Institutions by Imposition: Colonial Lessons for Contemporary State-building

by

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Abstract

What explains variation in institution-building under foreign occupations? Why do some state-building missions produce effective and durable state institutions, while others leave a legacy of weak or dysfunctional ones? I explored these questions through a comparative study of the Japanese colonization of Taiwan (1895-1945) and the American colonization of the Philippines (1898-1941), which produced contrasting institutional legacies despite the presence of similar initial conditions. While a strong bureaucratic Taiwanese state arose in the aftermath of Japanese colonization, the legacy of the American occupation of the Philippines was a weak postcolonial state penetrated by parochial interests.

I explain variation in institution-building outcomes through two causal variables: (i) the degree of discretionary power afforded to the occupational administration by the home government; and (ii) the ability of native elites to effectively resist the institution-building effort. Discretionary power allows reform agents to abandon any pre-formulated (and likely ill-conceived) plans, and instead flexibly integrate native laws, norms, and customs with their new institutional designs. Additionally, and contrary to conventional wisdom, more effective institutions emerge when native elites possess the willingness and capacity to resist (even violently) the institution-building effort of foreign agents. The reformist state-building agenda of occupiers is likely to be in direct opposition to the distributional interests of native elites, who seek to maintain their advantageous position within the existing order. It is, therefore, only under the threat of effective resistance that foreign agents will accommodate the interests of native elites to forge institutions with local ownership.

The main empirical chapters of the dissertation draw on more than two years of original archival research in fourteen libraries and depositories across Japan, Taiwan, and the United States. In both cases, my analysis focused on the similarities and differences in the process through which education and police institutions were developed over time; these two areas were chosen due their importance for a country’s political stability and socioeconomic development. The applicability of conclusions drawn from the historical cases to contemporary state-building missions was assessed through an examination of recent U.S. efforts at building a police institution in Afghanistan.

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Chapter 1: A Theory of State-building

1. Introduction

Within the past two decades, international actors have again begun to play an increasingly prominent and direct role in the reconstruction of war-torn and failing states. Prior to 1991, United Nations peacekeeping operations did little more than enforce agreed-upon peace accords between inter- and intra-state actors. Yet, starting with the creation of the 1992 United Nations Transitional Authority in Cambodia, the UN began to take responsibility for the actual governing of post-conflict states, as well as the development of their economic and political institutions. It is not just the UN that is now actively engaging in the building of nation-states out of failed states. Although the United States aborted its first post-Cold War state-building mission in Somalia after eighteen American deaths in 1993, since then, both Democratic and Republican administrations have committed considerable amounts of troops, money, and political capital to the rebuilding of Haiti, Bosnia, Kosovo, Afghanistan, and Iraq.

The recent record of international actors in establishing Western institutions through occupation, however, has been disappointing, and shows little sign of progress. Given the long-lasting strategic and humanitarian consequences of foreign intervention and state-building, a better understanding of what allows foreign reformers to build successful institutions in occupied territories is urgently needed. The aim of this dissertation is to examine past state-building efforts, in particular within the context of colonialism, to draw lessons for today. It is under colonialism that some of the most ambitious institution-building schemes were undertaken, and it

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is therefore in its context that we find stunning successes and catastrophic failures in reconstructing entire societies in the image of Western modernity.

The Japanese occupation of Taiwan (1895 to 1945) was an outstanding example of state-building success under colonization. Prior to Japanese occupation, Taiwan was an economically underdeveloped and disease-ridden frontier province of the Qing empire. In addition, since the annexation of Taiwan was an unexpected result of the Sino-Japanese War, the Japanese were without a concrete plan for governing the island, which immediately plunged into a state of war upon Japanese arrival. Therefore, it was little surprise that after receiving conflicting guidance from French and British advisors, the Japanese failed miserably in building governance institutions during the early years of colonial administration. In fact, with the financial burden of the occupation so severe, and prospects for successful colonial development so grim, some even advocated selling Taiwan to a European power. Yet, after overcoming initial difficulties, the Japanese constructed a highly effective set of administrative and extractive institutions in Taiwan. Within a decade, colonial reformers had eradicated the bubonic plague, modernized the antiquated and inefficient system of land ownership, and developed a dense network of roads and rail that allowed Taiwan to become a highly profitable colonial possession.

During the same moment that the Japanese were establishing modern state institutions in Taiwan, American colonial officials in the Philippines were coming to terms with the fact that their “civilizing” mission, which began with the American conquest of the Philippines in 1898 (and eventually terminated in 1946), was going terribly wrong. The American colonial state never lacked the coercive capacity to impose new institutional designs on the Filipino people, as evidenced by the U.S. military’s ability to crush a widely supported independence movement. Yet, a little over a decade into their state-building effort, U.S. colonial officials were frustrated
with their failure to improve health and sanitary conditions throughout the archipelago, as well as their inability to keep Filipino schoolchildren enrolled in the new and secular public school system. Local governments, designed to train Filipinos in democratic behavior, were hopelessly corrupt. Various land reform measures that were intended to increase landownership among peasants were instead contributing to the growth of large plantations. In short, while American dominance in the Philippines allowed the United States to reform the institutional makeup of the Philippine Islands on paper, many of the newly established institutions were failing.

Hence, during the first half of the twentieth century, two imperial powers—Japan and the United States—similarly sought to impose their way of life on peoples resisting occupation and demanding independence. Yet, only in one of these two cases were the institutional objectives of the colonizers met. Why? This variation in the successful establishment of modern state institutions in colonial Taiwan and Philippines lies at the heart of this comparative-historical study, but the goal of this dissertation goes beyond understanding these two historic cases; rather, it is to draw lessons from our colonial past to infer how we may improve upon more recent attempts at state-building.

The significance of the Taiwan and Philippines cases to contemporary state-building missions also comes from their exceptional position within the history of colonization, as being among the first instances where colonizers aimed, from the very beginning, to transform a foreign and traditional society into a modern bureaucratic (rational-legal) state. Consequently,

from an institutional perspective, they have more in common with recent state-building missions than with older European colonial undertakings in Asia and Africa, especially when compared to colonies that were governed indirectly through local intermediaries. Meanwhile, because these occupations took place during a period where draconian methods of social engineering were normatively permissible, they display far greater variation in institution-building strategies (both within and across the two cases) than is found in contemporary state-building efforts. These two cases are therefore uniquely situated to offer both positive and negative lessons (and warnings) for today’s policymakers.

This dissertation takes an explicitly institutional approach to explain variation in state-building outcomes. In contrast to previous work in post-conflict studies that debates the merits of specific institutional designs, I focus on the conditions under which foreign occupiers are likely to establish strong institutions. I argue that two key factors jointly determine the likelihood that war-torn or traditional societies will be transformed into modern states through strong institutions: (i) the extent of discretionary authority granted to the occupational administration by its home government; and (ii) the ability of native elites to resist the institution-building effort. The greater freedom foreign occupiers have to engage in on-the-ground experimentation, the more likely they are to successfully integrate new institutions into the native social order. Agent discretion is thus a necessary structural condition for state-building success. Additionally, and contrary to conventional wisdom, more effective institutions emerge when native elites possess the willingness and capacity to resist (even violently) the institution-building effort of foreign agents. The reformist state-building agenda of occupiers is likely to be in direct opposition to the

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1 Eventually, state-building would become an important goal of various European colonies in the years preceding World War II, but these efforts were cut short by various independence movements following the war, or in the case of many African colonies, were pursued with far less intensity than they were in Taiwan and the Philippines. For more on colonial state-building in Africa, see Frederick Cooper, *Africa Since 1940: The Past of the Present* (Cambridge: Cambridge University Press, 2002).
distributional interests of native elites, who seek to maintain their advantageous position within the existing order. It is, therefore, only under the threat of effective resistance that foreign agents will accommodate the interests of native elites to forge institutions with local ownership.

Very few scholars have examined colonial occupations for the purpose of understanding state-building. To a large extent, this is due to the belief that contemporary state-building efforts are fundamentally different from their colonial predecessors. This may be true in terms of the larger objectives of the occupiers, but when the actual process of building institutions is examined, there is very little difference between occupations then and now, especially when late colonial cases (such as Taiwan and the Philippines) are the objects of comparison. By ignoring the colonial cases, a large segment of the relevant population of cases is therefore discarded. This has been particularly damaging to our understanding of state-building, since some of the most prominent successes and failures in building institutions abroad took place under colonialism. Without studying the entire range of variation in outcomes, there is little hope for improvement in our dismal record in bringing peace, stability, and economic prosperity to post-conflict states.

2. State of the Literature

The topic of this dissertation is state-building. It is a study of a small subset of colonial and contemporary occupations where the institutional objective is the establishment of a modern state infrastructure in a target territory. Although much has been written on state-building in recent years, existing works tend to cluster around three main competing explanations of state-building success and failure. First, background conditions (such as the ethnic composition of a target territory, its previous experience with democratic governance, and level of economic development) are often seen as instrumental in determining the difficulty of transferring Western

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institutions to traditional or war-torn societies. Others have argued that the greater the intensity of the institution-building effort (in terms of time, money, and manpower), the more likely the occupation will have a lasting legacy. While it is certainly possible to leave behind a negative institutional legacy, this perspective tends to associate intensive occupations with positive outcomes, be it the establishment of bureaucratic capacity, economic growth, or democratization. Finally, scholars have emphasized institutional design: The key to state-building success is to uncover the ideal set of formal rules and organizational innovations that effectively suppress corruption, encourage political openness, and/or mitigate inter-ethnic tension in a typical post-conflict environment.\textsuperscript{5}

In the following pages, I review these perspectives, and argue that they share a common shortcoming: Despite the fact that any effort to establish new institutions takes place over a number of years and through various twists and turns, these theories tend to treat state-building as a single event, rather than a process. Furthermore, although a foreign occupation is necessarily a moment of “critical juncture,” with a “substantially heightened probability that agents' choices will affect the outcome of interest,” the role of agency is underspecified.\textsuperscript{6} If the background and intensity approaches ignore the agency of foreign agents and the consequence of their actions on state-building outcomes, those that focus on design treat agents as unconstrained actors who are able to freely choose the best model conceivable. What I suggest instead is an account of why

\textsuperscript{5} In addition to these approaches, there also exists an older literature on state formation. The focus of this literature, however, is not how states are built through foreign occupation, but rather, the issue of how traditional societies modernize into nation-states through the “natural” process of economic development and war, or by the actions of modernizing elites. See Gabriel Almond and G. Bingham Powell, Jr., \textit{Comparative Politics: A Developmental Approach} (Boston: Little, Brown, 1966); Samuel P. Huntington, \textit{Political Order in Changing Societies} (New Haven: Yale University Press, 1968); Daniel Lerner, \textit{The Passing of Traditional Society: Modernizing the Middle East} (Glencoe, Ill: Free Press, 1958); Barrington Moore, Jr., \textit{Social Origins of Dictatorship and Democracy: Lord and Peasant in the Making of the Modern World} (Boston: Beacon Press, 1966); Lucian W. Pye, \textit{Aspects of Political Development: An Analytic Study} (Boston: Little, Brown, 1966); Charles Tilly, ed., \textit{The Formation of National States in Western Europe} (Princeton: Princeton University Press, 1975).

some foreign reformers are able to overcome adverse background conditions, make use of limited resources, and forge workable institutional designs, while others fail in these attempts. The theoretical focus is therefore squarely on the process through which foreign agents endeavor to transform war-torn or traditional societies into modern states, and the factors that constrain the actions of these agents.

