Boundaries and Beyond

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CHAPTER 13
The Case of Chen Yilao:
Maritime Trade and Overseas Chinese
in Qing Policies, 1717–54

A Preview of the Case
In 1750 a merchant, Chen Yilao,¹ who returned to Fujian after a long sojourn in Batavia, was arrested, tried and punished by the provincial authorities. This case has often been cited as an indication of the Qing government’s hostile attitude toward maritime trade and its overseas subjects, especially those who had gained employment under foreign authorities.²

Thanks to the availability of a few relevant documents in the Grand Council Records kept in the National Palace Museum Library in Taipei,³ more details about Chen Yilao himself as a successful maritime entrepreneur, the trauma that he was subjected to after his return to Fujian and the implications of the case in terms of the Qing government’s

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1. His name was Chen Yi, or Tan Yi in the Fujian dialect. In Dutch records he was also called Tan Iko. “Lao” (or “lo”) and “ko” (哥) are respectful forms of address attached to personal names. They mean “venerable sir” and “elder brother” respectively. See B. Hoetink, “So Bin Kong. Het eerste hoofd der Chinezen te Batavia (1619–1636)”, Bijdragen tot de Taal-, Land- en Volkenkunde van Nederlandsch-Indie 73 (1917): 371–2.

2. See, for example, Tan Yeok Seong (Chen Yusong) 陳育崧, “Chen Yilao an yu Qingdai qianmin zhengce zhi gaibian” 陳怡老案與清代遷民政策之改變 [The Case of Chen Yilao and the Change in Qing Policy on its Emigrants], Nanyang xuebao 南洋學報 (Journal of the South Seas Society) 12, 1 (June 1956): 17–9; also Sarasin Viraphol, Tribute and Profit: Sino-Siamese Trade, 1652–1853 (Cambridge, MA: Council on East Asian Studies, Harvard University, 1977), p. 163.

3. I wish to record my appreciation of the kind assistance given by the staff of the National Palace Museum Library, Taipei, during my research there in May 1988 and May 1989. Thanks are also due to Professor Liu Chia-chü 劉家駒 for kindly re-checking a few documents for me after my visit.
policy toward maritime trade and its overseas subjects can now be examined in greater detail. The most immediate question is: Why was Chen Yilao punished?

Chen was a native of Longxi District, Zhangzhou Prefecture, Fujian Province. He had a nephew by the name of Chen Kong who owned a provision shop in Xiangshan, Guangdong Province. In 1736 (the first year of the Qianlong Reign), Chen Yilao, aged 30, paid his nephew a visit. On being told about the trade opportunities in the Nanyang, he made up his mind to try his luck abroad. In December of the same year, he bought trade goods such as tobacco and tea and set sail from Macao, headed for Batavia (Ke-la-pa) on board a Portuguese ship. Trade was lucrative there and he decided to remain.

The following year, Chen “bought” a Makassarese wife for 53 dollars. She bore him two sons and one daughter. During his sojourn in Batavia, Chen not only learnt how to speak the local tongue well, but was also on amicable terms with the Dutch officials. Appreciative of Chen’s business talents, a certain “headman” invested the sum of 30 thousand taels in his trade. This investment paved the way for Chen to make a bigger fortune.

In 1739, Chen returned to his native village once to visit his mother, traveling via Macao. At the end of the year, he sailed back again to Batavia from Macao on board a foreign ship, roughly ten months before the massacre of the Chinese settlers in Batavia in October 1740, but he was not on the site when the tragedy occurred since he arrived back in Batavia only in November 1740. B. Hoetink has stated that Chen actually conducted his business in Semarang, where he became an important merchant. After Batavia and its suburbs had been emptied of Chinese in the wake of the massacre, the Dutch authorities in Batavia sent for him to act as an “introducer/mediator” (introduceur) of the Chinese who would arrive from outposts of the Archipelago and from China.

On June 28, 1743, Chen was appointed one of the two newly-appointed Chinese Lieutenants. He was put in charge of commercial transactions

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6. B. Hoetink, “Chineesche officieren te Batavia onder de Compagnie”, *Bijdragen tot de Taal-, Land- en Volkenkunde van Nederlandsch-Indie* 78 (1922): 90. In Chen Yilao’s deposition to officials after his arrest, his designation is said to have been a Chinese Captain (jiabidan). His choice of this title was probably for the sake of convenience because it was better known in China.
The Case of Chen Yilao

between the Chinese and the locals, acting as an interpreter, estimating prices and collecting rents from the itinerant Chinese merchants. This official post turned out to be an additional road to riches.

During his sojourn in Semarang and Batavia, Chen Yilao's business success earned him a fortune of more than one hundred thousand taels. In 1748, Chen resigned from his post because he wanted to return to his homeland to fulfill his filial duty of looking after his aging mother. He departed for China in mid-1749, taking with him his Makassarese wife, his three children as well as two male and two female foreign servants. Chen traveled on board a Fujianese junk owned by an acquaintance from the same native district. This junk happened to be passing through Batavia after trading in Banjarmasin. For a passage fee of 90 dollars, Chen was allowed to occupy two cabins. With him he carried some 38,000 dollars worth of foreign silver coins kept in trunks. The goods he invested in on his homeward journey, including pepper, birds' nests, cotton, cotton-seeds, tin, sea-slugs (trepang), putchuck, cloves, sea-wolf (elephant seal?) hides, western wines, beiges and camlets, were worth more than 42,000 dollars. He also consigned an additional quantity of goods to another junk originating from Fuqing district, northern Fujian that also happened to be passing through Batavia after trading in Johor. The goods included 27,900 catties of pepper, 46,500 catties of tin, 2,790 catties of buffalo sinews and 400 buffalo hides. Together these were worth more than 13,000 taels. Aside from all these cargoes, he had a total of 11,600 dollars on loan to several Chinese sea merchants. This amount was to be paid back in China.

On August 1, the Longxi junk on which he was a passenger reached Dadan, an offshore island not far from Amoy. Aware of all the legal complications he would encounter at the checkpoint because he had brought his family and foreign servants with him, Chen chartered a fishing junk two days later for ten dollars and sneaked back to his hometown without attracting the attention of the port authorities in Amoy.

In the meantime, Chen had asked the captain of the Longxi junk to see his goods and money through the proper customs procedure in Amoy. A week later, he came to Amoy in person, chartered a boat and retrieved his 12 trunks that contained 15,000 dollars from the ocean junk and also picked up some other miscellaneous goods. He gave a loan of 6,000 dollars to Merchant Chen Yue of the De Shun Firm in Amoy. The goods brought back by the Fuqing junk plus a sum of 17,000 dollars were delivered to De Shun and Mian Xing (another Merchant Firm in Amoy) for sale.

What a tragedy it was that danger was poised to strike him just at this very moment! It was a bustling season and more junks than ever before were returning from abroad. The port officials had been specially
ordered by Governor Pan Siju to be on full alert lest any irregularities occurred. The atmosphere was unusually tense. What Chen was not aware of was that his return, bringing with him such a large fortune, had already become the talk of the town. Not surprisingly, his presence attracted the attention of Xu Fengyuan, Sub-Prefect of Amoy, and Yuan Benlian, Magistrate of Longxi District, who both reported what they knew to Governor-General Ka’erjishan and Governor Pan Siju. On receiving the information, these two high-ranking officials ordered Bai Ying, Circuit Intendant in Amoy, and Jin Yong, Prefect of Zhangzhou, to collaborate with other local officials in making a thorough investigation of the case. All the persons connected with it were arrested and put on trial.

