China's "Territorial Sovereignty" and Its Origins*

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Abstract

The roots of the Chinese concept of "territorial sovereignty" can be traced back to the concepts for tributaries or dependencies: *shudi* and *fanbu*. Moreover, these concepts can also be replaced by the word *fanshu*. Since the word *fanshu* was also used for lost *shuguo*, such as Korea, Vietnam, and Ryukyu, the fear of losing territory came to be embedded in the Chinese psyche from early on. Territory is a concept that implies sovereignty. This is in line with conventional theory. However, the notion that territorial sovereignty is always at risk of being lost, must always be protected, and must never be yielded comes across as a very Chinese way of thinking. The historical process by which territory was lost can be said to have been imprinted in the Chinese understanding of the legal concept of "territorial sovereignty." Since this is the starting point of some of the demands and claims of modern China, we might suspect that the roots of certain ongoing disputes can also be traced to this historical background.

Paul Reichler, the lead counsel for the Philippines in its arbitration case with Beijing over claims in the South China Sea, has said it should be possible to have a dialogue with China using a common language and the language of law. Put differently, this means that we are currently not speaking the same language and that we are not having a dialogue with China. While what China says and what the West and Japan say might appear to be the same on the surface, their messages have entirely different content.

My mission as a historian specializing in China is to look to the past and analyze why and where this situation came about. I will focus on the notion of "territorial sovereignty" as a typical example of terms and concepts that have different meanings, depending on the user. The term "territorial sovereignty" gained currency in China no more than about a century ago. The concept did not exist prior to that, and it may not have been required by the order of things. I would like to start by discussing this background.

1. The Qing's World Order and the *Fanshu* Concept

What was China's world order prior to the 20th century? I have tried to give an explanation by way of an illustration. There is no limit to how much detail I can get into about the Qing's world order, so I will break it down into four broad categories.

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hushi(互市): linked by trade

    E.g.: Western powers, Japan

shuguo(屬國): tributaries

    E.g.: Korea, Ryukyu, Vietnam

fanbu(藩部)

    E.g.: Tibet, Mongolia, Xinjiang
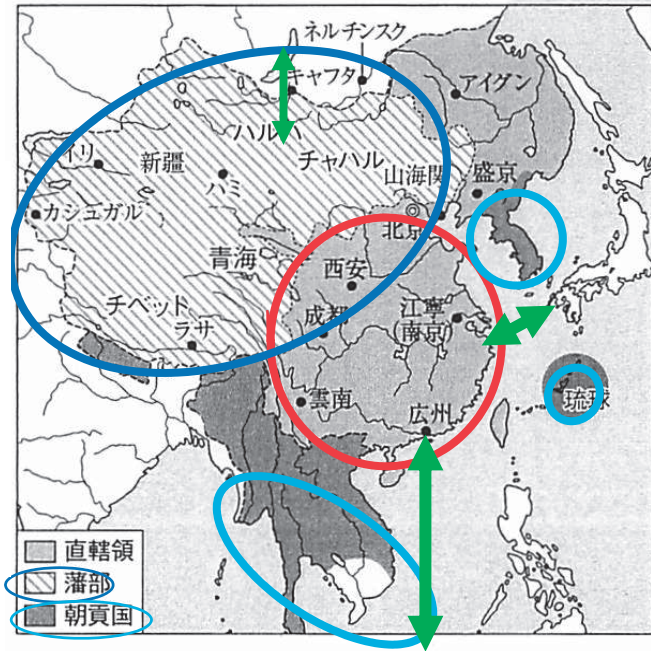
zhi-sheng(直省): provinces

    China proper

Fig. 1 Four Categories in the Qing's World Order

early 19C		late 19C – 20C		
Tributary *chaogong*(朝貢)	Korea Ryukyu Holland Vietnam Siam Portugal Sulu Burma Laos	Korea Ryukyu Vietnam Siam Sulu Burma Laos	*shuguo*（屬國）	"Loss"
fanbu（藩部）	Xinjiang Tibet Mongolia Russia	Xinjiang Tibet Mongolia	*shudi*（屬地）	Territory *lingtu*（領土）
Trade *hushi*（互市）	France Great Britain Japan	Russia Portugal France Great Britain Holland Japan	Treaty Relations	Diplomacy

Table 1 Transformation of the Qing's World Order Except China Proper[1]

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[1]   Table prepared by the author based on Okamoto Takashi, *Chugoku no tanjo* [The Birth of China] (University of Nagoya Press, 2017), p. 413, Table 5.