2.1. Existing Approaches to the Study of State-building

In the months preceding America’s 2003 invasion of Iraq, scholars and pundits debated whether past military occupations could provide valuable lessons for U.S. policymakers. In particular, the successful post-World War II reconstruction of Japan was mentioned as a possible model for Iraq. Questioning this analogy, however, was John Dower (the Pulitzer Prize-winning historian of Japan), who noted the incomparability in background conditions between postwar Japan and Iraq in terms of the legitimacy enjoyed by the occupying forces (in the eyes of the occupied) and the homogeneity of the target population. Others, such as Francis Fukuyama, have stressed the importance of preexisting state capacity and infrastructural development as key determinants of state-building outcomes: U.S. success in rebuilding postwar Germany and Japan can largely be explained by the fact that these two countries were already nation-states with a highly effective civilian bureaucracy, an advanced (albeit broken) industrial system, and a developed (albeit repressed) structure of interest aggregation. In contrast, America’s record in

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7 John W. Dower, “Lessons from Japan about War’s Aftermath,” New York Times 27 October 2002: A13. Edelstein argues that the primary reason why occupiers are able to gain legitimacy in the eyes of the occupied is the existence of a common third party threat. If the occupied territory is threatened by a common enemy of the occupier, then its population is more likely to accept the intervention as a means of achieving security from external threat. Meanwhile, the existence of a common threat increases the probability that the occupier will commit the necessary time, manpower, and resources to the state-building effort. David M. Edelstein, Occupational Hazards: Success and Failure in Military Occupation (Ithaca: Cornell University Press, 2008).

8 Francis Fukuyama, State-building: Governance and World Order in the 21st Century (Ithaca: Cornell University Press, 2004), pp. 38-39. State-building in Japan and Germany, Fukuyama argues, therefore progressed more along the lines of “reconstruction” than institutional “development,” where reconstruction refers to “the restoration of war-
territories without a preexisting modern state structure has been poor, as witnessed by failed interventions in Cuba, the Philippines, Haiti, the Dominican Republic, and South Vietnam. Consequently, Jason Brownlee concludes that state-building is more likely to succeed in territories where the occupiers are required to do the least—that is, where modernizing (democratizing, liberalizing) reforms can build upon existing local institutions and traditions. True state-building missions, from this perspective, are a fool’s errand.9

Meanwhile, intensity of colonization, scholars have argued, is among the most significant determinants of whether European occupiers, despite their self-serving intentions, had positive effects (if any) on a colonized territory’s postcolonial development.10 Mirroring these findings on colonial institution-building, James Dobbins and his collaborators argue that the most important factor differentiating successful state-building cases (such as Japan and Germany) from failed ones (such as Somalia and Haiti) are “not their levels of economic development, Western culture, or national homogeneity. Rather, what distinguishes these two groups is the level of effort the
torn or damaged societies to their preconflict situation” and development to “the creation of new institutions and the promotion of sustained economic growth, events that transform the society open-endedly into something that it has not been previously.” Francis Fukuyama, “Nation-building and the Failure of Institutional Memory,” in Nation-building: Beyond Afghanistan and Iraq, ed. Francis Fukuyama (Baltimore: Johns Hopkins University Press, 2006), pp. 4-5.

9 Brownlee, “Review Article: Can America Nation-build.”
international community has put into their democratic transformation.\textsuperscript{11} Intensity of the institution-building effort is also a key factor in Doyle and Sambanis' model, where three variables jointly determine the probability of peace-building success: international capacity, local capacity, and residual animosity between (previously) warring factions.\textsuperscript{12} Finally, scholars such as Stephen Krasner have led the intensity argument to its natural conclusion by suggesting that "de facto trusteeships" should be reintroduced to the list of policy options for state-builders. By directly administering war-torn territories for an extended period, foreign reformers can undertake broader and deeper state-building campaigns.\textsuperscript{13}

If the background and intensity approaches seek to explain the conditions under which institution-building is more likely to succeed, the design approach focuses on the actual content of the reforms that foreign occupiers should undertake. Virginia Page Fortna, for example, writes that compliance to cease-fire agreements may be increased by designing institutions that accomplish the following: raising the cost of renewed aggression, providing credible information regarding the actions and intentions of formally warring groups, and instituting mechanisms for preventing accidental abrogation of agreements.\textsuperscript{14} With his focus on the issue of democratic stability, Donald Horowitz examines how electoral rules can be devised to lessen ethnic conflict. He proposes an electoral system of alternative voting, whereby voters rank several candidates on

\begin{itemize}
  \item \textsuperscript{11} Dobbins, et al., \textit{America's Role in Nation-building}, p. 161.
\end{itemize}

2.11. A Way Forward

The primary limitation of existing approaches is that they have little to say on the process through which institutions are established. Indeed, state-building will undoubtedly proceed more smoothly if the target society is already a modern bureaucratic state. More resources are always better than less. However, as the Taiwan case illustrates, it is possible to build a modern bureaucratic state out of a traditional society. Despite the fact that both background conditions and state-building intensity operate at the level of the occupation as a whole, foreign reform efforts typically produce uneven results across various institutional areas. Meanwhile, although the design approach acknowledges that we must go beyond background conditions and intensity, it fails to address why foreign occupiers come to adopt a particular institutional design over
another. In fact, it is often the case that foreign reformers select institutional models that are thoroughly unworkable within the society they seek to transform. Existing theories, because they are largely unconcerned with the actual process of building and reforming institutions, have had little to say on why the misapplication of models occurs so frequently.\footnote{An important exception is Lise Morjé Howard, \textit{UN Peacekeeping in Civil Wars} (Cambridge: Cambridge University Press, 2008). Here, Howard examines the conditions under which international actors are able to learn from their mistakes and adjust their institution-building strategy.}

Also left undifferentiated are the various ways by which new institutions stand to fail in regulating behavior. In part, this is a consequence of how state-building success and failure have typically been measured: “Performance indicators” (such as GDP change, number of battle deaths, and freedom and democracy scores) are popularly used to measure state-building outcomes, but they do not give us any information regarding why an institution was or was not able to elicit a change in the behavior of the target population. Specifically, it is unclear as to whether negative scores on these indicators were a result of individuals ignoring new rules, or because compliance to new rules inadvertently produced undesirable behavior. Moreover, while performance indicators may provide an assessment of present institutional effectiveness, they say little about how an institution may evolve and perform in the future. By understanding why an institution is able (or unable) to produce the anticipated behavioral results within a target population, it is possible not only to understand the reasons for success or failure in the present, but also to predict future institutional performance. Overall, curiously lacking in many works that examine institution-building under foreign occupations is a clear argument on how institutions function and the ways in which they can be changed.\footnote{A notable exception is Mahoney, \textit{Colonialism and Postcolonial Development}.} What I therefore offer is an explicitly institutional approach to the study of state-building.
An institutional approach to the study of state-building also allows us to separate our value judgments regarding the effects of institutional reform from the issue of whether or not new institutions were successfully established. In the Philippines, for example, U.S. intervention led to an expansion of the Philippine economy, but the consequence of this development was the growth of large plantations at the expense of small-scale farming. Whether one perceives this outcome to have been good for the Philippine Islands depends on whose perspective one takes, as well as on one's normative beliefs concerning the issue of economic development and equality. On the other hand, the evaluation of whether various laws promoting economic growth and regulating land tenure were successfully established—that is, whether the target population complied to new laws in the manner anticipated by the reformers—is less value-laden. This is certainly not to suggest that ethical questions should not be taken into account in state-building. Yet, in order for us to effectively engage the question of whether we should intervene in other countries and what kind of institutions we should try to construct, we must first know why it is that some reform efforts produce effective and durable institutions, while others fail.

3. Causes of State-building Success and Failure

My argument proceeds in two parts. The first, and conceptual, portion of my argument examines the question of how best to measure outcomes of institution-building efforts. I argue that it is possible to categorize institutions built under foreign occupations by two indicators: (i) hybridity, or the degree to which newly introduced institutions are integrated into the existing institutional order; and (ii) local ownership, or the extent to which a plurality within a subject population (or more accurately, their representatives) regards the operation of a particular institution to be in their best interest. These two relational measures are useful not only for their ability to compare and contrast institution-building outcomes across a wide range of cases (both
colonial and contemporary), but also because they are each associated with distinct predictions regarding short-term performance of institutions, as well as their longer-term evolutionary trajectory. The more hybridic and locally owned new institutions are, the more transformative they are likely to be.

Second, I explain variation in institution-building outcomes (in terms of their hybridity and local ownership) through two causal variables: (i) the degree of discretionary power afforded to the occupational administration by the home government; and (ii) the capacity of native elites to oppose effectively specific reform proposals by foreign agents. Discretionary power allows reform agents to abandon any pre-formulated (and likely ill-conceived) plans, and instead flexibly integrate native laws, norms, and customs with new institutional designs. Effective resistance to an occupation by local elites, on the other hand, leads to the establishment of new institutions with robust ownership, as it compels foreigners to meet the distributional interests of local actors in the process of institutional reform.

3.1. Typology of Institution-building under Foreign Occupation

Territories that become targets of state-building missions are typically characterized by an ineffective central government—that is, failing or failed states. Statelessness, however, does not imply a lack of institutions, as the absence of state institutions encourages the development of alternative forms of political order, such as warlordism or tribal rule. Even societies devastated by war are intricately interwoven by both formal institutions (written rules and supporting administrative organizations) and informal institutions (norms and beliefs), which

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regulate everything from social behavior to political and economic interactions. As Joel Migdal and others have argued, the problem of governance found in weak states is not that a system of societal control is missing entirely, but rather, the reality that various such competing systems are dispersed among a heterogeneous set of actors. For this reason, state-building missions, even those undertaken in territories devastated by war, do not take place on a tabula rasa, but within a situation of existing institutional complexity.

Thus, the success of state-building missions is determined by the extent to which imposed institutional elements are integrated into the existing (and often informal) institutions of the target territory. If this interaction between foreign and native institutions produces conflicting behavioral signals or causes them to undermine one another, then the institution-building effort is likely to ultimately end in failure. On the other hand, if the foreign and the native are integrated into a coherent whole, the result will be the establishment of effective institutions—effective in the sense that they have clear and consistent behavioral implications on the target population.

While the specific relational structure between the newly introduced foreign institutions and native institutions can take a number of forms, they lie within a spectrum between a hybridic structure on one hand and a dualistic structure on the other. As diagramed in Figure 1, the contrast is between institutions where the foreign and the native are thoroughly integrated into a coherent whole, and those where the foreign and the native co-exist side-by-side to independently affect the behavior of the local population.

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Furthermore, both hybridic and dualistic institutions may or may not attain local ownership. The significance of local ownership lies in its direct relationship to the issue of institutional durability: Without local ownership, an institution is unlikely to survive in the occupation’s aftermath. However, since institutions are inherently distributional instruments (i.e., they allocate scarce resources within a population), it is unlikely that a particular institution will obtain universal support within a target territory, especially in a war-torn and/or ethnically divided society. Hence, local ownership is seen here as achieved when an institution is supported by a plurality of the native population. Moreover, the focus will be on the elites representing this plurality, as they play a mediating function between the occupational administration and the

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24 James Mahoney and Kathleen Thelen, “A Theory of Gradual Institutional Change,” in Explaining Institutional Change: Ambiguity, Agency, and Power, ed. James Mahoney and Kathleen Thelen (Cambridge: Cambridge University Press, 2010), p. 8. As Mahoney and Thelen note, this view of institutions is characteristic of the historical institutional perspective on institutions, but can also be found in the more rationalist or sociological schools on institutions. An alternative perspective of institutions is one that sees them as tools for enhancing cooperation. For a summary of the different approaches to the study of institutions, see Peter A. Hall and Rosemary C. R. Taylor, “Political Science and the Three New Institutionalisms,” Political Studies 44.5 (1996): 936-57.
wider population. In short, the term “local” in local ownership is used as a shorthand for elites commanding a significant following within the target territory.25

Each of the four possible ideal-typical outcomes has distinct implications on an institution’s effectiveness, durability, and transformativeness. An institution that is both hybridic and locally owned is likely to be highly effective. In the first place, with foreign and traditional institutions thoroughly integrated, the target population will be subjected to a coherent set of formal and informal rules within an institutional area. The effectiveness of a hybridic and locally owned institution is also a function of the fact that native elites will assist the occupational administration in the enforcement of its rules. In the long run (that is, even in the aftermath of the occupation), a hybridic institution with local ownership is durable and will continue to generate the intended behavioral outcome of the institution’s designers. This institutional arrangement is also transformative in that it leads to a behavioral change in the subject population—a change that is buttressed by the new institution’s durability.