As was normally required, Governor Pan reported the case to the Court. The basis for Pan’s prosecution of Chen contained five points: sneaking out to foreign countries; rendering services to foreigners; smuggling into his native district; bringing back foreign nationals; and possessing riches worth “several hundred thousand taels”. The Qianlong Emperor’s response was immediate. This promptness reflected his great concern about the case. In a decree to the Grand Council, he said:

Villains from this country often sneak out to foreign countries. This act is itself an offense, not to mention having been abroad for so many years and offering services to foreigners. Moreover, he married and had children. Who knows whether he had not been using his position to threaten foreigners. There is also the possibility of security leaks to foreigners, an action that could stir up trouble. It is not only an assault on the country’s dignity, but is also a matter of maritime security. Even if he had not brought back a large amount of money, this criminal had to be severely punished without clemency.... (Governor-General) Ka’erjishan and (Governor) Pan Siju should be ordered to make a thorough investigation into the case and pass sentences in accordance with the law.7

In short, the imperial verdict had been delivered even though the trial had only just begun. In the next few months, the Emperor reprimanded the provincial authorities more than once for their delay in bringing the trial to a close. Unfortunately, no hints are found in the sources to explain why it took them so long to round off the case, but this unusual protraction might have been caused by its borderline nature. Whatever

the reason, as said, after the Court’s intervention, Chen Yilao’s fate was sealed even before judgment had been passed.

In his defense, Chen Yilao argued that the post of “captain” in foreign countries was in fact an official designation. The appointee did not receive any official stipend. His function was to act as a go-between and for remuneration he could charge a small commission after each business transaction. It was similar to the role of a broker or local headman in China. Never had he leaked any security information to foreigners. He might have occasionally charged strangers slightly more, but he had never resorted to extortion or caused trouble with his dealings. All this was of no avail. In late April 1750, Chen Yilao was pronounced guilty of “surreptitious crossings” (toudu), overstaying, rendering his services to a foreign government, doing business with it, making loans, cheating others out of their property and creating conflict on the border. This verdict was subsequently approved by the Board of Punishments, although not all these alleged crimes had been substantiated by evidence. He, his Makassarese wife and children were banished to the frontier. The four foreign servants were thought to be too young for repatriation and therefore kept in bondage to the officials who were now their masters.

All of Chen’s money and goods were impounded by the government. The owner of the Longxi junk was sentenced to one hundred blows of the bamboo rod and three months’ imprisonment, and his junk was confiscated. The owner of the fishing junk who smuggled Chen into his hometown was also given one hundred blows. A number of naval and local officials thought to be responsible for the situation were reprimanded for their “negligence of duty”.

This description of the case tends to suggest that the Qing government’s negative attitude toward maritime trade and its overseas subjects was the main factor affecting Chen Yilao’s punishment. Apparently, the Court also had strong objections to collaboration between its overseas subjects and foreign authorities. However, before we can grasp the implications of Chen Yilao’s case, we need to approach it from a broader perspective. Therefore, the following questions will be re-examined in their proper context. First: How exactly did the Qing

8. For the archival material, refer to Junji dang: Qianlong chao 乾隆朝軍機檔 [The Grand Council Records of the Qianlong Reign] (hereafter GCR: QL), deposited in the National Palace Museum Library, Taipei, nos. 4719, 4819, 4927, 5521, 5691 and 5942, especially Chen’s deposition attached to document no. 5521. My special thanks to Professor Chuang Chi-fa 莊吉發 for alerting me to Chen Yilao’s deposition. See also Qing shilu: Gaozong/Qianlong chao 清實錄:高宗/乾隆朝 [Veritable Records of the Qing Dynasty: Gaozong/Qianlong Reign] (hereafter QSL: GZ), juan 361: 17 and 364: 3b–4a.
government value its maritime trade? Second: In the eyes of the Court, what was the image of its Chinese subjects abroad? Third: Was the Qing Court prejudiced against its overseas subjects who were serving foreign authorities? The discussion of these aspects revolves around the underlying objectives of the Qing policy on these issues.

**Profit and Local Order**

The Court’s policy objectives were economic and political rather than ideological. After the pacification by the new dynasty of the Qing of the most stubborn resistance on the southeastern coast in 1683, the Kangxi Emperor (r. 1662–1722) showed considerable restraint in not retaliating against the conquered maritime population. Instead, a positive approach was adopted to stabilize conditions in the coastal region. Clearly, he understood the heavy dependence of the littoral population on maritime trade for their livelihood and the positive contribution made to the economic well-being of the region by the sea merchants. In short, maritime trade was not solely an economic issue, but a means to achieve a political end. It was seen by the Court as a key factor in the social stability of the coastal region.9

While the Court was appreciative of the benefits to be derived from maritime trade, it was also wary of some detrimental effects the activity might have on internal security. The maritime ban imposed by the Kangxi Emperor in 1717 was a case in point. It was first mooted by the Emperor during his trip to Soochow the previous year, after he had been informed that many of the ocean-going vessels built there were sold overseas and that rice was being smuggled out to foreign countries. Both these acts would deprive the country of badly needed, scarce resources. Moreover, he was informed that Luzon and Batavia had become safe havens for many Chinese outlaws, who might pose a threat to the country’s maritime defense (haifang). The Emperor expressed his apprehension in two consecutive edicts in early December 1716. He suggested that a ban on the trade with the Nanyang be imposed, although western ships would not be prohibited from arriving. Before a final decision was made, he wished to discuss the matter in person with the Tartar-General of Guangzhou (Canton), Guan Yuanzhong, the Governor-

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General of Zhe-Min, Man-pao, and the Governor-General of Liang-Guang, Yang Lin. Understandably, these high officials had no wish to query the Emperor’s wisdom and in early March 1717 they formally memorialized him, requesting the imposition of a ban on trade with Luzon and Batavia. Significantly the ban, that lasted until 1727, was intended to restrict only some parts of the Nanyang trade for economic and security rather than ideological reasons.

Kangxi’s successors, Yongzheng (r. 1723–35) and Qianlong (r. 1736–95), were even more flexible in their dealing with matters relating to maritime trade, so long as the seafaring activities did not pose any threat to internal security. The first significant measure taken by the Yongzheng Emperor was the lifting of the 1717 ban in 1727. After it was rescinded, it is by no means true that the Court and its provincial officials loosened their strong grip on the traffic, but they certainly did become more appreciative of its economic benefits. By the mid-eighteenth century, maritime customs revenue had grown by leaps and bounds, so much so that both the Court and the provincial governments would have found themselves in troubled waters if they had had to forfeit it.

The two major maritime customs houses were located in Fujian and Guangdong. The trade revenue received in Fujian amounted to 106,656 taels in 1724, the second year of the Yongzheng reign. At this time, the maritime ban imposed by the Kangxi Emperor was still in force. In 1728, one year after the ban was rescinded, an increase in revenue to 162,029 taels was recorded. The figure passed the 200,000 taels mark when the Qianlong Emperor ascended the throne seven years later. An increase of more than 50 per cent from the preceding figure was achieved by 1750, the 15th year of the Qianlong reign, when the amount shot up to 325,989 taels.

