institution which can effectively ensure that society is just or upholds justice. In the Beiyang Government period, the RCSC was the only formidable non-governmental organisation and civil society entity that was legitimate in the eyes of the public. Thus, it was the only body that could effectively intervene to provide universal aid, which in any democracy is the responsibility of the government of the day. In light of these, the liberal nature of this entity—as assumed in its recognition by the International Red Cross and Red Crescent Movement—was pivotal. It was this independence that allowed the Red Cross leaders such as Shen Dunhe to assemble and set up functional structures in Shanghai that made the Red Cross very efficient in its operations.

Governmental interference, under this theory, stemmed from the Yuan Administration's desire to enforce its authority on all facets of national life, including civil society. By instituting constitutional changes and forcing the Red Cross leadership to incorporate government officials in the running of the organisation, the Government was able to dilute the entity's independence. The desire to exert control over the body was also observed with the fronting of puppet leaders in the Red Cross. It is through these leaders that the government could advance its agenda within the humanitarian outfit, without much difficulty. The fresh leaders could easily be manipulated to serve the Yuan Administration, especially when compared to leaders drawn from the Red Cross Society membership.

Alternatively, this school of thought can explain the future resurgence of the Red Cross Society in reclaiming some lost control. In 1920, the Red Cross membership reversed some of the former constitutional changes that had been initiated by the Government. Many of the changes were initiated by the Shanghai side, which flexed its political muscle in the General Assembly. Compared with the old Constitution, the new changes were seen as critical in fighting the Beiyang Government's interference. The new changes were aimed at empowering the various offices while at the same time providing a clear definition of roles.

### **Implications of the Government Interference**

The Yuan regime did more harm than good in overstepping its mandate by seeking to control the RCSC. The machinations from the start were driven from an inherent

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<sup>54</sup> Peter G. Stillman, "Hegel, Civil Society, and Globalization", in Andrew Buchwalter (ed.), *Hegel and Global Justice*, Springer Dordrecht Heidelberg, New York, London, 2012, pp.112-13.

fear that can only be explained as imagined threats by the government.<sup>55</sup> With a political history associated with coups, destabilisation and violent power takeovers, the Yuan Administration did not comprehend the role of the RCSC in line with its humanitarian mandate. The biased onslaught on Shen Dunhe must have been based on the strong network and support that he enjoyed, particularly in Shanghai. Shen Dunhe was also the face of the Society, and thus all the milestones attained by the RCSC could be seen as due to his efforts. With such a standing in a newly formed republic, Shen Dunhe was a strong individual outside the political circle. He was perceived as a potential threat to the leadership of President Yuan, which itself was transitioning from the totalitarianism associated with monarchical rule to a near-democratic structure that incorporated various checks and balances.

The insistence by the government through the Act of Administrative Rules and Procedures of the RCSC that the “President and Vice-President of the RCSC ought to be designated by the President of the Government” was one of the controlling ploys observed.<sup>56</sup> This stipulation was clearly articulated by the Government with the goal or intention of exerting control over the RCSC.

## Conclusion

The RCSC can be said to have been a by-the-people organisation in support of Chinese merchants and political elites, who were keen on alleviating the suffering of poor civilians caught up in the Russo-Japanese war. The noble intentions of the outfit were noted and led to the RCSC being ratified in the Beiyang period. All these efforts can be linked to Shen Dunhe, who sought to establish an independent entity that had its objectives set out. However, these efforts were greatly impaired by government interference.

The Central Government may have been acting out of a sheer need to meet the RCSC’s mandate, as enshrined in Article III of the Statutes of the International Red Cross and Red Crescent Movement. However, the Yuan Administration overstepped its own mandate by frustrating efforts by officials such as Shen Dunhe. The efforts, for instance, to introduce new constitutional changes that sought to incorporate the Departments of the Navy, the Army and Internal Affairs have frequently been described as extreme. Based on historical analysis, these departments were not above arm-twisting the Red Cross officials to advance the Government’s agenda. The Beiyang period can thus be said to have been a transitional period, where

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<sup>55</sup> Julia C Strauss, *Strong institutions in weak polities: state building in Republican China, 1927-1940*, Oxford University Press, Oxford, 1998.

<sup>56</sup> R. Gallopin, H. Beer, and O. Stroh, “International Assistance of the Red Cross in Indo-China”, *International Review of the Red Cross*, Archive 14, no. 157, 1974, pp.194-195.

political leaders were still sticking to old monarchical leadership tactics detested by majority of the Chinese, and which motivated the change of rule in the first place.

Through the incorporation of civil society management theories, several elements can be established. The Left-Wing Perspectives seeks to defend the Yuan Administration's interference in the Red Cross Society, as part of its mandate as custodian of public interest. Additionally, under this perspective the government is depicted as a good entity that seeks to protect the citizenry from exploitation by civil society organisations like the Red Cross which could have easily advanced the interests of the elites in China. The Government, through a series of constitutional changes, was keen on cementing its position as the chief watchdog. The liberal perspective, however, captured the role of the independent Red Cross as the balance between injustice and justice in China. With public and external support, the Red Cross Society could have easily sufficed as the justice watchdog in China, keeping the Beiyang Government on its toes when it came to delivering services to the public.