An institution that is hybridic but without local ownership is effective, but only so long as the foreign occupation continues. It is possible, however, for a hybridic institution initially lacking in native elite support to eventually acquire local ownership under a long-lasting foreign occupation. This results when existing powerholders adapt to the new institutional arrangement and begin to acquire distributional benefits from the institution’s operation. Alternatively, new institutions may disrupt power relations within the target society and empower, or give rise to, an alternative elite stratum. Precisely because a hybridic institution, even without local ownership, is highly effective (if directly enforced by foreign administrators), either one of these outcomes

is quite possible, as long as foreign interveners are willing to allocate considerable time and manpower to the occupation. Consequently, the combination of hybridic institutions and lack of local ownership is potentially transformative, but only in instances where the problem of the institution’s initial fragility is addressed.

Thirdly, an institution can be locally owned but dualistic in its structure. Such an institution will be durable, but its effectiveness will be erratic, and at the mercy of native elites. Under a dualistic institutional structure, new rules, regulations, and bureaucratic structures exist separately alongside a native institution within a single functional area. Unsupported by the existing institutional order, new institutions are likely to lack some of the necessary tools for enforcement, in particular, norms and beliefs (i.e., informal institutions) that compel individuals to comply with a set of formal rules and regulations. Moreover, as new institutions are created alongside old ones, the two will interact to produce some unpredictable (and typically undesirable) behavioral outcome. For example, if an elaborate bureaucratic structure characterized by meritocratic appointment and promotion rules is created in a society where interpersonal relations are governed by clientelistic relations, then it is difficult to anticipate (at least from the institutional structure alone) what the resulting behavioral outcome will be. It is for this reason that the performance, and ultimately the transformativeness, of a dualistic institution is highly dependent upon the whims of its local elite supporters. The likelihood that a dualistic institution produces some undesirable behavioral outcome is even greater in the post-occupation period: Once foreign “supervision” is removed from the equation, the new institution’s local owners are free to selectively choose what rules and regulations to enforce and what to ignore in their quest to maximize their distributional benefits.
Finally, institutions built under foreign occupations may be both dualistic and lack local ownership. Predictably, such an institution is ineffective and unlikely to survive the occupation. As such, the new institution itself will not generate much short term behavioral change or a longer-term transformation of the social order. This does not mean, however, that the target territory will be unaffected by the failed institution-building effort. Just as war, revolution, and catastrophic natural disasters can disrupt and fundamentally alter the distribution of power within a society, so too could a disastrously conceived state-building mission. The colonial period is indeed littered with examples of highly ambitious modernization projects gone tragically awry. Yet, the specific outcome of a destructive transformation is not something that foreign agents have much control over. It is up to the territory’s post-colonial rulers to rebuild from the disorder that colonial officials left behind. However, because their starting point is hardly a tabula rasa,

but rather, a dysfunctional state of institutional incoherence (containing both modern and
traditional elements), the odds are against a successful post-occupational reform effort.

3.11. The Causal Importance of Agent Discretion and Local Elite Accommodation

With institutional hybridity and local ownership identified as key characteristics of
institutions built under foreign occupations, the question of causality arises. Why are institutions
established by foreign actors more or less hybridic and why are they more or less supported by
native elites? As shown in Figure 3, I argue that two factors play a critical role: (i) degree of
discretionary authority afforded to reform agents by the home government; and (ii) the level of
effective resistance by the local population against the foreign occupation. In other words, the
outcome of state-building missions is determined by the specific way in which the occupational
administration is constrained from above and from below.

![Figure 3: Summary of the Causal Argument](image)

Starting with the relationship between agent discretion and institutional hybridity, it can
be observed that a hybrid institution is neither foreign nor native, but is a fusion of the two. A
fusion of two separate institutions—each undergirded by a different internal logic—does not
occur simply by placing them side-by-side or on top of one another: Both foreign and native institutions must be changed so that the two can combine into a coherent whole. However, how foreign models can or should be modified, and local institutions reformed in this process, is hard, if not impossible, to determine in advance. State-building is typically undertaken in territories with weak or failing governmental and economic institutions, where a myriad of informal structures (such as kinship and clientelistic networks) play a central role in regulating the behavior of individuals. These types of institutions are not only inherently difficult to identify and conceptualize (especially for foreigners), but information regarding their internal workings is tightly guarded in post-conflict societies, as such knowledge is an important source of power for local elites. Foreign actors are therefore likely to initially face a situation of acute uncertainty in regards to the native institutional order.

Hence, efforts at reforming and building institutions must be characterized by flexibility and pragmatism if they are to have any chance of success. To the extent that hybridic designs cannot be formulated in advance, reform agents must be able to experiment with various institutional arrangements, and flexibly adapt their initial designs as more information becomes available through the course of interacting with native institutional structures. Consequently, a necessary condition for the establishment of hybrid institutions is that the occupational administration be afforded considerable discretionary authority by its home government. Discretionary power allows foreign reform agents to abandon any pre-conceived plans that they may have had (or been assigned) upon entering the occupation, and instead, adopt alternative models and approaches to institution-building through a process of trial and error.


For an alternative (cognitive) approach in explaining the cause of institution-building rigidity, see Séverine
However, the home government will likely eschew granting too much discretion to its agents, given the possibility of conflict in agenda.29 From the perspective of the occupational administration, state-building is a top priority. On the other hand, state-building is merely one of many conflicting policy and political goals of the home government. Doing everything possible to succeed in state-building may not be a viable option for the home government, which must take into account the financial and human costs of the intervention, the reaction of its citizens to a prolonged and seemingly imperialistic occupation, and how the presence of foreign troops in the target territory will be perceived by other countries (both partners and adversaries) in the region. Furthermore, state-building is an issue that provokes intense normative debate: It is not only costly to the intervening country in terms of men and money, but it could also affect the wellbeing of the target population for generations to come. It is therefore unavoidable that state-building becomes a politically contentious issue requiring careful management and oversight by the home government. Hence, even if the home government has complete confidence in the capability of its agents, to grant them substantial discretion is not without risks. Although state-building is too complex to succeed without discretion on the part of reform agents, it is also an issue that is politically too sensitive to leave solely in the hands of technocrats.

There are two primary methods through which the home government may control the level of discretion bestowed to its agents. First, executive orders or legislation governing the conduct of agents can vary in specificity. While some mandates outline only the ultimate goals of the occupation, leaving agents the freedom to shape the institution-building strategy, others may detail the types of institutions that should be built, as well as how agents should go about

building these institutions. Second, discretionary power can be limited by the nature of the contract that governs the agent’s employment. Political appointees, especially those that serve without set terms, are inevitably more sensitive to the demands of the home government, as well as less likely to make consequential decisions without first consulting their superiors. In contrast, bureaucratic agents will have greater freedom to deviate from any pre-conceived plans, as membership in a bureaucratic organization provides a certain degree of security in employment. As such, the issue of discretion becomes entangled with that of autonomy: Autonomous agents are more likely to exercise discretion regardless of the flexibility built into their state-building mandate.  

In sum, the likelihood that institution-building will be pursued with flexibility and pragmatism, and therefore result in the creation of hybrid institutions, is a function of both the nature of mandate (with varying degrees of discretionary authority) assigned to agents, as well as their propensity to faithfully follow this mandate (that is, their autonomy).

If the degree of agent autonomy determines whether an institution established by foreign occupiers will be more or less hybridic, what then determines the degree to which a new institution is locally owned? To answer this question, it is necessary to begin with the notion that institutions are, above all, distributional instruments. In some instances, the sole purpose of an institution (such as welfare systems, forestry and mining laws, and trade regimes) is to allocate scarce resources among various societal groups and individuals. Meanwhile, other institutions (such as electoral rules and norms concerning political legitimacy) determine who has control over the way resources are allocated. In other words, institutions exist within society because they serve as effective tools for dominant groups to satisfy the demands of their members, to buy

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30 In this way, the issue of agent discretion becomes entangled with that of autonomy. Autonomous agents are more likely to exercise discretion regardless of the assigned mandate. On the issue of bureaucratic autonomy, see Daniel P. Carpenter, *The Forging of Bureaucratic Autonomy* Reputations, Networks, and Policy Innovation in Executive Agencies, 1862-1928 (Princeton: Princeton University Press, 2001).
off or coerce potential challengers into submission, and to redistribute a portion of the spoils to subordinated individuals so that their grievances do not destabilize the social order.\textsuperscript{31}

Therefore, native elites are likely to be interested in reform insofar as it helps buttress (or, at minimum, preserve) those institutions that already distribute scarce resources to their advantage. In other words, existing elites are status quo oriented. This sharply contrasts with the interests of foreign occupiers, who would not have invested time, money, and manpower into a foreign occupation, if they felt that the continuation of status quo was acceptable. Therefore, although foreign occupiers often pay lip service to the concept of “local ownership,” if institutions are actually designed to attain local support, they are likely to be far less transformative than sought by foreign reformers. It may be that the inhabitants of a target society will ultimately gain from reforms favored by foreign occupiers. A world free of political violence, ethnic hatred, and poverty is likely to be a place of greater security, prosperity, and wellbeing for all. On the other hand, what Western reformers tend to condemn as corruption and misrule are often rational systems of resource allocation and inter-elite accommodation in polities with weak or traditional governance structures and economic systems.\textsuperscript{32} Consequently, only when native elites have the capacity, and exhibit the willingness, to resist a state-building mission—so that their interests are truly reflected in the design of new institutions—is local ownership actually obtained.\textsuperscript{33}


\textsuperscript{32} Englebert and Tull, “Post-conflict Reconstruction in Africa: Flawed Ideas about Failed States.”

\textsuperscript{33} The conventional wisdom in the post-conflict literature, however, is that institutional reform is more likely to succeed when native elites are weak, as seen in Stedman’s piece on “spoilers” and Barnett and Zürcher’s work on strategic interactions between state-builders and native elites. In both of these works, the interests of local powerholders are (rightly) seen as obstacles to the unfettered implementation of the occupier’s agenda. However, when the issue of institutional compliance and enforcement are taken into account, it becomes apparent that foreign reformers may be better served by the existence of powerful native elites. See Michael Barnett and Christoph
Not all native elites, however, are equally instrumental to the effectiveness and durability of institutions created under foreign occupations. Of particular importance are elites (such as tribal chiefs and grass roots religious leaders) with intimate ties to their communities, who are therefore critically situated to help enforce new and foreign rules and regulations. However, in territories that typically become targets of state-building missions, local elites with deep roots and a strong following are more likely to be “traditional” in their outlook (because their source of power rests in clientelistic ties) and oppose the “enlightened” (be it democratizing or liberalizing) reforms, compared to the urban and intellectual (and often Western educated) elite. The former is therefore shunned by foreign reformers, while the latter is embraced as a worthy collaborator. Yet, the very characteristics that make “traditional” elites difficult partners also positions them as potent allies of the occupational regime in the enforcement of new institutions, and in ensuring that these institutions survive in the aftermath of the occupation’s conclusion.

The elite’s capacity to resist an institution-building effort is to a great extent derived from the pre-occupation social structure of the target territory. Religious elites, landlords, and tribal leaders are all consequential powerholders because they possess the ability to mobilize the local population through their respective ideational, economic, or customary authority. Nonetheless, the way in which a foreign administration is established in the target territory also plays a crucial role in translating powerful local elites into effective resisters in the process of institutional reform. In particular, when foreign rule is forged through violent means, pre-occupation systems of authority can be greatly disrupted, leading some local notables to lose power, and allowing new centers of authority to arise. The ability of native elites to shape the outcome of a state-

building mission also depends on the coercive and financial capacity of the foreign agents themselves. If occupiers are willing to commit enough military power to an occupation, they may be able to suppress all local opposition and implement their desired reforms.