In Guangdong, the maritime customs revenue totaled 97,294 taels in 1724. This figure continued to rise, especially after the abrogation

10. Qing shilu: Shizong/Yongzheng chao 清實錄:世宗/雍正朝 [The veritable records of the Qing Dynasty: Shizong/Yongzheng Reign] (hereafter QSL: SZ), juan 270: 9a–11b; juan 271: 2a, 4a–5a; see also Ng, Trade and Society, pp. 186–7.
13. GCR: QL, no. 7879.
14. Ibid.
of the ban in 1727. It increased to well above 300,000 taels by 1732.\(^{16}\) Nearly two decades later, in 1750, the amount stood at 466,700 taels\(^{17}\) and exceeded the 500,000 tael mark two years later.\(^{18}\)

Each revenue receipt was composed of two parts. A fixed regular quota (zheng e) went to the Provincial Treasury to cover military expenses. A receipt issued by the Treasury would then be sent to the Board of Revenue with the account books. Another portion, the surplus quota (yingyu), was transferred to the imperial household through the Board of Revenue.\(^{19}\) During the period in question, the regular quota for Fujian was fixed at 66,549 taels.\(^{20}\) The amount for Guangdong was 43,564 taels.\(^{21}\) In other words, the imperial household enjoyed the lion’s share of the revenue, since the surplus quota far exceeded the regular quota.

How large was the maritime customs’ revenue in proportion to the overall provincial income? Some figures are available for Fujian. These show that in 1726 the total provincial revenue stood at 1,410,000 taels, including the fixed regular quota contributed by the maritime customs.\(^{22}\) Therefore the maritime customs revenue amounted to 4.7 per cent of the total provincial income. However, this percentage has excluded the “surpluses” of the revenue sent to the Court. In the same year, these surpluses amounted to 57,362 taels.\(^{23}\) When this latter portion is incorporated into the total, the percentage rises to 8.4 per cent. It should also be borne in mind that, although the other sources of income, mainly from land and adult male poll tax (diding yin), were fairly stable throughout the period in question,\(^{24}\) the surpluses in the maritime revenue continued to rise. The amount reached 112,156 taels in 1729 and 256,063 taels in 1750.\(^{25}\) In this latter year, I estimate the total maritime revenue to have been around 20 per cent of the provincial income.

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17. GCR: QL, no. 6624.
earnings—a substantial proportion indeed, and one the authorities could not have afforded to ignore.

The total expenses for Fujian province in 1726 amounted to 1,470,000 taels, of which the military budget took up 1,350,000 taels. There was a slight deficit in the balance of payments. Again, as shown, this does not truly reflect the financial status of the province because, when the surplus quota is included, it actually enjoyed a considerable annual surplus.

What were the maritime activities that contributed to the customs revenues of Fujian and Guangdong? In Fujian, the revenue was earned on coastal and overseas trade. Although the exact breakdown is not clear, it seems that the former was the major contributor, especially the contribution from the sugar trade. By comparison, in a prosperous year, the tax on the imported goods brought back from overseas on ocean junks was about 30,000 taels. In 1752, when the large number of 65 junks returned to Amoy from overseas, the total tax revenue amounted to around 40,000 taels. The same number of junks departed from Amoy the following season but paid a sum of only 5,848 taels in tax. This latter figure was already higher than that of the previous year.

The picture in Guangdong was different. It was repeatedly stated in the memorials to the Court that the Guangdong maritime customs revenue substantially depended on foreign ships. The tax collected on each western ship upon its entry and departure was nearing 10,000 taels.

Western ships rarely visited Amoy, but during the period in question, they called at Huangpu (Whampoa), the anchorage for Canton. Seven ships were reported in the first year after the rescission of 1727. In the following years the trend continued upward. Their number reached 13 in 1746 and 26 in 1753.

As maritime earnings were on the rise, both the customs authorities and the Court were careful not to jeopardize this economic activity. To encourage an even more lively trade, from time to time the provincial authorities would make efforts to rectify excesses in official exactions. Edicts to this effect were often issued to the customs authorities, reminding them of their duty to improve the conditions pertaining to the maritime

30. GCR: QL, no. 5779.
32. GCR: QL, no. 3343.
To enrich the government revenue and facilitate commercial intercourse (yuèkè tōngshāng) was among some of the popular phrases frequently appearing in the edicts and memorials. The composition of the maritime revenue does not adequately highlight the economic role of the Chinese overseas junk trade. Although the provincial authorities were concerned with the direct revenue from maritime trade, including coastal and overseas, native and foreign, they unquestionably also saw the smooth functioning of overseas junk trade as a guarantee of a stable social order in Fujian and Guangdong. Hence the junk traffic became a barometer of regional socioeconomic conditions.

Junks embarking from Amoy numbered from 21 to 30 in the first few years after the lifting of the ban. By 1751, there were 50 to 70-odd junks plying between Amoy and the Nanyang annually. Those trading between Guangdong and the Nanyang numbered 20-odd, 14 and 18 as reported in the memorials for the years 1731, 1733 and 1752 respectively. In a memorial in 1733, Governor-General Hao Yulin estimated that each Fujianese ocean junk carried goods worth from 60,000 to well over 100,000 taels. Each year, the Fujianese junks brought back large quantities of foreign silver that totaled two to three million dollars.

The government policy toward maritime trade was put to the test in the aftermath of the 1740 massacre of the Chinese residents in Dutch Batavia. Jennifer Cushman provides an excellent analysis of this event, and therefore a brief summary of it will suffice here. One early response to the incident was made by Želing, Acting Governor-General of Fujian. His reaction was to impose a total ban on the Nanyang trade to avoid any further trouble. When it received the news, the Court commanded its senior officials to make recommendations. Among the respondents, Censor Li Qingfang was in favor of only a partial ban in retaliation for the massacre because he believed a total ban would lead to a drastic fall in revenue and would also adversely affect the people’s livelihood.

Most significant is the well-analyzed memorial submitted by Qingfu, Governor-General of Liang-Guang. His presentation reached the Court.
in March 1742. In it he strongly supported the continuation of overseas trade. As he argued, from the point of view of Guangdong, the livelihood of several hundred thousand people was at stake because they were dependent on foreign trade. Moreover, the fact that Chinese crew members numbering some ten thousand consumed rice imported from the Nanyang had greatly alleviated local grain shortages. A reinstatement of any trade prohibition would lead to widespread unemployment and impoverish the local economies. The loss of customs revenue might amount to only several hundred thousand taels annually, but the long-term effect on the people’s livelihood would be immeasurable.\(^{42}\)

On the basis of the deliberations among the senior officials, in late 1742 the Court accepted the recommendation and allowed foreign trade to continue as usual. As Jennifer Cushman concludes, the Court’s decision “was based on a positive recognition of the needs of the maritime border”.\(^{43}\)

**Overstayers in Foreign Lands and Qing Policy**

The Qing government’s policy toward its seafaring population also sheds light on the case under review. When the maritime ban was imposed in 1717, it was initially handed down in conjunction with a decision that the foreign countries be asked for the repatriation of Chinese sojourners. Upon their return, the latter were to be immediately sentenced to death.\(^{44}\) It seems that the ambiguity, severity and impracticability of the new ruling on the overseas sojourners had prompted the Court to give the decision further thought. The crux of the matter was the deep-seated apprehension that these people were potential troublemakers and they might sneak back and stir up unrest in local communities. There was no intention on the part of the Court to discriminate against seafaring people who genuinely sought their livelihood abroad, although making the distinction between the good people and the bad was by no means an easy task. In search of a solution to this problem, the Kangxi Emperor ordered the relevant authorities to come up with some suggestions.\(^{45}\)