First, we have countries linked by trade relations, or *hushi*, represented by the green arrows in Fig. 1. The areas marked with light blue lines were tributaries, meaning countries taking part in tributary relations, and were referred to as *shuguo* in the Chinese terminology of that time. These were countries such as Korea, Ryukyu, and Vietnam. Then there were the *fanbu*, areas in the northwest indicated with blue lines. The *fanbu* were Tibet, Mongolia, and present-day Xinjiang. Finally, there was so-called China proper, in the southeast of the map, which was where the Han Chinese lived. The term for this area was *zhi-sheng*.

The Qing's relationships can be classified in four categories based on original sources from that time, and be summarized in Table 1. And Fig. 1 is the map on which the relationships have been diagrammed.

Western countries and Japan had *hushi* relationships with the Qing. This means that there were no formal relations between governments, just local trade. These relationships generally changed into treaty-based ties, beginning in the second half of the nineteenth century. These countries entered into diplomatic relationships with China at a relatively early stage.

What can we say about the other categories of *shuguo* and *fanbu*, which are marked in blue on the map? This question has to do with the concept of "territorial sovereignty."

First, we have the expression *shuguo*. *Shuguo* refers to countries surrounding China that gave tribute to the Qing. We talk about *shuguo* (tributary) and *shangguo* (superior country) because when countries offer tribute to the Chinese emperor, this creates a hierarchical relationship of sovereign and subject. Since tribute and the sovereign-subject hierarchy were based on Confucian concepts and rituals, such relations were formed with neighbors that understood the Chinese language and Confucianism.

Conversely, other countries could not enter into *shuguo* or tributary relations. While a country such as Japan ended up in the *hushi* category rather than *shuguo* because of historical circumstances, it would not be an exaggeration to say that ultimately this was because Japan did not understand Chinese and Confucianism.

Likewise, *fanbu* was another category where Chinese and Confucianism did not apply. *Fanbu* specifically referred to Mongolia, Tibet, and Xinjiang. They were similar in that they geographically belonged to an inland world of steppes, did not use Chinese as their language, and did not follow Confucianism. Xinjiang was Muslim and Turkic, while Mongolia and Tibet adhered to Tibetan Buddhism. They differed quite markedly from the countries in the other categories in terms of social organization, manners, and customs.

This is why I differentiate between *shuguo* and *fanbu* here. Yet, looking at Chinese sources from the time, the two are often jointly referred to as *fanshu*, which is a relatively uncommon Chinese word.

2. From *Fanbu* to *Shudi*

Map 1 on Fig. 2 shows the situation on the Korean peninsula following the First Sino-Japanese War. After this conflict, as was stipulated in the first article of the Treaty of Shimonoseki, Korea became "independent" as the Great Korean Empire. That is, Korea ceased to be a Chinese *shuguo*. Many sources at that time described Korea's "independence" as the termination of Korea's status as a Chinese *shuguo* and *fanshu*.
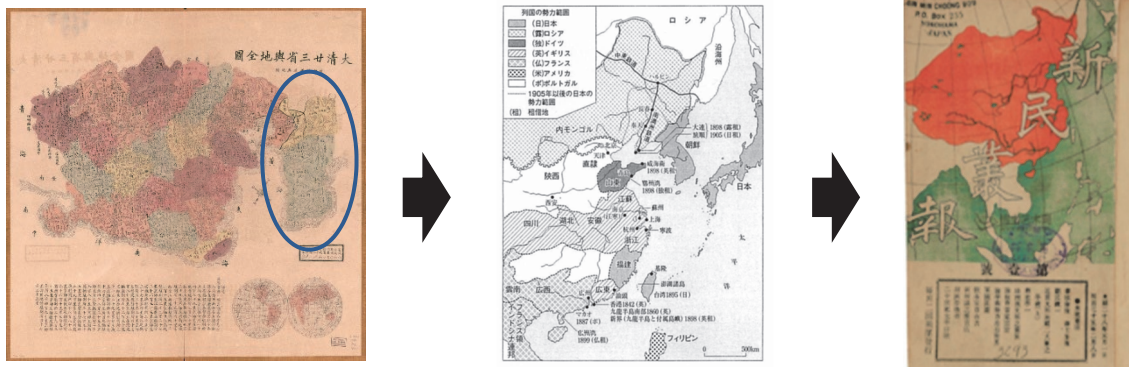
Map 1

Da Qing niansan sheng yudi quantu [*Complete map of the 23 provinces of the Great Qing*]

Map 2

Map 3

Fig. 2 "Loss" of *Shuguo* (Dependencies) and Rise of "Sovereignty"[2]

Meanwhile, sources of the time commonly treated *shuguo* and *fanbu* as being more or less equal and interchangeable terms. Even though the Korean peninsula and Tibet were governed completely differently, they were frequently referred to using the same terms and Chinese words. Not only was Korea sometimes called *fanshu* like Tibet and Mongolia, but Tibet and Mongolia were also called *shuguo* by some sources.