Finally, the willingness of native elites to resist a reform effort is unlikely to be uniform across different institutional areas within a single society, as institutions are not all equal in their distributional impact. Access to educational opportunities, for example, will undoubtedly play a central role in determining the composition of the elite stratum in the long run. However, educational reform will not have an immediate effect on the distributional interests of native elites in the way that land reform would. As such, displacement of an existing system of property rights could elicit greater opposition from native elites compared to far reaching reforms in education. Furthermore, the same institutional area may not induce similar levels of opposition across different polities. Secularization of education, for example, will face greater hurdles in societies where church and state are united under a single religious-political elite, as well as in places where religious leaders are powerful political figures. Resistance is something that must be triggered, and whether the reformist agenda of foreign occupiers generates excitement among native elites will correspond to the distributional impact of the reforms. To oppose the designs of foreign agents is costly; elites are likely to pick their battles, and challenge occupiers only in matters that are central to their survival and economic wellbeing.

4. Explaining Divergent Outcomes of Institutional Reform

Varying degrees of agent discretion and effective resistance lead to one of four possible state-building outcomes, characterized by different combinations of hybridity and local ownership. In this section, I will briefly illustrate my argument with an overview of my case
studies (summarized in Figure 4), which consist of inter- and intra-case comparison of Japanese and American institution-building in the areas of policing and education.

Figure 4: Variation in Institution-building Outcomes, Taiwan versus the Philippines

4.1. Taiwan and Hybridic Institution-building

One of the most distinctive features of the Government-General of Taiwan (GGT), for its first twenty-five years of existence, was its near absolute autonomy from both the executive and legislative branches of the government in Tokyo. When the Japanese occupational army faced an unexpectedly aggressive resistance in 1895, the initial plan to make the Governor-Generalship a civilian office was abandoned in favor of a military government. In Meiji-period Japan, where the military escaped civilian control, this decision was highly consequential. The fact that the Governor-General would come from the highest ranks of the army establishment (as general or lieutenant general) ensured that his political standing would be equal to that of the Prime Minister. Furthermore, it was determined that the Governor-General would possess de facto lawmaking authority within Taiwan. He possessed the power to issue ordinances that had the
effect of law, as well as to decide which Japanese laws were applicable in Taiwan. Therefore, even as politicians in Tokyo voiced complaints over the GGT’s various policies, there was little they could do to compel their agents to change direction.

The primary consequence of the GGT’s autonomy was to neutralize pressure within metropolitan Japan for the pursuit of assimilation in Taiwan. The perspective that Taiwan should become an integral component of the Japanese state, and that the Taiwanese should be culturally assimilated into the Japanese nation, dominated the Imperial Diet (the national parliament) when the Taiwan issue was first debated in 1896, and was repeatedly affirmed by the government whenever parliamentary debates turned to Taiwan. However, the notion that the Taiwanese could be assimilated seemed absurd to top colonial officials, who could observe conditions in Taiwan firsthand. Ignoring Tokyo’s preferred policy of assimilation, the GGT instead made extensive use of local knowledge in designing new institutions; anything that mimicked Japanese precedent was carefully adapted to native conditions. In this way, an institutional order that creatively combined Japanese laws and organizational innovations with Taiwanese customs was forged through the initiative of the colonial agents themselves.

Nonetheless, there was variation across different policy areas in how the institution-building process unfolded. The organization of the police institution in colonial Taiwan was first of all hybridic: It combined a modern police organization with traditional Taiwanese collective-responsibility and local surveillance structure comprised of one-hundred households known as *hokō (baojia).* The integration of *hokō* within the formal colonial administrative system was

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34 Note on transliteration: Throughout this dissertation, I have generally used pinyin to transliterate Chinese words, except for proper nouns that are more commonly known by the Wade-Giles transliteration, such as Taipei (Taibei in pinyin), Taichung (Taizhong in pinyin), Hsinchu (Xinzhu in pinyin), and Chiang Kai-shek (Jiang Jieshi in pinyin). If a proper noun is mentioned within a direct quotation, then the original transliteration is preserved. As for author names in bibliographical citations, I have used the transliteration that the author himself/herself used. If an author wrote in English, I have listed his or her name in the order of given then family names, in the Western convention. If his or her work was written in Japanese, I have listed his or her family name first, followed by the given name.
also seamless: Local *hokō* units were typically headquartered within police stations, while elected *hokō* officials simultaneously served as chiefs of administrative zones—the lowest level of local government. Through the *hokō* system, the colonial police not only recruited local Taiwanese to provide assistance during the pacification campaign, but could also collect information on households and monitor population movements. The building and repairing of roads and bridges and the eradication of infectious diseases was also undertaken through the local *hokō* office.

The effectiveness of colonial policing was also a function of the fact that the *hokō* system achieved local ownership. In the first place, each *hokō* unit was headed by an elected official with the title of *hosei*, thus providing opportunities for Taiwanese elites to obtain political prestige within their local community. Since Japanese colonial officials undertook their various development programs, such as land reform, introduction of scientific farming, and creation of agricultural coops through the *hosei*, *hokō* also served to advance collaborate ties between the colonial state and local powerholders. The economic benefits of serving as a *hosei* official was substantial, as they were rewarded for their assistance to the colonial state through the provision of lucrative tobacco and opium sale permits. In short, the *hokō* system advanced the interests of both the colonial state and the landed Taiwanese elites, thus ensuring that the Japanese governance structure was founded upon a stable foundation.

In the area of education, pragmatic reformers were well aware that in order for the new colonial schools to function effectively within Taiwan, they had to be integrated into the native institutional structure. Hence, while Japanese educators saw their primary mission as that of spreading Japanese language literacy in Taiwan, they made extensive use of Chinese texts in the classroom to ease the transition from “traditional” to “modern” education. In addition, existing
Chinese schools received oversight by the GGT's Bureau of Education, so that their curricula could be gradually conformed to that of the new schools. Unlike in the case of the police institution, however, local ownership of the new education system varied considerably over time, reflecting the rise and fall (and rise again) of the intelligentsia's role in maintaining colonial governance. During the initial years of Japanese rule, the colonial administration relied heavily on the assistance of gentry elites in the counter-insurgency campaign. Not only were they highly regarded within Taiwanese society for their mastery of Confucian classics, but as large and wealthy landlords, they were also the island's economic elite. Members of the gentry were thus well positioned to negotiate with insurgent leaders for their surrender and integration into the colonial order. In turn, Japanese colonial officials were careful to design the public school curriculum in a way that accommodated the pedagogical interests of the gentry—in particular, their desire that Taiwanese children be provided a sound grounding in Confucian learning.

The gentry's usefulness to the colonial administration ended when the insurgents were defeated and order was restored. Moreover, with the establishment of the hokô system, and the appointment of village notables and other commoner elites as hokô leaders, Japanese officials no longer needed the gentry to serve as intermediaries between the colonial state and Taiwanese society. Correspondingly, the ability of the gentry to influence the public school curriculum diminished. Confucian texts were abolished from the colonial schools in 1904, and the newly instituted courses focused more on vocational training (such as farming, handicraft, and sewing), rather than on academic topics favored by the gentry elite. Yet, the fortunes of the intelligentsia improved again in the aftermath of the 1911 Chinese Revolution and the rise of nationalist movements across the colonized world. Thereafter, colonial administrators could no longer expect to maintain control over Taiwan through coercion and bribery alone; if Taiwan was to
forever be a part of Japan, the hearts and minds of the Taiwanese had to be won. The intellectual elite would inevitably play a pivotal role in the new ideological and normative campaign of the colonial government. Opportunities for post-primary education for the Taiwanese were expanded, and racial segregation of schools between Taiwanese and Japanese children came to an end (at least officially). De facto discrimination against the native inhabitants in school admission continued, but the formal educational system was now one that satisfied the aspirations of the Taiwanese intellectual elite.

4.11. The Philippines and Dualistic Institution-building

In stark contrast to the relationship between Tokyo and the GGT, that between the Insular Government (as the colonial administration in the Philippines was known) and Washington was one of clear subordination of the former to the latter. The most important source of constraint was the U.S. Congress’s authority to directly legislate over Philippine matters and to place limitations on the type of laws that colonial authorities could draft for the islands. In turn, this empowered the War Department’s Bureau of Insular Affairs (BIA) to monitor the activities of the Insular Government. Whenever U.S. colonial officials sought Congressional authorization for a particular policy, it had to depend on the BIA for support. Conversely, whenever Congress debated laws for the islands, it relied on the BIA for information and expertise. The U.S. colonial administration’s lack of autonomy and discretion authority was also a result of its weakness as a bureaucratic organization. The Governor-General and secretaries of executive departments in the Insular Government were all political appointees without set terms, whose careers depended entirely on the continued support of the War Secretary and the U.S. President. Moreover, Philippine colonial officials—even those appointed to the post of Governor-General—tended to be plucked out of obscurity and possessed little political leverage back home.
As faithful agents of the administration in Washington, the Insular Government’s primary goal became one of rapidly transferring American democratic and economic institutions to the archipelago in order to maintain U.S. domestic support for the occupation. President William McKinley’s 1899 decision to annex the Philippine Islands was highly controversial. The American public was strongly anti-imperialist, and moreover, the Philippines fell into American hands as the consequence of a war fought to liberate Cuba from Spanish despotism. It took every rhetorical weapon in the McKinley administration’s arsenal to pass the Philippine annexation treaty in the Senate, and even with this victory, Republicans still faced the possibility of an angry American electorate in the 1900 presidential election. Republicans argued that the Filipinos were incapable of self-government, and that the alternative to U.S. occupation was anarchy in the Philippine Islands. American intentions were claimed to be benevolent. Through its occupation, the United States would teach the Filipinos how to govern themselves so that they could become an independent and democratic nation. If U.S. domestic support for the continued occupation of the Philippines was to be maintained, it was critical that the actions of the colonial government supported this rhetoric of “benevolent assimilation.” To have a democratizing and liberalizing agenda in the Philippine Islands was arguably more important to policymakers in Washington than to actually succeed in building a viable Filipino state.

Given their subordination, America’s reform agents were not in a position to challenge this fact, especially when a particular policy area had clear implications for U.S. domestic politics. Colonial policing was one such area. When it was established in 1901, the primary task assigned to the Philippine Constabulary was that of replacing the U.S. Army in regions deemed officially pacified so that the façade of benevolent rule could be upheld. However, in many of these officially “pacified” regions, armed resistance continued. Consequently, the Constabulary
increasingly took on a paramilitary structure, operating in units comprised of hundreds of men. The tactics it used to suppress Filipino resistance also borrowed from the U.S. Army counter-insurgency playbook. Such heavy-handed tactics backfired, and by 1905, even staunch Filipino collaborators began to openly criticize the U.S. regime.

At this critical juncture, the colonial leadership turned to Capt. Harry H. Bandholtz, a Constabulary division commander, to take charge of reforms. His first objective was to obtain Filipino support for the Constabulary. To this end, the Constabulary helped “friendly” elites win local elections and obtain lucrative government contracts in exchange for their support in the counter-insurgency campaign. Under Bandholtz’s leadership, the Constabulary was thoroughly transformed into an instrument of collaboration between the colonial state and landed elites. However, constrained by Washington’s policy of “benevolence,” Bandholtz was unable to undergird colonial policing with a strong (hybridic) institutional foundation. In particular, despite the police chief’s desire to create a unified police structure in the archipelago, the all-Filipino municipal police forces, as well as militias headed by provincial governors and large hacienda owners, were left outside the Constabulary’s effective control. The carefully constructed myth of the United States as a benevolent occupier was in part based on the notion that Filipinos enjoyed self-rule at the local (that is, provincial and municipal) level. The absorption of the municipal police into the national police structure—one that was dominated by U.S. military officers no less—threatened to undermine this myth.