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42. Ibid., Vol. 22, 803a‒805a.
44. *Qing shilu: Shengzu/Kangxi chao* 清實錄：聖祖朝 [The veritable records of the Qing Dynasty: Shengzu/Kangxi Reign], juan 271: 5a.
After deliberations between the Court and the senior officials in Guangdong and Fujian, a proposal was made whereby the Chinese sojourners who had left for the Nanyang before the ban were granted a period of grace of three years to report back to their native districts. Those overstayers who had departed after the ban would be prohibited from returning. The Emperor concurred with this recommendation.\footnote{Qingchao wenxian tongkao, juan 33: 5159.}

When the maritime ban was rescinded by the Yongzheng Emperor in 1727, the question of overstayers in the Nanyang came to the attention of the Court once again. It was found that, although more than two thousand illegal Chinese emigrants had taken advantage of the period of grace to return, many others still defied the law and remained in the Nanyang.\footnote{Ibid.} From the point of view of the Emperor, those who did not return showed a total disregard for the law. At this point, he felt that these sojourners should be ordered to come back within a fixed period. If the overstayers still refused to return, they had personally chosen to reside beyond the frontiers of their ancestral country and therefore they could stay put in the Nanyang, but would be permanently prohibited from returning. Yongzheng thought that if the government were to adopt a lenient attitude toward these law-breaking emigrants, this would only encourage the illegal exodus to the Nanyang. The officials in Guangdong and Fujian were once again instructed to make submissions on the matter. They were specifically commanded to prepare regulations and fix a period for the sojourners’ return.\footnote{Qingchao wenxian tongkao, juan 33; 5159 and GZD: YZ, Vol. 8, p. 836.}

In a joint memorial presented on October 23, 1727, Fujian Governor-General Gao Qizhuo, Fujian Governor Chang Lai and Guangdong Governor Yang Wenqian reviewed the situation in great detail. From the information they had gathered, it transpired that in its customs declaration an ocean junk might claim that it had 60 or 80 licensed passengers on board, including the crew and itinerant merchants, but the actual number could be around two to three hundred. Not infrequently, the total might even reach four to five hundred. The additional people were illegal emigrants who, upon their arrival in the Nanyang, would be the most likely to remain behind. Each illegal passenger was charged eight tael or more for the passage. More than two-thirds of them originated from Fujian; the rest came from Guangdong and other coastal provinces.

Accordingly, these senior officials stressed the need to stop what they called these “surreptitious crossings” immediately. They recommended the following measures. All seafaring people should seek a guaranty from
their neighbors in their native district. A system of mutual responsibility was to be imposed on every three junks. Local officials were to prepare a register containing the particulars and thumbprints of all seafaring people. Only when these were done would they be issued licenses. To facilitate control, junks leaving Fujian for the Nanyang were to take Amoy as their port of embarkation and re-entry. For those leaving Guangdong, Humen was the designated checkpoint. Any person breaking the law was to be severely punished.

Questioned about these long-term sojourners in the Nanyang, the licensed Ocean Firms (yanghang) put their numbers in Batavia and Luzon at “tens of thousands”. Some had been appointed Chinese captains by these foreign governments so as to take over responsibility for local Chinese affairs. To verify this information, the provincial officials suggested that investigators be sent overseas. However, they deemed it inappropriate to dispatch officials for this task openly. They preferred to send capable personnel in the guise of merchants. Or, they even toyed with the idea of selecting some trustworthy merchants. It would be the duty of these people to collect information on the accurate number of overstayers in these two places, what they did there and why the foreign authorities were willing to take them in. Only with such intelligence could the provincial authorities tackle the problem of overseas sojourners and work out ways to lure or instruct them to come back.

In his comments, the Yongzheng Emperor agreed with these officials that no formal official missions should be dispatched as this would only arouse unnecessary suspicion among the foreign governments. Even when other personnel or merchants were assigned to perform these duties, their suitability should be thoroughly scrutinized. The Emperor also reprimanded the memorialists for misreading his mind. He said he in fact had no wish to allow the “long-term sojourners” to return. His great fear was that these “treacherous people” would one day sneak back and cause trouble.49

The memorialists again failed to understand what the Emperor meant by “long-term sojourners”. In their response to the imperial comments on February 17, 1728, they explained the complication caused by attempting to distinguish between the “long-term sojourners” and “recent emigrants”. This would only create confusion because returnees could claim to have been abroad only in recent years. Even the long-term sojourners would say they had traveled to the Nanyang before the imposition of the 1717 ban and, on these grounds, beg for clemency. To simplify the matter, the memorialists proposed that all sojourners, regardless of the length of the

duration of their residence abroad, be allowed one year to return, failing which they would be deemed to have willingly abandoned their ancestral country, and hence they would be prohibited from ever returning again.\textsuperscript{50}

In response, the Yongzheng Emperor stated that, since the ban had only recently been lifted, the regulations had to be strict so as to discourage further illegal emigration. Accordingly, all the unauthorized sojourners should be forbidden to come back.\textsuperscript{51}

Despite all the tighter controls and additional restrictions, the problem of overstaying lingered on. People continued to smuggle themselves out of the country, intent on going to the Nanyang. Their numbers had probably even been rising and the provincial officials were particularly sensitive to any signs of restiveness. This apprehension is clearly reflected in a memorial submitted by Fujian Governor-General Hao Yulin in 1733. He reported that there were about 10 to 20 thousand Chinese in Luzon, whereas the local population (that is, the Spanish) numbered only around two to three thousand. Startling rumors that these Chinese sojourners were planning to take over Luzon by force had reached Governor-General Hao. The Yongzheng Emperor was greatly alarmed by the report. He agreed to Hao’s proposal to forestall the trouble. They both saw the prevention of surreptitious crossings as an essential method to achieve this purpose.\textsuperscript{52}

In early 1734, two cases of surreptitious crossings were reported in a joint memorial to the Court by Hao Yulin and Fujian Governor Zhao Guolin. Two South Fujianese maritime merchants, Chen Wei and Yang Ying, had been caught sneaking back with their families and foreign servants. During the trial, Chen Wei recounted that in 1714 he had taken tea leaves from Guangdong to trade in Batavia. In 1726 and again in 1729, he had returned to restock his trade in Batavia and, before leaving China again, he had managed to purchase an official title of Imperial Studentship from the Qing government. In 1733, Chen decided to return home for good in order to be near his aging mother. Yang Ying had invested 300 taels in tea leaves and ceramics and taken them from Guangdong to Batavia in 1728. He came back to obtain more supplies two years later.

Both Hao and Zhao commented on the cases. It was thought that, although Chen had left China before the ban of 1717, his second visit to restock in 1729 was a breach of law, because a year earlier the new regulations had stipulated that those who failed to return within the three-year period of grace for the 1717 ban would be prohibited from

\textsuperscript{50} GZD: YZ, Vol. 9, p. 567.
\textsuperscript{51} Qingchao wenxian tongkao, juan 33: 5159.
\textsuperscript{52} GZD: YZ, Vol. 21, p. 353.
returning. When he did return for good, he did not possess a valid permit to do so. In Yang Ying’s case, although he had gone to Batavia after the rescission of 1727, he had also broken the law by not having obtained a re-entry permit. Under the law on surreptitious crossings, both Chen Wei and Yang Ying were subject to punishment by one hundred strokes of a bamboo rod and a three-year banishment to the frontier. In their plea for leniency, they claimed to have always been law-abiding subjects both at home and abroad. Their engagement in maritime trade was but a means of making a living and their long sojourns in foreign lands arose from the exigencies of their businesses. They had not broken the law deliberately. To atone for their guilt, they willingly contributed 13,000 dan (picul) of grain out of their trade profit and undertook to build local granaries for famine relief. On account of their voluntary contribution to these charitable activities, Hao and Zhao recommended that they be pardoned. The Emperor readily approved.53

Four months before Yongzheng’s death in 1735, Governor-General Hao and three other top provincial military and civil officials presented a joint memorial to the throne pleading for a relaxation of the existing maritime regulations relating to Chinese sojourners abroad. Earlier, these high-ranking officials had received petitions advocating this step from overseas Chinese, village elders, junk-owners and merchants of the licensed firms. After careful investigations, they found that most of the sojourners abroad were in fact law-abiding subjects. Their overstaying was caused largely by delays in business transactions. Some failed to return because they had suffered losses; others might have been tied up by landed properties.