Vietnam, Ryukyu, and Korea had all ceased being *shuguo* of the Qing by the end of the nineteenth century. It goes without saying that this was because they were annexed by the Western powers and Japan. This is why the word "loss" has been used in Table 1. The loss of the *shuguo* became a major issue.

In 1897, Korea became the last *shuguo* to lose its ties with the Qing. At around the same time, the Western powers began to obtain rights in China in a process called "the scramble for concessions," which lasted until the end of the nineteenth century. The Chinese at the time called this process *guafen*, meaning a melon being taken apart and eaten, which is illustrated in Fig. 2–Map 2. Qing and Chinese officials of this time and beyond became extremely worried about the potential partitioning of China.

The Qing became obsessed with the idea that while the *shuguo* were lost, they had to retain the remaining *fanbu* or they would have a real crisis on their hands.

Even before this, from the 1880s into the 1890s, Tibet, Mongolia, and Xinjiang—which had been referred to as *fanbu*—increasingly came to be referred to as "colonies," especially by late-Qing era Chinese diplomats stationed in the West, as well as by Han Chinese who had absorbed Western scholarship and concepts.

This identification of *fanbu* as colonies seems to have started with the translation of Western terms, such as "colony" and "colonial office," into Chinese. The opposite, of Chinese terms being used for Western concepts, also started to happen, so *fanbu* finally came to be seen as dependent as colonies, regardless of the actual facts. These dependencies or colonies came to be called *shudi* in contemporary Chinese.

Yet looking at the word *shudi*, the Chinese characters representing this word are similar to the previously mentioned *shuguo*. The characters and meaning also have things in common with

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fanshu, so when seen from the perspective of other countries, such as the Western powers and Japan, it appeared as if the *shudi* were no different from *shuguo*, and that the areas remained the same as before. In fact, the English translation for all of these words were the same: "dependencies."

3. "Territorial Sovereignty"

During the final years of the nineteenth century and into the twentieth century, China's sense of crisis with regard to the country's partitioning by the Western powers reached its climax. Especially in the early twentieth century, the areas that were *fanbu* were caught between Russia in the north and British India in the south. The *fanbu* became a site of competition among the imperialist powers in the so-called Great Game. The Chinese devoted greater efforts to keep these areas inside China and prevent the *fanbu* from being taken by other countries.

We should pay special attention to 1905. Even before that year, calls for China to become a homogenous nation-state and to be unified, as if all of the Qing's territory was homogeneous and painted in one color, as shown in Map 3, had become extremely frequent among the Han Chinese. We might perhaps call this the start of nationalism. This was the result of going through the process depicted in Maps 1 to 3 of Fig. 2, during the decade after the Treaty of Shimonoseki in 1895.

At a time when such nationalism was growing, how could Tibet, Mongolia, and Xinjiang, called *shudi* or *fanbu*, be defined? It was then that the concept of "sovereignty" first appeared in Chinese political discourse. Other countries had previously used the term "suzerainty" in place of "sovereignty."

Suzerainty is an unclear and ambiguous concept, but it was likely its ambiguity that gave it its versatility. All of the Qing's *shudi*, *shuguo*, and *fanbu* were given the same English designation of "dependency." The meaning was simply that these areas were dependent, regardless of the actual facts, and this dependency was coupled with the concept of suzerainty. It must have been a convenient term for indicating a hierarchical relationship without having to consider the facts of the matter.

Yet at this late hour, leaving Tibet and Mongolia as they were risked having them suffer the same fate as the *shuguo*—Ryukyu, Vietnam, Burma, and Korea—which had also been perceived as dependencies. Han Chinese elites and officials came to fear not only the separation of these areas from China and their loss, but also that this might trigger the *guafen* of China proper. Suzerainty became insufficient as a safeguard, so the Chinese started invoking the concept of sovereignty instead.

If so, *fanbu*, *fanshu*, and *shudi* also became unusable terms since they were coupled with the concept of suzerainty. The Chinese needed a new lexical concept that could be paired with sovereignty and could replace *shudi*, but what could it be?

The answer was *lingtu*, the Chinese translation of "territory." The word "territory" in Chinese was likely a legal concept that was formulated based on the Japanese *ryochi*, but the concept started to be used in China as well. The emergence of the concept of sovereignty neatly coincided with the rise of nationalism in China.