Finally, education reform in the Philippine Islands resulted in what one colonial official described as “the most typically American institution which our government here established.”35 The new American public schools were strictly secular, following the liberal tenet that individual

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freedom was only secure insofar as the separation of church and state was absolute. Meanwhile, the language of instruction was English. Not only was English the language of diplomacy and commerce in East Asia, but also the language in which many of liberalism and democracy’s most important texts were written. From the perspective of the colonizers, English was therefore the most appropriate language upon which to found a new liberal and democratic Filipino nation-state. However, in seeking to recreate the Filipinos in their own image, President McKinley and his advisors woefully ignored the fact that the Filipinos already possessed a highly developed and well-regarded education institution that was nothing like the new system imagined by U.S. officials. Organized by the Catholic church, the existing system placed religion at the center of education, and employed Spanish as the language of instruction.

Constrained by Washington, the American colonial agents had little leeway to resolve the acute discrepancy between America’s preferred “modern” education system and the existing “traditional” one. Given that the language of instruction was English, new teachers were brought in from the United States and other English speaking countries. Yet, due to reasons of cost, most public schools continued to be staffed by native teachers, who (because they were not English speakers) hardly understood the materials they were teaching. The quality of education suffered. Moreover, the secular orientation of the new schools offended the pious Filipinos; those who could afford private education—i.e., the elites—thus sent their children to Catholic schools, as they had always done. In this way, a new school system that was designed to create a liberal-democratic citizenry in the Philippines further contributed to the hardening of class barriers. By attempting to educate the islands’ inhabitants in a foreign language, colonial officials ensured that the vast majority of them (who spoke Tagalog, Bisaya, and Ilocano, among other languages)
would remain illiterate. The “most typically American institution” created in the Philippines was also its most dysfunctional.

5. Case Selection and Research Methodology

At the heart of this dissertation lies an empirical puzzle: How and why did the Japanese succeed in implanting a set of modern bureaucratic institutions in the island colony of Taiwan, while other more established colonial powers seemingly failed in this endeavor? Success, however, is not all that makes the Japanese colonization of Taiwan a critical case for understanding state-building more broadly. What makes the investigation of the Japanese colonial effort in Taiwan so uniquely informative is that a failed institution-building effort by the United States in the Philippines unfolded during the exact same historical moment. Taiwan and the Philippines cases are comparable not only in terms of background conditions, but also in the type of institutions targeted by Japanese and American colonial agents, the intensity through which their reforms were carried out, and the duration of the occupation. In short, together these two cases present an ideal context for the pursuit of a comparative-historical analysis.

Even by itself, the Taiwan case has the potential to offer important lessons in state-building. First and foremost, while there is some variation across institutional areas, the Japanese colonization of Taiwan is among the clearest examples of state-building success. Second, the Japanese institution-building effort was comprehensive. The Japanese intervened in every aspect of Taiwanese life by implementing regulations on sanitation, creating cooperatives for small-scale farmers, establishing a national police structure, and much else. Third, and most importantly, various background conditions in Taiwan made it a difficult case for success. When

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the Japanese first arrived, Taiwan was an ethnically heterogeneous and agrarian frontier region that had barely been touched by modernity. Although a representative of the Chinese imperial government nominally exerted control over the island, the real wielders of power were the landed elites. Taiwan was therefore a highly fragmented society with little island-wide political unity or national consciousness. Moreover, the Japanese attempt to build new institutions directly followed a bloody war of conquest, and their success hinged on the generation of local support for institutions that native elites initially had no interest in adopting. In short, Japanese colonial officials were tasked to do the impossible: undertake a comprehensive transformation of a traditional society into a modern state, while thoroughly lacking legitimacy in the eyes of the local population.

For these reasons, Taiwan stands out among other successful examples of state-building under foreign occupation. The Allied occupations of Japan and Germany are often discussed in the scholarship as prominent instances of success. Yet, as Fukuyama and Brownlee rightly point out, the United States did very little state-building in these territories. Japan and Germany were already modern nation-states prior to occupation, and what the Allied interventions did was largely to restore the more democratic and liberal traditions that had characterized these nations prior to the rise of fascism in the early 1930s. Consequently, these cases offer very little insight for contemporary policymakers, who (like Japanese colonial officials in Taiwan) are tasked with forging modern states out of traditional societies, or piecing together ethnically fractured societies into a single national state.

The significance of Taiwan to the history of state-building notwithstanding, its primary analytical importance to the question of state-building comes from the colonization of Taiwan’s

comparability to an oft-mentioned case of state-building failure: the U.S. occupation of the Philippines. In the first place, not only did both occupations take place during the same historic moment (roughly the first half of the twentieth century), but moreover, they proceeded in similar stages, as shown in Figure 5. Japanese and American occupiers were met with similarly substantial resistance from the native populations, and pacification efforts lasted for nearly a decade after their initial conquests. The major institutions that came to characterize colonial Taiwan and the Philippines were also established during a fairly compact period, lasting from 1898 to 1906 in Taiwan (under the leadership of Kodama Gentarō and Gotō Shimpei) and from 1900 to 1907 in the Philippines (under William Howard Taft and Luke Wright).

Figure 5: Timeline of Events, Taiwan versus the Philippines

A second burst of institution-building took place in Taiwan between 1919 and 1923 under Governor-General Den Kenjirō, when Japanese colonial policy shifted in the direction of assimilation (after Prime Minister Hara Takashi succeeded in placing the new Governor-General

38 In the historical literature on colonialism, it is often the case that Taiwan is compared to Korea and the Philippines to Puerto Rico. However, for reasons described in this section, I found that a comparison of Taiwan and the Philippines to be much more analytically rewarding.
under his direct supervision). Meanwhile, as lawmaking authority in the Philippines was fully transferred to Filipino politicians in 1916, Filipino leaders made various alterations to institutions established during the Taft era. This second period of institutional reform ended in 1921, when Maj. Gen. Leonard Wood arrived in the islands to put an end to “irresponsible” Filipino experimentations. The third and final stage of colonial institution-building took place between 1936 and 1945 in Taiwan and between 1935 and 1941 in the Philippines. In Taiwan, the Government-General inaugurated the policy of kōrinka (imperialization), where the policy of gradual Taiwanese assimilation was abandoned in favor of forceful Japanization. During this same moment, the Philippine Islands was made into a self-governing U.S. Commonwealth. Having assumed control over all three branches of government, President Manuel Quezon and Vice President Sergio Osmeña obtained the power to build their nation in the Filipino, rather than American, image.

In addition to this uncanny parallel in the progress of state-building between Taiwan and the Philippines, the two colonial territories also shared various similarities in key background conditions. Both the Japanese and U.S. colonizers were seen as illegitimate intruders by a large portion of the native elite, and a decade-long pacification campaign was needed for the two colonial powers to firmly establish control over their respective island colonies. Institution-building therefore progressed under conditions of violence and instability. Yet, despite their complex ethnic composition, both territories were largely free of inter-ethnic violence during the occupation period. Finally, both Taiwan and the Philippines were traditional societies where political authority was highly fragmented. In sum, while Taiwan and the Philippines were similar in key background conditions, and while Japanese and American colonial occupations

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39 In part, this was due to similar efforts by Japanese and U.S. forces to segregate the “civilized” populations (i.e., the Han Chinese in Taiwan and the Christianized inhabitants in the Philippines) from other ethnic and religious groups.
progressed simultaneously with comparable pace and intensity, the outcome of these two state-building missions could not have been more different.40

The Taiwan and the Philippine occupations also possess the potential to offer important insights for contemporary policymakers precisely because they are historic cases. Most post-World War II cases of state-building are ongoing and, with their ultimate institutional reform outcome uncertain, are hardly fitting for a dissertation aimed at theory-building. Even Cambodia, while no longer under direct UN administration, is still a recipient of significant foreign development assistance, and international actors there continue to be heavily involved in domestic institutional reform. Furthermore, compared to other colonial cases, Taiwan and the Philippines have less institutional “baggage” and thus allow for a “cleaner” comparison. State-building was the goal of Japanese and American colonizers from the very beginning. This contrasts to other cases of colonialism, where colonizers undertook the development of modern political and economic institutions after decades of governing colonized peoples through indirect rule. Cases such as India, Nigeria, and French Indochina, along with other African and Asian territories colonized by European powers, produced more complex institutional arrangements, involving elements of both indirect and direct rule, making them less suitable for a theoretical study of state-building.41

At the broadest level, this project draws theoretical insights through a comparison of the Japanese colonization of Taiwan and the U.S. colonization of the Philippines. Nonetheless, as the


41 As scholars have argued, this contradiction between the earlier governance method of indirect rule with later attempts at developmental colonialism explains much of the political dynamics of post-independence African states. See Mahmood Mamdani, Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism (Princeton: Princeton University Press, 1996).
subject of this study is institutions and the process through which they are modified, empirical observations are conducted at this level. Specifically, two institutional areas were targeted for qualitative study: policing and education. First, these areas were chosen for their importance to a country’s political stability and economic development, so that the results of the empirical investigation are of interest to policymakers as well as scholars. Furthermore, police and education were reform areas recognized by the occupiers themselves as holding the key to state-building success. In the short-term, a functional police institution was what allowed colonial authorities to pursue all of their other goals vis-à-vis these territories. In the long run, effective education was what ensured the fulfillment of the respective colonizer’s ultimate goal: the absorption of the Taiwanese into the Japanese state, and the creation of a liberal-democratic (and pro-American) citizenry in the Philippines.

In developing my argument, I conducted original archival research in fourteen libraries and depositories across Japan, Taiwan, and the United States, where I reviewed documents related to several dozen Japanese and American colonial officials, in addition to government reports, newspaper articles, memoirs, and other published primary documents. In particular, I relied most extensively on collections left behind by the following individuals: William Howard Taft (Civil Governor of the Philippines, 1901-1904; U.S. Secretary of War, 1904-1908; U.S. President, 1909-1913); W. Cameron Forbes (Philippine Secretary of Finance and Police, 1904-1909; Governor-General, 1909-1913); Harry H. Bandholtz (Governor of Tayabas province, 1902-1903; Chief of Constabulary, 1907-1913); and Gotō Shimpei (Chief Civil Administrator of Taiwan, 1898-1906). Documentary evidence was triangulated as much as possible through the examination of official reports, correspondences, journal entries, and newspaper articles in order to mitigate my own interpretive biases when analyzing primary sources. Since there was usually

42 A list of manuscript collections examined is presented in the bibliography.
more than one individual who left behind documents pertaining to some event, the same episode was studied several times as experienced from different perspectives, and by members of opposing political camps.43

Finally, the portability of my argument to contemporary instances of state-building was explored by analyzing the ongoing U.S.-led intervention in Afghanistan. Here, I focused my investigation on the institution of policing, for without peace and stability, all other reform efforts have little chance of success. This case was selected not only for its policy relevance, but also because it exhibits important differences in background conditions vis-à-vis the historic cases. The intervention in Afghanistan, unlike those in the Philippines or Taiwan, is multilateral. As such, there is no single occupational administration in charge of directing the state-building mission. Furthermore, in contrast to the Taiwan and Philippine cases, Afghanistan is characterized by intense inter-ethnic conflict that has complicated the state-building effort. By demonstrating my theory’s applicability to a dissimilar (and contemporary) case, it is possible to ascertain that agent discretion and effective resistance are indeed key drivers of variation in state-building outcomes.

6. In Lieu of a Conclusion: Outline of Chapters

In chapter two, I overview the colonial Taiwan case and argue that a defining characteristic of the Japanese colonial administration was the considerable autonomy it enjoyed from Tokyo. When Taiwan fell into Japanese possession in the aftermath of the Sino-Japanese War, decision-makers in Tokyo were united in their stance that a policy of institutional

assimilation should be pursued. It quickly became clear to Japanese colonial agents, however, that the unqualified imposition of Japanese institutions in Taiwan was a failing strategy; as a result, they constructed hybrid institutions by carefully integrating Japanese organizational innovations with traditional Taiwanese rules and norms. This radical policy shift was opposed by Tokyo. Yet, the fact that the Japanese Governor-General was a high-ranking army official (from a country where civilian control over the military was weak), combined with the colonial government’s autonomous law-making powers, meant that colonial reformers could undertake institutional reforms with flexibility and innovativeness.