These officials thought that in the implementation of the maritime regulations a distinction should be made between well-intentioned and less well-intentioned people. Only the latter should be dealt with severely. Those who had gone abroad before the 1717 ban and had valid reasons for overstaying should be allowed to come back with their families within a three-year period of grace.

In his comments, the Yongzheng Emperor maintained his earlier stance that the regulations must be strict as the government was operating an “open-ocean” (kaiyang) policy. Any relaxation of the regulations under these circumstances would only encourage greater disregard of the law.54

However, in 1736 the new Qianlong Emperor approved a recommendation by senior Court officials permitting pre-ban sojourners to return provided that they had valid reasons for their length of stay.

and had not broken other laws. After another submission the following year, Governor-General Hao obtained the Court’s assent to allow the sojourners’ overseas families to return.  

Generally speaking, the Qing authorities did make an attempt to distinguish between those whom they saw as bona fide sea merchants and deliberate long-term sojourners. The former were allowed to trade overseas, but had to return when their business was completed. Leniency was granted from time to time if they had overstayed because of the exigencies of business or other difficulties. However, the latter group was generally suspected by the Court to be miscreants who had voluntarily abandoned their ancestral country.

The Qing government’s reaction to the 1740 massacre in Batavia offers a clear indication of the Court’s reasoning and priorities in handling the affairs of its overseas subjects. Governor-General Qingfu considered those killed in the incident to have been the same people who were supposed to have been put to death in China for failing to heed the government’s summons to return. They “made trouble overseas and were killed” and therefore “they deserved their fate”. He also believed that, “the foreign headman did not have any intention of disrupting visiting (bona fide) merchants”. Governor-General Depei of Liangjiang likewise saw these sojourners as belonging to the same category as the local-born in the foreign countries because they had remained there for extended periods and hence, “they were no different to the barbarians”. Acting Governor-General Zeling looked upon the affair as highly regrettable, but commented that, “the calamity was brought upon themselves by way of retribution” because they had voluntarily abandoned their ancestral country and failed to react to the government’s invitations to return. Not surprisingly, their plight was of no concern to the Qing government.

At this juncture, the question of overstaying resurfaced. Traditionally, seafarers were required to return during the next monsoon and should not “overstay the winter” (yadong) in foreign countries. Should they do so, they would be deemed to have broken the law. For centuries this stipulation had caused the trading community great inconvenience and caused them hardships. It was one major source of grievance for the seafaring people. In the aftermath of the 1740 massacre in Batavia, the impracticability of this restriction had already come to the attention

57. Ibid., Vol. 18, 654b.
58. Qingchao wenxian tongkao, juan 297: 7465.
The Case of Chen Yilao

of Fujian Provincial Judge Wang Bilie and Min-Zhe Governor-General Nasutu. Wang proposed that vessels remaining overseas for more than two years should be barred from engaging in maritime trade after their return. Those who overstay for more than three years should not even be allowed to depart from the seaport. Nasutu considered two years insufficient; he believed that traders should be able to complete their transactions within three years. On November 1, 1742, the Court finally accepted the recommendation that trading junks be given three years' grace, after which the crew would be prohibited from sailing out again once they had returned.

The evolution of Qing policy concerning overseas sojourners provides the legal background to Chen Yilao’s case. One crucial point in the matter is the date of Chen’s departure for Batavia. If his deposition is anything to go by, 1736 was the year he left Macao, a claim that was not refuted in the memorial that recorded Chen’s deposition. However, confusion does arise from other memorials because Chen was said to have lived in Batavia for more than 20 years. In the latter case, he would have left Macao after the imposition of the ban in 1717. This would have put him in the wrong. Even if Chen had left in 1736, as he claimed, under the Qing Code he would still be considered to have committed the offense of having made a “surreptitious crossing” because he had not applied for a license to trade in the Nanyang. It is not clear why he did not obtain this paper as he supposedly would have been entitled to do under the existing regulations. After 1684, the Qing government did not obstruct the junk trade with the Nanyang with the exception of the period of the 1717 ban. Presumably, administrative complexities and hassles caused by rampantly corrupt practices among the officials in home districts and at the port of embarkation might have deterred small-timers from following the proper legal procedure to the letter. They simply could not afford the expense incurred in obtaining a license. In Chen Yilao’s situation, a license would not have helped because it would not have allowed overstaying. Therefore, there was no way that he could have returned legally under the existing regulations. Nevertheless, it should be borne in mind that he could have arrived quietly without being hassled simply by bribing his way through, as many others did at the time. Even worse was to come. There were still precedents such as the two cases of Chen Wei and Yang Ying in 1734 that would have given leeway for his eventual pardon, but unfortunately, he got caught up in a rather “abnormal” situation.

60. QSL: GZ, juan 176: 7b–8a; juan 282: 9a.
Chen Yilao’s case had drawn the special attention of the locals and officials because he was a wealthy man and a former Chinese headman abroad. Therefore it tended to overshadow other actions taken by the local authorities against illegal returnees at this time. For instance, another seafarer named Lin Ti of Pinghe District was also detained. Lin had likewise just returned from Batavia, had brought several foreign servants with him and had sneaked into his native district. His fate indicates that, at this particular time, local officials had tightened up the maritime control and were strictly adhering to the regulations.

The rigidity of the rules must have stirred up a great many grievances among the seafarers. This situation might have been what prompted Fujian Governor Chen Hongmou to appeal to the Court for rationalization on May 19, 1754. The fall-out from Chen Yilao’s case was evident to the Fujian Governor. He was aware that the harsh verdict on Chen Yilao had already discouraged the Nanyang sojourners from returning. Included among them were those pre-ban seafarers who could have legally applied to come back under the new ruling of 1736, but now hesitated to do so.

Understandably, Governor Chen did not challenge the appropriateness of Chen Yilao’s sentence. As he put it, “Chen Yilao willingly offered his services to a foreign government and, hence, could not possibly be a legitimate trader of good character. Sooner or later he would have become a troublemaker. His punishment was justified and necessary to prevent future disasters (presumably referring to the 1740 incident in Batavia) from happening.”

However, he argued that, after the ban was lifted in 1727, it was legal to trade in the Nanyang. If the Court were to persist in not allowing all the post-1717 sojourners to return, this would be tantamount to a legal departure but an illegal re-entry for many of them. This situation was not logical, either from a humanitarian or a legal point of view. Those who had remained in the Nanyang since 1717 were numerous and those who continued to travel there might have been held up for business reasons. These people were prevented by the law from coming back. The problem was that foreign merchants were allowed to trade in China and these differences in treatment could not be justified. The present policy would also not help alleviate any potential trouble that might be caused by the returning overseas Chinese.