The concept of territory became widely known and established in 1911–1912, that is, during the 1911 Revolution, when the Qing Dynasty gave way to the Republic of China. The Provisional Constitution of the Republic of China states, "The territory of the Republic of China shall consist of twenty-two *xing-sheng* [provinces], Inner Mongolia, Outer Mongolia, Tibet, and Qinghai," explicitly using the word "territory" and defining its extent. As part of this political transition, the concepts of "territory" and "sovereignty" in China came to be established with meanings similar to their modern-day usages.
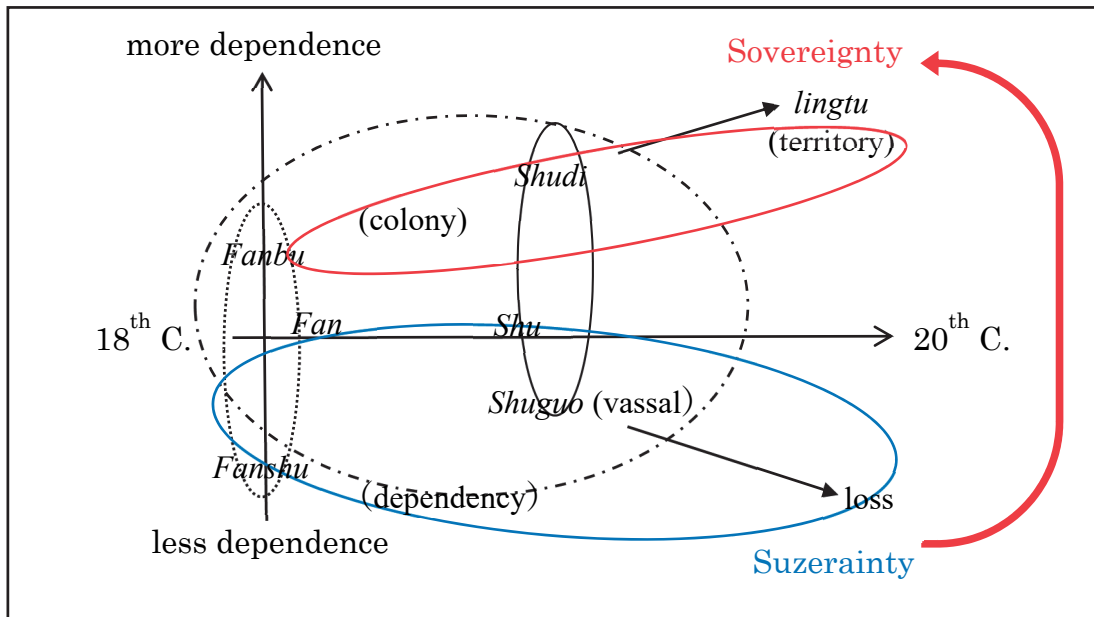
Fig. 3 Concept of "Territory": from *Fanshu/Shudi* to *Lingtu*[3]

Conclusion: The Origins and Development of "Territorial Sovereignty"

The roots of the Chinese concept of "territorial sovereignty" can be traced back to the concepts for tributaries or dependencies: *shudi* and *fanbu*. Moreover, these concepts can also be replaced by the word *fanshu*. Since the word *fanshu* was also used for lost *shuguo*, such as Korea, Vietnam, and Ryukyu, the fear of losing territory came to be embedded in the Chinese psyche from early on.

Territory is a concept that implies sovereignty. This is in line with conventional theory. However, the notion that territorial sovereignty is always at risk of being lost, must always be protected, and must never be yielded comes across as a very Chinese way of thinking.

The concept of "territory" in Chinese language started out as a designation specifically for Tibet and Mongolia, but it then became a concept applicable to other places because they were originally *fanbu* and *fanshu*.

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[3]   Chart prepared by the author based on Okamoto, *Chugoku no tanjo*, p. 424, Figure 7.

Fig. 4 Chinese Nation in the Republican Era[4]

Fig. 4 is a map used in China during the Republican period. China's territory at the time is indicated in orange. There were nonetheless some maps in circulation that showed, inside a dotted line, lost territory that had to be recovered.

The historical process by which territory was lost can be said to have been imprinted in the Chinese understanding of the legal concept of "territorial sovereignty." Since this is the starting point of some of the demands and claims of modern China, we might suspect that the roots of certain ongoing disputes can also be traced to this historical background.

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[4] Prepared by the author based on "Zhonghua guochi tu" [Map of Chinese national humiliation], *Zuixin Zhongguo ditu* [Most recent maps of China] (Dongfang yudi xueshe, 1938).