Chapter three contrasts the institution-building dynamics observed in Taiwan with those of the Philippine effort. Unlike their Japanese counterparts, top American colonial officials were closely tied to political parties and their leaders in Washington. Furthermore, while the U.S. colonial administration possessed the authority to draft new laws for the Philippine Islands in partnership with local elites, all consequential policy decisions were subject to review by the Department of War. The U.S. Congress also exercised control over key policy issues in the archipelago, especially in the areas of finance, business law, and resource development. Thus constrained, American colonial agents were compelled to rigidly pursue Washington’s institution-building agenda, despite its incongruence with conditions found in the archipelago.

The causal relationship between agent discretion and institutional hybridity is analyzed in chapter four by comparing the development of policing in colonial Taiwan and the Philippines. In both territories, the newly established police organization succeeded in suppressing armed opposition within a decade after annexation. Yet, the postcolonial legacies of policing in these two territories were markedly different. I argue that police institutions in Taiwan and the Philippines were similarly supported by local powerholders (thus leading to their effectiveness
under colonial conditions), but variation in the internal structure of the institutions placed them on diverging evolutionary trajectories. The colonial police institution in Taiwan was hybridic; that of the Philippines was dualistic. As a result, while Taiwan’s postcolonial rulers inherited a strong state with coercive capacity concentrated in the hands of a central bureaucracy, coercion in independent Philippines was decentralized and in the hands of provincial elites.

In chapter five, I compare the development of education institutions in the two cases. Here, the analytical focus shifts to the process by which new institutions obtain local ownership under foreign occupation. Counter-intuitively, successful institutions are forged when native elites possess both the capacity and the willingness to resist the reform effort of foreign occupiers. In Taiwan, the spread of revolutionary activity from mainland China to Taiwan in the early 1910s strengthened the hand of Taiwanese elites, allowing them to compel the colonial administration to accommodate their demands on education. In the Philippines, however, internal conflict pitted peasant and labor groups against Filipino elites, leading the latter to forge close ties with the colonial authorities. Filipino resistance toward U.S. education policy was also subdued compared to Taiwan. This, however, did not signify Filipino elites’ support for the new education system, but rather reflected the fact that elites could bypass the public school system altogether by sending their children to private Catholic schools. Failing to attain the robust support of native elites, the U.S.-sponsored education system suffered in quality.

In the concluding chapter, I apply my findings from the Taiwan and Philippine cases to contemporary state-building missions, with a focus on police reform in Afghanistan. Afghan police reform was initially placed under the auspices of the German government, but given the lack of progress, the U.S. military soon introduced its own police-training program. Moreover, while Germany centered its reform efforts at the national level, the U.S. military aimed to build
police institutions from the bottom up. The Afghan case thus provides a unique opportunity to examine parallel institution-building programs within the same policy area by two very different types of reform agents. Following this analysis are six general lessons (from the colonial cases) for contemporary state-building missions. Finally, I end by reflecting upon the normative implications of my findings. If the most effective institution that can be established under a foreign occupation is also morally defensible, then state-building (while difficult) is straightforward. However, what if this is not the case? In the final analysis, normative issues must also be addressed in policy debates concerning state-building, for at stake are some of our most cherished beliefs on good government, social justice, and economic fairness.
Chapter 2: The Success of “No Policy” in Colonial Taiwan
Agent Discretion and Institutional Reform by Trial and Error

1. Introduction

An account of Taiwan’s rapid post-WWII economic development cannot be told without considering the critical role played by the state. It was due to the strength of the postcolonial Taiwanese state that taxes were collected efficiently in order to help build the infrastructural foundation of an industrial economy. A strong state also made sure that Taiwanese children received universal primary and intermediate education, and that ample opportunities existed for higher learning. Most critically, a comprehensive and redistributive land reform was possible because of the state’s monopoly on coercion within Taiwanese society. The strong postcolonial Taiwanese state, however, did not arise out of an institutional vacuum, but was a legacy of Japanese colonialism.

Under Japanese occupation, Taiwanese farmers and business owners had been organized into credit unions and business associations, which provided multiple channels for coordination between the state and the private sector. In addition, the Japanese colonial government excelled in counting and measuring various aspects of Taiwanese life, enhancing the state’s regulatory capacity over the local population. Moreover, the colonial state had thoroughly penetrated Taiwanese society by hierarchically organizing local administration from the prefectural government down to the village level, and by integrating local Taiwanese notables into this administrative structure. Hence, even as Japanese colonization caused great harm and suffering for the Taiwanese people, its legacy was to provide Chiang Kai-shek and other postwar leaders

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the necessary tools for transforming Taiwan into one of Asia’s most dynamic and technologically advanced economies.

The causal significance of colonialism’s institutional legacy on post-independence economic development is not unique to Taiwan, but is observed systematically across all former colonial territories. What is nonetheless unique—or, perhaps more accurately, rare—about the Taiwan case is that the legacy of colonialism there was the establishment of a strong state with the capacity to implement a comprehensive economic development strategy. In territories colonized after 1885 (that is, when whole-sale European colonization of Africa and Asia began), the colonial state was typically a rudimentary structure that governed indirectly through local elites. The colonial state shared the use of legitimate coercive power with societal actors to lower administrative costs, knew little about the local population, and chiefly occupied itself with resource extraction (as opposed to economic development). Yet, the uniqueness of Taiwan’s colonial legacy does not emerge merely in comparison to European colonial states in Africa and Asia characterized by “indirect rule,” but is also found in relation to a territory such as the

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5 Matthew Lange defines indirect rule as the “domination via collaborative relations between a dominant colonial center and several regionally based indigenous institutions.” Meanwhile, direct rule is defined as “the construction of a complete system of colonial domination which both local and central institutions are well integrated and
Philippines, where the United States sought—for nearly fifty years—to create the foundation of a strong state.

Given that European powers were generally uninterested in establishing the structures of a strong state in their African and Asian colonies, it is unsurprising that most African and Asian postcolonial states turned out to be weak upon independence. However, what explains variation across colonial institution-building efforts in Taiwan and the Philippines, when the goals of Japan and the United States (in terms of institutional development) were so similar? Indeed, it was not just the goal of creating a strong colonial state (and their reliance on “direct rule” to achieve this end) that the respective Japanese and American colonial administrations in Taiwan and the Philippines had in common. The two colonized territories were also characterized by a plethora of similarities in background conditions: both were ethnically heterogeneous and agrarian frontier regions that, outside of a small group of urban elites, had barely been touched by Western modernity. With similar climates, they were both producers of rice and sugar, and plagued by the same infectious diseases, such as cholera and malaria. The local populations in Taiwan and the Philippines were similarly hostile toward the colonial occupiers, and as a result of barbarous pacification campaigns by the colonizers, tens of thousands of deaths were recorded in both territories. Yet, despite these similarities, only in Taiwan did colonial reformers succeed in establishing effective governance institutions, which then served as the foundation of a strong postcolonial state.

The purpose of this chapter and the next is to explain this overall variation in institution-building outcome across colonial Taiwan and the Philippines, leaving the analysis of variation within the two colonial territories for chapters four and five. To this end, this chapter proceeds in governed by the same authority and organizational principles.” Lange, Lineages of Despotism and Development, p. 28.
three parts. First, I review the debate over colonial policy that took place in Tokyo immediately following the annexation of Taiwan in 1895, where assimilation ultimately emerged as the favored institution-building approach of the Japanese government. I then rewind the story back to 1895 to discuss the establishment of the Government-General of Taiwan (GGT) as Japan’s colonial administration in the newly annexed island, and the factors that led the GGT to acquire considerable discretion in colonial policymaking. Finally, these two parallel discussions come together as I demonstrate the key consequence of GGT’s discretionary authority: It allowed Japanese colonial agents to abandon the ill-conceived assimilation agenda of Tokyo and, instead, flexibly integrate local Taiwanese laws, norms, and customs with new institutional designs. The result, in other words, was the forging of hybridic institutions. As I will display in the following chapter, this contrasted with the outcome of America’s Philippine occupation, where the lack of agent discretion led to the emergence of a dualistic order, whereby native Filipino institutions were left outside the formal structures of the U.S. colonial state.

2. Assimilation versus Association: Policy Debates Over Taiwan in Tokyo

The annexation of Taiwan was not within the Japanese government’s strategic plan when it went to war against the Qing Empire over Korea in July 1894. Rather, it resulted from opportunism, when the complete collapse of Chinese defenses in Manchuria allowed the Japanese Army and Navy to expand its field of operations from the Liaodong Peninsula (with its strategically placed Port Arthur) to Weihaiwei (the Qing Empire’s second most important naval base), and finally to the Pescadores (the small island group located near Taiwan). A war that was started by Japan to secure Korean “autonomy” (by installing a pro-Japanese government in Korea) led to Japan’s annexation of Taiwan, after the island was included within Japan’s territorial demands in the April 17, 1895 Treaty of Shimonoseki with the Qing Empire.
Meanwhile, as a result of the so-called Triple Intervention by France, Russia, and Germany following the Treaty of Shimonoseki, Japan was forced to cede its control over Port Arthur (Japan’s most desired concession) and Weihaiwei, which eventually came under the control of Russia and Great Britain, respectively. In this way, Japanese geostrategic ambitions in Korea and Manchuria were temporarily stifled. Nonetheless, with the annexation of Taiwan, Japan found itself in control of an important base for naval operations and international trade to its south, and was determined to make the most out of this opportunity.

Due to the fact that Taiwan was a late addition to Japan’s strategic planning, Japan was ill prepared for administering an island inhabited by foreign and (unexpectedly) hostile peoples. Indeed, when Prime Minister Itō Hirobumi organized the Taiwan Affairs Bureau (Taiwan Jimukyoku) in June 13, 1895, as the supreme decision-making body in Tokyo concerning the newly annexed territory, Japanese policymakers had not even decided whether Taiwan was to become a special province of the Japanese Empire, like Hokkaido and Okinawa, or would be treated as Japan’s first foreign territorial possession. Asked by the Taiwan Affairs Bureau to

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7 The importance of Taiwan to Japanese geostrategic interests is articulated most clearly by Katsura Tarō in “Taiwan Tōchi Hōshin [Taiwan Governing Policy],” July 1896, Reel 9, No. 84.1, Katsura Tarō kankei monjo [Documents related to Katsura Tarō], National Diet Library, Tokyo. In a particularly notable passage, Katsura writes, “Taiwan looks over the Pescadores [Penghu Islands] to the China coast and is linked, through Amoy, to all of southern China. It leads onto the South Sea islands and offers potential for controlling the distant South Seas in the same way that Tsushima joins Kyushu to Pusan and helps us control Korea. … We must make the south China-Fujian zone ours. To do this, we must open close contacts with Amoy and protect our opportunities in Fujian.” (Translation by Stewart Lone, Army, Empire and Politics in Meiji Japan: The Three Careers of General Katsura Tarō (London: Macmillan Press, 2000), p. 46). A complete reproduction of Katsura’s policy paper can be found in Tokutomi Sōhō, Kōshaku Katsura Tarō den [Biography of Prince Katsura Tarō], vol. 1 (Hara Shobō: Tokyo, 1967[1917]), pp. 705-33. In this document, written during his brief tenure as Governor-General of Taiwan during summer of 1896, Katsura argues that Taiwan should be used as a base for expanding Japanese influence (in particular economic) in southern China. The significance of this document comes from the fact that he was among the most influential generals of the Imperial Japanese Army, becoming Army Minister in 1898 and then Prime Minister in 1901. For a discussion of Katsura’s Taiwan policy, see Lone, Army, Empire and Politics in Meiji Japan, pp. 45-49.