On these grounds, Chen Hongmou suggested that since the ban had been lifted for more than 20 years, the Court should allow both the pre- and post-ban sojourners, including their families, to return, provided they

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61. GCR: QL, no. 4927.
were bona fide merchants of good character, and local officials should be warned against extorting any money or valuables from these returnees.63

In addition to the 1742 ruling giving trading junks a three-year grace period to return, Governor Chen Hongmou now recommended in unequivocal terms that three years also be allowed for other categories of overseas sojourning. Only those who stayed beyond this time limit should be prohibited from returning.

When Governor Chen’s petition reached the Court, the Qianlong Emperor referred it to the Grand Council for comment.64 In their reply on June 19, the Counselors thought that, since the maritime ban had long been lifted, since 1727 in fact, the Court should not hold fast to the old regulations. They believed that the proposed relaxation would not cause problems for coastal security. On the contrary, this would greatly help the legitimate traders of good character to avoid being stranded in foreign countries, whereas these people might make trouble after remaining overseas for a lengthy period. The Grand Counselors took an even more sympathetic view and remarked that the three-year deadline was unpractical because unforeseen circumstances could have delayed their return. In due course these overstayers would grow more numerous and their cases would have to be taken up again. This would only lead to a great deal of repetitive administrative work. Therefore the Counselors recommended that the authorities in the maritime provinces draw up regulations to facilitate the return of these overstayers. The Emperor granted his permission and the case was referred to the provincial authorities for comments.65

Having received the instruction from the Court, in their joint memorial dated September 6, 1754, Governor-General Yang Yingju and Governor Henian, both of Guangdong, gave their full endorsement to the new policy. They agreed that all sojourners with valid reasons, regardless of how long they had remained away, should be allowed to return. The property brought back by the returnees should also be protected against the exactions of the local officials. They noticed that many had been going abroad to trade under the “open-ocean” policy and hoped the proposed measures would facilitate the return of these overseas sojourners.66

This joint memorial from Guangdong was in turn referred to Grand Secretary Fu Heng and others for comments. These high-ranking officials

64. GZD: QL, Vol. 8, pp. 139‒40.
65. QLS: GZ, juan 463: 17a–18a.
supported the proposals and recommended that a proclamation to this effect be issued by the provincial authorities concerned.  

Could Chen Yilao have escaped his plight had he come back after the 1754 ruling? The overall socio-political atmosphere had indeed greatly improved by then. Nevertheless, the answer would have depended very much on how the authorities viewed his services under a foreign government during his sojourn in Batavia.

**Chinese Employed by Foreign Governments**

As said, one of the alleged offenses committed by Chen Yilao was his official employment under a foreign government. This question is somewhat ambiguous in Qing policy toward its overseas subjects. In the first place, the Qing authorities were not consistent on this issue. The Siamese case provides one good example. Siam saw a marked rise in the Chinese population during the early Qing. In Ayudhya alone, there were already three thousand Chinese by the end of the seventeenth century. Whereas the Qing Court was often suspicious of Luzon and Batavia as havens for thousands of “treacherous” Chinese, it did not show the same concern about Siam.

In the Siamese tributary trade, it was Chinese who managed the ships and handled the transactions. Chinese individuals “staffed the apparatus at all levels: royal factors, warehousemen, accountants, captains, seamen, and customs officials”. On one occasion, Guangdong Governor Yang Zongren reported to the Court that all the 156 crewmen on board a Siamese tributary ship calling in Canton were natives of either Fujian or Guangdong and, on these grounds, recommended their repatriation to their ancestral villages. However, on the advice of the Board of Rites dated December 13, 1721, the Kangxi Emperor allowed them to return to Siam on the condition that the Siamese king would repatriate them, their families and other Chinese residents to China at a convenient date. Apparently, this condition had never been fulfilled. The new Emperor, Yongzheng, ascended the throne shortly afterward and he later acquiesced in the Siamese argument that the Chinese in Siam were long-term residents with families there. In 1724, he granted clemency to 96 Chinese crewmen on board a tributary ship, allowing them to

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69. Ibid., p. 19.  
70. QSL: SZ, juan 295, 7b.
return to Siam with their ship. In short, the Emperor did not demand their repatriation. By his act of mercy, Yongzheng had set a precedent for overseas Chinese employed by the Siamese government. 71 Nevertheless, the ruling did not indicate if the same leniency would also be extended to those in other countries.

However, it is quite clear that, at this juncture, neither the provincial authorities nor the energetic Yongzheng Emperor had any intention of making a fuss about the issue of Chinese being employed by foreign governments. The support for this observation is given by another case involving a tributary mission from the Sulu Sultan. In 1726, Gong Tingcai arrived in China as Sulu’s tribute-bearer. Gong, a native of Jinjiang District, Quanzhou Prefecture, Fujian, had first left for Luzon in 1712. Over a decade later, in 1725, he went to Sulu and was employed by the Sultan to be his emissary to China. The employment of a Chinese national as the tribute-bearer was interpreted by the Min-Zhe Governor-General, Gao Qizhuo, as a gesture of respect to China by the Sultan. The mission was well received and the Emperor himself also did not express disapproval of Gong’s appointment. 72 Gong came again two years later representing the Sultan to express the latter’s gratitude to the Emperor for the privileged treatment granted to the last mission. 73

In 1742, another tributary mission was sent by Sulu, this time in the charge of Ma Guangming, a native of Tong’an, Fujian. Serving as interpreter was another Chinese named Chen Chaosheng. Both had changed their names during their sojourns overseas. Also included in the mission was a Sulu official, Lao-tu-han-min. Ma and Chen were veteran seafarers. They had arrived in Sulu in 1741 and were dispatched to China by the Sultan as his emissaries the following year. Again, this mission was accorded privileged treatment in China.

What had finally gone wrong was the next mission to Amoy in 1746. This time, the Sultan of Sulu, Ma-han-mo-a-bing-lao-ning, sent a native official named Wu-chu-an-li to accompany the former Chinese tribute-bearer, Ma, and interpreter Chen to lodge a complaint with the Chinese Emperor. In his Chinese-language memorial to Qianlong, the Sultan stated that, on their return to Sulu from the previous China mission two years ago, Ma and other officials were detained in Luzon by a Chinese Captain, Huang Zhan and the latter’s two brothers, Huang Ling and Huang Han. Ling and Han were said to have since returned to their native village.

71. Sarasin Viraphol, Tribute and Profit, pp. 87, 161; also Qingchao wenxian tongkao, juan 297, p. 7462.
73. GCR: QL, no. 21.
Most of the imperial gifts, goods and silver money had been seized by the Huangs.\footnote{GCR: QL, Sultan Ma-han-mo-a-bing-lao-ning to the Qianlong Emperor.} This complaint initiated a protracted diplomatic and legal tussle that lasted over the next two years.\footnote{For details, see GCR: QL, nos. 21, 183, 762, 1256, 1352, 1567, 1924, 2802, 2803 and 9100; \textit{Shiliao xunkan}, Vol. 24, pp. 864–7, 878b–879a; and \textit{CSL, DZ}, Ch. 281, pp. 25–7; Ch. 282, pp. 8–10; Ch. 300, pp. 5–7.}

The Qing government made clear its outright refusal to intervene in a matter involving two foreign governments, but it felt outraged by the involvement of some Chinese nationals in the altercation. Ma Guangming and several other Chinese connected with the case were eventually brought to trial by the different levels of Fujian authorities. Having been granted privileged treatment as a tribute-bearer, Ma was found to have abused his authority by threatening his countrymen at home and refusing to settle his debts with some merchants in Amoy. In the latter case, Ma and his accomplices apparently calculated that the maritime firms would not want to jeopardize their relations with Sulu and confront the emissaries honored by the Chinese authorities. He also owed Huang Zhan money in Luzon. This let the cat out of the bag by revealing the real reason for the quarrel between the two. Instead of telling the truth, he had misled the Sultan of Sulu and fabricated a story for the Chinese authorities. Ma was found guilty and sent into penal servitude on the frontier. Interpreter Chen was given one hundred strokes of the bamboo rod in addition to a three-year prison term. The Sultan of Sulu was also implicitly reprimanded for trusting the wrong persons.

The provincial authorities were instructed by Qianlong to explain to Sultan Ma-han-mo-a-bing-lao-ning that China was punishing its own subjects and, as a consequence, the Sultan should not have any hard feelings about the matter. One Sulu official, Duan-jan-mo, who was also implicated in the scandal, was repatriated to Sulu to allow the Sultan to deal with him at his discretion. The Sultan later informed the Chinese authorities that Duan-jan-mo had been duly punished by him.

During the trial, it was found that Captain Huang Zhan’s clan uncle, Huang Zhao, had been a Chinese captain in Luzon at an earlier date. The latter had gone to Luzon in 1717 and became a Chinese Captain four years later. He returned home for good in 1727, presumably taking advantage of the rescission of the ban. Like many other prosperous merchants of his time, he purchased the official title of Imperial Studentship for three generations.\footnote{\textit{Shiliao xunkan}, Vol. 24, pp. 864–5.} It is unlikely that his overseas activities were not known to the local officials, whose endorsements would have been required for
his application to purchase an official title, and yet his former official appointment in Luzon did not seem to have caused him problems.

Huang Zhao was not the only one who had formerly served a foreign government in one of the two supposedly troublesome spots, Luzon and Batavia, and returned to China without being subjected to punishment. Several overseas Chinese who served the Dutch authorities in Batavia also returned safely to their ancestral country. Guo Junguan (or Queeconko in Dutch records) was appointed Chinese Captain in 1685. According to the *Kai ba lidai shiji* (A Chronicle of Batavia), he took leave of absence to return to China for three years. He was back in Batavia in February 1690 and was appointed to the Board of Estate-Executors, a post he probably held until his death in 1694.77 Another example is He Lianguan (Ho Lienko in Dutch records), a Chinese Lieutenant appointed in 1707. He returned to China after his retirement.78 The most revealing is the case of Lian Lianguang (Ni Lienkong), who served as a member of the Board of Estate-Executors. His brother, Lian Fuguang (Ni Hoekong), was a Chinese Captain of Batavia at the time of the 1740 tragedy. The two brothers were made the scapegoats for the atrocity and arrested and put on trial by the Dutch authorities. Although the Captain was later banished to Ambon (he had earlier requested to return to China), Lian Lianguang was cleared of the charges and released.79 The *Kai ba lidai shiji* records his return to his ancestral country in 1742.80 As far as I can tell from the sources available, his homecoming did not cause a stir among the Chinese officials, even at a very sensitive time when the high-ranking officials were involved in long deliberations on how the Court should react to the tragedy.

**Tightening the Grip**

The tribute-bearer incident was just one more addition to many other security problems making themselves felt in Fujian in the later part of the
Most serious among the latter were the propagation of the Roman Catholic faith by foreign priests and secret-society activities. These problems were exacerbated by the memory of the Batavia massacre that still remained fresh. These developments had undoubtedly contributed to the growing paranoia among the officials.

The “Roman Catholic incident” occurred in mid-1746 when it was reported that several western priests had successfully converted more than 2,600 Chinese natives in Fu’an District, northern Fujian. Their success had indeed greatly alarmed the Fujian authorities. In a retaliatory crackdown, one priest named Bai-duo-lu (Father Pedro) was executed later in the year, and four others were retained on death row. In late 1747, a Spanish ship called in Amoy to trade. Its captain made inquiries about the case, and some Roman Catholic priests spent time contacting the Chinese converts. The officials began to suspect the motives behind the voyage. Consequently, the government decided to carry out the death sentences on the other four and intensify its persecution of the Chinese converts in Fujian in the next two years. In the process, the Court reminded the provincial authorities to be on full alert against contacts between the local people and foreign countries.81

In 1748, the Fujian provincial authorities were also repeatedly reprimanded by the Court for their failure to put down secret-society activities. After the arrival of the new Governor, Pan Siju, relentless suppression of these covert organizations began in March.82

By early 1749, both Governor-General Ga’erjishan and Governor Pan Siju already had their hands full with security problems. They were also obviously feeling the heavy pressure exerted by the Court. They saw that the root of many of the problems lay in surreptitious crossings and foreign connections. Troubles caused by the Chinese sojourners in the Nanyang had also put the Chinese authorities on high alert. As a result, a set of regulations including the following four aspects was presented to the Court for endorsement. Firstly, local security units (baojia) were given the responsibility of preventing surreptitious crossings. Secondly, all those who returned after a long absence had to be reported to the local authorities and were subject to arrest and interrogations. Thirdly, all seafaring people were to be issued licenses that would be closely examined upon their departure and again on their return. Fourthly,

82. See, for example, GCR: QL, nos. 2261 and 4550; and QSL: GZ, juan 311: 9–10.
coastal patrols were to be stepped up.\footnote{83} These regulations were merely a redrafting, re-affirmation and elaboration of the existing rules, typical of the bureaucratic approach to problems of this kind. As the Qianlong Emperor once commented in a reproachful tone, instead of implementing existing laws effectively, the officials tended to draw up more regulations.\footnote{84}

At this juncture, suffice it to say that the provincial authorities were highly sensitive to any activities that might be perceived to threaten local stability. The steady flow of alarming security reports reminded the provincial authorities and the Court of the need to tighten up surveillance. It was at this tense and unfortunate moment that Chen Yilao happened to return and present himself to scrutiny by local officials. The provincial authorities cited Ma’s case, which they considered was similar in nature to that of Chen Yilao. During the trial, the officials might have felt disappointed at failing to uncover concrete evidence to prove their suspicion that Chen had been a troublemaker in Batavia. Since their report is silent about this incident, they must have realized Chen’s absence from the scene during the 1740 outbreak. Nevertheless, from the purely legal point of view, the offence of surreptitious crossings was already serious enough to convince the Court that Chen could not possibly be of good character and, therefore, the rest of the alleged crimes, though unproved, were believed to be genuine.\footnote{85} Huang Zhao and others who had returned before this turbulent period were not subjected to the same trauma that Chen Yilao had to undergo. I would, therefore, speculate that, had Captain Lian Fuguang also returned, say in 1744, before the security problems had got quite out of hand, he would not have suffered the form of punishment handed down to Chen. The upshot is that one can only lament that Chen Yilao should have chosen such “an inauspicious moment” to make his trip.

The repercussions of the unrest were still being felt during the next few years. In fact, Chen Yilao’s plight repeated itself in 1754 when another Fujianese named Yang Dacheng was banished to Heilongjiang for acting as the Deputy Emissary in the Sulu mission.\footnote{86} The timing of Yang’s case was so close to Chen’s that it was difficult for the officials to sidestep it. The Governor of Fujian, Chen Hongmou, who was about to make his appeal to the Court for a further relaxation of the maritime regulations, originally recommended a much lighter sentence, namely: that Yang be...
repatriated to his native district to be put under the surveillance of the local officials. However, this was overruled by the Board of Rites on March 11, 1754 and the heavier sentence of banishment was proposed instead and approved by the Emperor. The sources reveal that Yang was punished for some other complications rather than for his foreign official function. He had originally been a holder of a second-level military degree, but was dismissed for committing offenses. He then became an overseas trader, using a different name (that heightened the officials’ doubts about his character) and was later appointed Deputy Emissary to China by the Sulu Sultan. His post was interpreted as a camouflage for his misdeeds. His record proved to the Chinese authorities that he was an unscrupulous character and consequently a potential troublemaker. Nevertheless, the officials did not link his foreign position to the matter of security leaks.