8 The Bureau was composed of eight members (in addition to Prime Minister Itō Hirobumi) who represented key ministries and agencies: Itō Miyoji (Chief Cabinet Clerk), Kawakami Sōroku (Vice Chief of Staff), Kodama Gentarō (Vice Army Minister), Yamamoto Gonnohyōe (Vice Navy Minister), Hara Kei (Vice Foreign Minister), Suematsu
submit their view on this fundamental question were foreign advisors Montague Kirkwood and
Michel Revon, whose opinions (reflecting the established practices of Great Britain and France,
their respective home countries) represented two polar choices on this matter: “association”
versus “assimilation.”

Kirkwood argued that Japan should treat Taiwan as a “foreign” territory and govern
Taiwan according to proven methods of colonial administration. Using the British crown
colonies of India, Ceylon (Sri Lanka), and Jamaica, among others, as examples, Kirkwood
recommended the Japanese government adopt a governance structure for Taiwan with the
following features: First, the appointment of a civilian official as Taiwan’s administrator, and his
placement under the authority of a new ministry with the duty of administering colonial affairs.
Second, the establishment of an independent bureaucratic structure in Taiwan that was
responsible for the various administrative duties normally undertaken by government
bureaucracies of mainland Japan (such as military, foreign, and financial affairs). Third, the

9 The term “association” was not used by Kirkwood to describe his policy, but it was a word later used by French
colonial officials to describe their rejection of assimilation and adoption of British-style colonial policy of treating
colonies as politically and culturally distinct from the empire’s core territories. Therefore, while it is not historically
accurate to describe Japan’s policy option in 1895 to have been between assimilation and “association,” this latter
term is nonetheless conceptually useful when contrasting French and British colonial models. For a discussion of the
evolution of French colonial policy, see Raymond F. Betts, Assimilation and Association in French Colonial

10 When the term “assimilation” (dōka in Japanese) was invoked in Japan, it differed from its use within the context
of French colonial thought. In France, assimilation occurred when an individual accepted and obeyed French laws
and social customs in the public sphere. In Japan, assimilation demanded nothing less than a complete spiritual
transformation and the total abandonment of all other ethnic identities. For further discussion on this difference, see
Leo T. S. Ching, Becoming “Japanese”: Colonial Taiwan and the Politics of Identity Formation (Berkeley:
shokuminchī seisaku hikaku no ichiron [Militaristic and assimilationistic: On the comparison between Japanese and
French colonial policies],” in Yanaihara Tadao sennō [Collected works of Yanaihara Tadao], vol. 4 (Tokyo:

11 Montague Kirkwood, “Taiwan seido, Tenno no taiken, oyobi Teikoku Gikai ni kansuru ikensho [Opinion paper on
the issue of the Taiwan system, the authority of the Emperor, and the Imperial Diet],” in Taiwan shiryō [Taiwan
creation of a Taiwanese legislative body that would formulate laws specific to, and therefore appropriate for, Taiwan. Fourth, and finally, the preservation of existing laws and customs of the Taiwanese people to the extent possible, and their use as the basis of Taiwan’s own unique legal code. In short, Kirkwood’s plan entailed the complete and permanent institutional separation of Taiwan from mainland Japan. As was the case between Britain and its crown colonies, what would unite Taiwan with mainland Japan was the fact that they shared a common head of state—i.e., the Emperor.¹²

If Kirkwood’s argument assumed that racial differences between the Japanese and the Taiwanese prevented the integration of Taiwan as a province of Japan, Revon took the position that the Taiwanese people could be assimilated into the Japanese national community. In a policy paper presented on April 22, 1895, Revon argued that Japan “should assimilate [Formosa and the Pescadores] as fully as possible, and therefore, [Japan] must plan on making the islands a prefecture of the empire in the future, if not now.”¹³ His recommendation was premised on the notion (which was also held by Japanese policymakers at the time) that Japanese people will move and settle in Taiwan in large numbers, thus helping to advance the assimilation of the Taiwanese into Japan. In order to facilitate the process of assimilation, Japanese criminal law should be transferred to Taiwan as soon as possible, Revon argued, and the Taiwanese judicial system incorporated into that of Japan proper. Japanese civil law could be introduced gradually (in order to prevent disruption in the daily lives of the Taiwanese), but every effort should be made to prepare Taiwan for complete judicial integration in the future. Finally, although the colonial administration must be given considerable autonomy in governing over Taiwan during

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the initial pacification period, the ultimate goal was to incorporate Taiwan into Japan as a
province. Therefore the island should be placed under the direct authority of the central
government and its bureaucracies.14

Here, it is important to note that Revon did not argue that all Japanese laws or the various
constitutional rights and duties of the Japanese should be transferred immediately to Taiwan.
Instead, what he had in mind was to put into place a framework through which Japanese
institutions would be gradually and completely transferred to Taiwan over time.15 This
institution-building strategy had precedent. Such a dualistic institutional structure was found
within French Algeria (as well as within German Alsace-Lorraine), but more importantly, it was
also the prevailing system within Hokkaido and Okinawa in 1895. Since Hokkaido was
considered to be a frontier territory inhabited by the “barbaric” Ainu people, it was not until
1901 that prefectural level elections were introduced, and Hokkaido was not represented by
elected officials in the Imperial Diet (the national legislature) until 1902. In Okinawa, the
granting of the franchise was delayed even further: It was in 1909 that the first prefectural level
elections took place, and Okinawans had to wait until 1912—that is, exactly forty years after the

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14 Revon’s entire opinion paper is found in ibid., pp. 399-409.
15 The notion that clauses of the Meiji Constitution could be separated into sections that applied unconditionally to
newly annexed territories (such as the clauses regarding the authority of the Emperor) and sections that only applied
when certain pre-conditions were met (such as the clauses regarding voting rights and military duty) was widely
supported by prominent constitutional theorists of the era, such as Hozumi Yatsuka and Ume Kenjirō. For a
discussion of their constitutional theories, as they applied to the question of Taiwan annexation, see Asano Toyomi,
Teikoku Nihon no shokuminchi hôsei: hōki tōgō to teikoku chitsujo [Imperial Japan and colonial legal system:
unification of legal jurisdiction and imperial order] (Nagoya: Nagoya Daigaku Shuppan, 2008), pp. 100-11; Oguma
Eiji, “Nihonjin” no kyōkai: Okinawa, Ainu, Taiwan, Chōsen shokuminchi shihai kara fukki undo made [The
Boundaries of “Japanese”: Okinawa, Ainu, Taiwan, Korea from colonial domination to recovery movement]
(Tokyo: Shinyōsha, 1998), pp. 126-31. It was not until 1944 that the right to vote in national elections was extended
to Taiwan (as well as Korea) in an attempt to fully incorporate Japan’s colonial subjects within the total war effort. See
Okamoto Makiko, “Senjika no Chōsen jin, Taiwan jin sansei mondai [The problem of wartime Korean and Taiwanese
franchise],” Waseda Daigaku Gakushin Bungaku Kenkyūka kiyō 42 (1996): 73-84; Tanaka Hiroshi, “Nihon
shokuminchi shihaika ni okeru kokuseki kankei no ikiyatsu: Taiwan, Chōsen ni kansuru sanseiken to heieigimu wo
megutte [The development of the issue of citizenship in colonies under Japanese rule: concerning franchise and
Ryūkyū kingdom was formally annexed by Japan in 1872—to finally send their first set of elected officials to the Imperial Diet.\textsuperscript{16}

For this reason, the implications of the policy advocated by Revon on the lives of the Taiwanese were not too different from the approach proposed by Kirkwood in the short term. In either case, the Taiwanese initially would experience little change in the governing laws. However, the two contrasting governing schemes had radically different implications on the institution-building process within Taiwan, as well as Taiwan’s long-term development. The assimilation strategy treated existing Taiwanese laws and customs as impediments to the introduction of modern institutions. Therefore, the Taiwanese would be governed by familiar laws and customs in the immediate term to avoid confusion and unrest, but the goal was to completely rid Taiwan of its “backward” institutions. Kirkwood’s approach also started from the notion that existing Taiwanese institutions were backward, but he assumed that they could form the foundation upon which new and modern institutions could be built.\textsuperscript{17} In other words, assimilation implied an institution-building strategy of displacement, while the approach suggested by Kirkwood would have entailed some combination of institutional conversion (where existing institutions were reformed to accomplish new tasks) and the layering of new laws and organizational structures onto the old.\textsuperscript{18}

In this debate between Kirkwood and Revon, the issue of race and ethnicity—that is, the question of the “assimilability” of the Taiwanese—played only a minor role. Rather, the causal

\textsuperscript{17} The preference of Hara and most of the political leadership in Tokyo for naichi enchō shugi, and their criticism of the approach suggested by Kirkwood, was ironic because the latter institution-building strategy was precisely what led to successful institutional modernization in Meiji Japan. See D. Eleanor Westney, Imitation and Innovation: The Transfer of Western Organizational Patterns to Meiji Japan (Cambridge, MA: Harvard University Press, 1988).
arrow flowed in the reverse direction, as Kirkwood and Revon, as well as Japanese policymakers, conveniently adopted whatever theory of Japanese national identity that justified their policy agenda. This was indeed the case in Vice-Foreign Minister Hara Kei’s (Takashi) February 2, 1896 opinion paper, which became the Taiwan Affairs Bureau’s preferred policy vis-à-vis Taiwan, at least in its general principal of advocating assimilation. After summarizing the two contrasting policy options offered by Kirkwood and Revon, Hara wrote that the policy where “Taiwan may have a system slightly different from the main lands, but will not be considered to belong to the colonial type” was “without a doubt” the superior option. All appropriate Japanese laws should therefore be gradually implemented in Taiwan, and various administrative offices (such as army, navy, post, telegraph, railway, taxation, and the judiciary) made directly responsible to the appropriate central bureaucracies in Tokyo, rather than leaving their supervision in the sole hands of the Taiwan Governor-General. Meanwhile, despite Hara’s advocacy of assimilation, the seemingly key question of whether the Taiwanese could be assimilated received only a cursory discussion in the text.

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21 Ibid., pp. 33-34. It was in this point of whether various administrative duties (such as customs, post, and communications) should be placed under the direct jurisdiction of relevant bureaucracies in Tokyo or under the jurisdiction of the Governor-General where many of the bureau members disagreed with Hara, despite their overall agreement that assimilation should be pursued. Those who agreed with Hara were Den Kenjirō (Chief of Communications Bureau of the Ministry of Communications and Transportation), Yamamoto Gomohyōe (Vice Navy Minister), and Itō Miyoji (Chief Cabinet Clerk). Disagreeing with Hara were Kawakami Sōroku (Vice Chief of Staff), Kodama Gentarō (Vice Army Minister), Suematsu Kenchō (Chief of Cabinet Legislation Bureau), and Tajiri Inajirō (Vice Finance Minister). Ōe Shinobu, “Shokuminchi sensō to Sōtokufu no seiritsu [Colonial war and the establishment of the Government-General],” in Iwanami kō kindai Nihon to shokuminchi [Iwanami series on modern Japan and its colonies], ed. Ōe Shinobu, vol. 2 (Tokyo: Iwanami Shoten, 1992), pp. 20-21.
The rationale provided by Hara for assimilation—which he referred to as naichi enchō shugi (doctrine of homeland extension)—was as follows: In the first place, the geographic proximity of Japan and Taiwan allows the Japanese and the Taiwanese to interact with one another easily. The situation the Japanese faced vis-à-vis Taiwan was thus akin to one between Germany and Alsace-Lorraine as well as France and Algeria, where assimilation was being pursued. Moreover, given the racial similarity of the Japanese and the Taiwanese, a governance system that assumed racial difference between the ruler and the ruled was inappropriate.22

These reasons of geographic proximity and racial similarity nonetheless paled in comparison to Hara’s most pressing (and likely his only real) reason for advocating assimilation: The policy’s effect on Japanese grand strategy. As a result of its decisive victory against China in the Sino-Japanese War, Japan proved that it was now the most powerful Asian country in the region. However, Japan was not yet among the ranks of the great powers, and its position in Northeast Asia was still relatively weak, as evidenced by Japan’s quick capitulation in light of the Triple Intervention by France, Germany, and Russia. Hence, Japan’s Taiwan policy could not simply be about Taiwan, or about Japanese domestic politics for that matter. It was unambiguously apparent to Hara that Japan’s colonial policy had first to support Japan’s immediate foreign policy concerns, while strengthening Japan’s long-term strategic position vis-à-vis the Western powers.23