By this point, the turbulent conditions were nearing their end. One indication of this change is given in the *Kai ba lidai shiji*. It records the return of another former Batavian Chinese Captain, Huang Shi’nao (Oeij Tsjilauw) after his dismissal. Huang had been appointed to the position in 1750. He was later imprisoned and dismissed by the Dutch authorities in 1755 for failing to settle his debt with another Chinese.87 Despite what he must have heard about Chen Yilao’s fate, he seemed to have been confident about his chances of returning safely by taking advantage of the conditions on the China coast returning back to normal in the wake of Governor Chen Hongmou’s petition. I assume that he had landed safely because no hints in the sources indicate the contrary.

**Concluding Reflections**

Chen Yilao had indeed broken the law on “surreptitious crossings”. His official position with a foreign government also implicated him more deeply in treachery on account of the assumption that, in this capacity, he must have leaked his country’s security information to foreigners. However, the legality question should be examined in its proper context to understand both its implications and the true picture of the trade environment.

During the reigns of Kangxi, Yongzheng and Qianglong, maritime regulations were introduced from time to time, often as expedient measures to deal with problems as they arose. They had become so

87. *Kai ba lidai shiji*, pp. 16, 49–51. In this source he is said to have been appointed in 1751; but 1750 is given as the date of his appointment in B. Hoetink, “Chineesche officieren”, p. 8.
numerous and labyrinthine that to abide by all of them was akin to achieving the impossible. Seafarers would have inevitably felt constrained and could easily have become ensnared in the plethora of Byzantine regulations. Nevertheless, the laws were not as terrifying under “normal” conditions, principally because the implementation of these complex and rigid regulations would certainly have jeopardized the smooth functioning of maritime trade, a consequence the Qing Court wanted to avoid at all costs. As explained by Jane Kate Leonard, the government was preoccupied with internal security on the coast. It recognized that “local order was dependent on the economic well-being of the region” and the junk trade “was the backbone of the coastal economy and essential for the economic and political order of the coastal region”.

In addition to the security concern, we should also highlight another factor, namely the substantial amount obtained from maritime revenue. By the 1730s and 1740s, the government had evidently grasped the fact that maritime trade not only contributed to the general well-being of the people, but was also an increasingly important source of revenue for the imperial household as well as the coastal provinces. The benefits of maritime trade were so highly valued that even the upset of the Batavia tragedy had not disrupted the Qing’s “open-ocean” policy. Therefore, despite their legality, the harsh security regulations were somewhat anachronistic. On a practical level, the government also lacked both an effective bureaucracy and a naval patrol to enforce the laws. This complex situation led to the working out of a modus operandi between the officials and the trading community. It consequently created a politico-economic environment in which irregularities became normal.

Furthermore, the irregularities were nurtured by the rampant corruption of the government officials. However, the question of corruption is complex and cannot be understood by simply taking the explicit meaning of the word. The best description of this phenomenon is given by Niels Steensgaard in his insightful phrase: “the protection costs”. In the operation of maritime trade, protection costs played an important role in making affairs run smoothly. Falling under this category are numerous “legal”, “semi-legal” and “extra-legal” exactions imposed by local and provincial officials. These constituted some important expenses to be paid by the maritime traders and formed a substantial part of their

88. Jane Kate Leonard, Wei Yuan, pp. 9, 64 and 71.
89. For this aspect, I am indebted to the insights given in Niels Steensgaard, The Asian Trade Revolution of the Seventeenth Century: The East India Companies and the Decline of the Caravan Trade (Chicago: University of Chicago Press, 1974), Ch. 2.
investment. In return for these “investment costs”, restrictive regulations would be bypassed. A tacit understanding was then reached between the officials and the seafarers as to how maritime affairs should actually be conducted. This modus operandi provided the seafarers with a more or less “predictable” trade environment. Despite all its long-term detrimental effects on the development of trade, it was seen by the seafarers as the lesser of two evils and it served their immediate interests well. This was the situation that Chen Yilao and other seafarers had confidently believed they could manipulate.

This leads to the question: Was there a reversal of the Qing policy during Chen Yilao’s case in which the local authorities and the Court seemed to have re-activated all the prohibitive rulings? In fact, there was no such development during the latter part of the 1740s, except that the security concerns and over-sensitiveness on the part of the government temporarily underwent a sort of storm surge and had gone overboard. Therefore, one can say for certain that, unlike the case of the 1717 ban, there was no renewal of maritime prohibition at the time of Chen’s case.

Moreover, Chen Yilao was punished not exactly because of his capacity as a sea merchant. He had been made a scapegoat by the local and provincial officials to cover up their own incompetence to maintain law and order in an emergency situation. Often, whenever there were signs of restiveness on the local scene, the officials would retreat to protect themselves by adhering strictly to the anachronistic regulations. Fearing reprimands from the Emperor or feeling an urgent necessity to show their vigilance and ability to control the situation, they might even propose additional measures to the Court to deal with the irregularities. This was precisely the situation in Fujian at the time of Chen Yilao’s return. A victim of circumstance, he was a “big fish” whom the officials were just waiting to catch for presentation to the Court. In short, the incident occurred not as a result of any change in the Court’s perception of maritime trade or of a shift to a more restrictive trade policy.

The Chen Yilao incident reveals the limitations of Chinese maritime trade and the plight of its seafarers. Obviously the government’s self-restraint and the marginal adjustments in policy had not brought about any institutional change. Control and restrictions remained the main pillars of the maritime policy. Few initiatives had been taken by the government to promote trade or reward entrepreneurship. The trade expansion that occurred in the period in question cannot be seen as the outcome of an active and purposeful policy. Instead, it had been made possible by the dynamic spirit of the maritime population, despite all the constraints imposed by the government. Unquestionably, although the Court could see the benefits of the enterprise, it also harbored fears about
its political side effects. The maritime revenue that the Court valued had lost its power to act as a stimulus. It had not made the Court commit itself firmly to the development of this enterprise. Instead, the Court seemed to be content with a passive approach, competing against its corrupt maritime officials to exact even more profit from the latter’s share. What about the seafarers? The Court was aware of their indispensable role in maritime trade, yet it could not shake off its negative image of these people, especially the overseas sojourners, as lawbreakers and potential troublemakers. Not surprisingly, the authorities continued to be suspicious of and apathetic toward their overseas subjects.

The inherent weaknesses in the institution pointed toward a pattern of ad hoc solutions to problems. The government for its part did not venture beyond marginal adjustments within the existing framework, whereas for their part the more successful merchants tended to invest in bribery and often purchased official titles at the expense of productive investment. The latter were simply pawns in the hands of the officials and depended on the mercy of the state. Consequently, both sides became prey to the inertia of the status quo, deprived of the daring initiatives essential to a healthy development of trade policies and organizations.

The seafarers were often complacent and even cherished an illusion about their conditions, tending to ignore the element of unpredictability. Chen Yilao was caught unprepared by the periodic and sudden tightening-up of the rules of the game and fell prey to the system.