In particular, Hara was deeply troubled with the possible effects of Japan’s Taiwan policy on the new Commerce and Navigation Treaty that Foreign Minister Mutsu Munemitsu had just concluded with Great Britain in July 1894. This treaty was of great diplomatic, commercial, as well as ideological importance to Japan, as it replaced the humiliating unequal trade treaties and

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22 Hara, “Taiwan mondai nian,” pp. 32-33.
extraterritorial agreements that Japan was forced into signing with Western powers in 1858, and paved the way for similarly updated commerce and navigation agreements between Japan and fourteen other countries. However, the treaty did not come into immediate effect when it was signed in 1894, for a key requirement of the treaty was for Japan to adopt a new law code in accordance to Western legal standards and practices. As stipulated by the treaty, Japan had until July 16, 1898—that is, one year before the new treaty was to come into effect—to revise its law code and promulgate it throughout its territory. In light of this provision, Japan’s Taiwan policy had the potential of derailing the treaty; with annexation, Taiwan was formally a part of the territory where a new Western legal code was to be adopted. Accordingly, Hara’s justifications for the pursuit of assimilation in Taiwan ends with the following plea:

We have already informed Great Britain that we are viewing the various ports in Taiwan the same way we view the open ports in the Japanese home islands; also, we have told the United States that after pacification [of Taiwan], we will apply our current tax rates to Taiwanese ports; furthermore, we have declared to each of the treaty countries that we will extend the treaty [to Taiwan] as much as possible. Therefore, if we were to adopt the proposal where Taiwan is treated as a colonial territory, we would create a contradiction in our domestic and foreign policy.

Indeed, Hara was hardly alone in fearing the impact of Japan’s colonial policy on the new Commerce and Navigation Treaty. Henry Denison, an American who served as legal advisor to successive Japanese foreign ministers (and was the author of the clause concerning Taiwan in the Treaty of Shimonoseki), was another influential figure within the diplomatic establishment who interpreted the new treaty as requiring the extension of the Japanese law code to Taiwan. Nonetheless, according to Denison, it was not necessary that Japan’s law code be equally applied

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24 For a discussion of this treaty and other diplomatic achievements of Mutsu Munemitsu, see Louis G. Perez, *Japan Comes of Age: Mutsu Munemitsu and the Revision of Unequal Treaties* (London: Associated University Presses, 1999).
25 Asano, *Teikoku Nihon no shokuminchi hōsei*, pp. 24-25; Oguma, “*Nihonjin* no kyōkai,” p. 120.
26 Hara, “Taiwan mondai nian,” pp. 32-33.
to all residents of Taiwan. Invoking the Algerian precedent, he argued that a modern law code could be applied just to those of Japanese ethnic origin and citizens of Western countries residing in Taiwan. As for the local Taiwanese population, they could continue to be governed by traditional laws and customs for the time being. In this way, Denison provided the legal argument for a discriminatory and dualistic institutional system where a different set of laws were applied to an individual depending on his or her nationality or ethnicity. 27

An alternative interpretation of the Commerce and Navigation Treaty was offered by Kirkwood, who argued that the treaty allowed for Taiwan to have its own distinct law code as long as Japanese and foreign nationals (and, by implication, the Taiwanese as well) were treated equally by law. This was because Japan, as a sovereign state, possessed the right to write its own laws. In addition, the treaty itself explicitly allowed Japan to revise its law code as necessary. By implication, according to Kirkwood, an entirely new law code can, and should, be written for Taiwan. By this time, Kirkwood had spent a year traveling in Taiwan, and was now convinced that his original 1895 recommendation to treat Taiwan as administratively and legally separate from Japan was the best course of action. He observed firsthand that the island’s inhabitants possessed laws and customs that were clearly different from those found in Japan, and could foresee the immense problems that Japan would face if it attempted to impose its institutions onto the Taiwanese people. 28

In March 1898, Prime Minister Itō held a series of meetings with Ume Kenjirō (his most trusted legal advisor), Foreign Minister Nishi Tokujirō, and Gotō Shimpei (who was expected to depart for Taiwan shortly, as the colonial government’s new Chief Civil Administrator) to discuss these alternative interpretations of the Commerce and Navigation Treaty. Meanwhile,

27 Asano, Teikoku Nihon no shokuminchi hōsei, pp. 66-72. See pp. 100-11, for a similar interpretation to the law code issue by Ume Kenjirō.
28 Ibid., pp. 72-76; Oguma, “Nihonjin” no kyōkai, pp. 120-21.
although a representative of the Japanese colonial administration—known as the Government-General of Taiwan (GGT)—was not present at these meetings, its opinion was made known to the committee through letters written by Governor-General Nogi Maresuke and by the GGT’s Foreign Affairs Bureau. The GGT’s position, like that of Kirkwood, was that the 1894 Treaty should not be extended to Taiwan, at least for the time being. First, the GGT noted that given stark differences in the laws and customs between the Japanese and the Taiwanese, trying to impose Japanese institutions would further destabilize the already precarious security situation. The GGT also feared that with Taiwanese industry in its infancy, American and European capitalistic interests would come to dominate the Taiwanese economy if they were not contained within treaty ports. Paradoxically, the end of extraterritoriality in Taiwan could mean the economic colonization of Taiwan by the West. 29

Ito and his advisors could certainly see the merits of Kirkwood’s interpretation, but they found his recommendations to involve too much risk; consequently, GGT’s counsel was also rejected. To Ito and his advisors, it was clear that Kirkwood’s overriding concern was not the Commerce and Navigation Treaty itself, but the issue of Taiwanese governance. Denison, on the other hand, focused on the 1894 Treaty, and in particular, preventing Japanese colonial policy from derailing the Ito cabinet’s primary foreign policy objective. On June 23, 1898, the GGT, under Tokyo’s direction, issued an ordinance stipulating that Japanese civil, commercial, and criminal codes, as well as Japanese codes of civil and criminal procedures would govern the relations among Japanese and between Japanese and Western nationals, while ethnic Taiwanese and Chinese would be governed (for the time being) by their traditional laws and customs. 30

29 Asano, Teikoku Nihon no shokuminchi hosei, pp. 76-79.
this way, *naichi enchō shugi*, at least in principle, was adopted as Tokyo’s official stance toward its new territorial possession.

The link between the new treaty and Japan’s Taiwan policy, however, was not the only factor behind Itō’s, as well as Hara’s, preference for *naichi enchō shugi*. Seasoned realists, they both recognized that fundamental geopolitical interests were also at stake. From their perspective, a thoroughly Japanized Taiwan (assuming that this was possible) was far better for Japanese long-term military strategy than a Taiwan with its own distinct national identity, or one that saw itself within a larger Chinese community. Furthermore, the policy to make Taiwan a separate political entity, with an autonomous administrative structure and a local assembly (as advocated by Kirkwood), would inadvertently create the preconditions for Taiwan’s eventual independence. Only when the Taiwanese were culturally, administratively, legally, and politically assimilated into the Japanese nation-state was Taiwan’s future as an integral component of the Japanese empire secure.31 “I am a believer in the strategy of applying the doctrine of assimilation (*dōka shugi*) to Taiwan,” Hara wrote in a *Yomiuri Shimbun* editorial on January 2, 1899. “The doctrine of appeasement (*kaijyū shugi*) buys peace in the short term,” he continued, “but may brew calamity in the future, and lead to our nation’s demise.”32

Itō and Hara were hardly the only individuals who advocated *naichi enchō shugi* out of national security interests, nor was Taiwan the only (or first) territory within the Japanese

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31 Throughout his political career, Hara was unwavering in this opinion. For example, when Lin Xiantang, who led the conservative wing of the Taiwanese nationalist movement, visited Hara on January 21, 1921 with a petition for the creation of a Taiwanese legislative body, Hara rejected this by stating, “Lawmaking powers assume a condition of independence or semi-independence, and therefore I am absolutely against the pursuit of such proposal.” Hara Takashi, *Hara Takashi niki* [Journal of Hara Takashi], vol. 5, ed. Hara Keiichirō (Tokyo: Fukumura Shuppan, 1965), p. 340. For further discussion, see Oguma, “Nihonjin” no kyōkai, pp. 86-93.

32 Quotation found in Oguma, “Nihonjin” no kyōkai, p. 86. It is notable that Hara refers to the policy of association as one of “appeasement.” Hara may have had in mind that in many British colonies, the policy of association had given birth to demands for a native assembly in preparation for eventual self-rule. Also note that here, he calls his policy one of *dōka shugi* (assimilationism), rather than his preferred term of *naichi enchō shugi* (doctrine of homeland extension).
Empire where assimilation was pursued for geostrategic reasons. In fact, assimilation had been Japan’s dominant approach toward its outlying territories at least since the 1868 Meiji Restoration (and arguably since the early nineteenth century), as a result of increased geopolitical rivalry in the Far East. For most of the Tokugawa period (1603-1868), the policy of the Matsumae domain (which governed the southern portions of Hokkaido) toward the people of Ainu was one of prohibiting their Japanization, neither by the transfer of Japanese customs nor through the teaching of the Japanese language. However, as Russian explorers began to appear around Hokkaido in the late eighteenth century, Edo (Tokyo) government officials began to voice concerns of possible Russian advancement in Hokkaido. As a result, in 1799, the Bakufu (as the central government was known) placed the Ainu lands (ezochi) under its direct jurisdiction and ordered their Japanization. Settlement of Japanese subjects throughout the island of Hokkaido (particularly in the northern portion) was also actively promoted.

Similarly, the policy of the Satsuma domain (in current-day Kagoshima prefecture) during the Tokugawa period was to treat the Ryūkyū kingdom (Okinawa)—which was a

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33 Izawa Shūji, who served as the GGT Education Bureau Chief from 1895-1897, argued (before his departure for Taiwan) that assimilation was necessary for geostrategic reasons: “In order to maintain order in a new territory, in addition to conquering it externally through force, it is necessary to conquer its spirit, dispel its old national dreams, and realize a new national spirit. In other words, it is necessary to pursue Japanization. We must rebuild their intellect and assimilate it into the Japanese way of thinking, and make them one and the same as a Japanese citizen. Therefore, the objective of education is to conquer their spirit.” Quotation found in Oguma, “Nihonjin” no kyōkai, p. 94. General Akashi Motojirō, who became Governor-General of Taiwan in 1918 also advocated the pursuit of assimilation policy form the perspective of national security and Japan’s southern strategy, which (according to his biographer) was his utmost concern. See Komori Tokujirō, Akashi Motojirō (Tokyo: Hara Shobō, 1968), pp. 190-200. For a discussion of Akashi’s policy, as well as a reproduction of his various policy pronouncements, see ibid., pp. 51-66. As it will be shown in the ensuing discussion, Akashi’s agenda was a departure from the existing approach of the GGT, which explicitly rejected assimilation as being unviable. Given that most of his staff, including Chief Civil Administrator Shimomura Hiroshi (his second in command, and the individual placed in charge of formulating policy), were veterans of previous colonial administrations, it is likely that his call for assimilation was met with resistance within the GGT. Indeed, very little changed during Akashi’s tenure, except for the adoption of a new Taiwan Education Order, as discussed in Ch. 5. See ibid., pp. 131-34.

34 As Mark E. Caprio argues, security concerns were also an important factor that led countries such as Great Britain and France pursue a policy of assimilation toward territories close to home. Mark E. Caprio, Japanese Assimilation Policies in Colonial Korea: 1910-1945 (Seattle: University of Washington Press, 2009), pp. 19-48.

tributary state to both the Qing dynasty and the Satsuma domain—as a foreign country inhabited by those ethnically distinct from the Japanese. This changed in 1871, however, when Okinawan sailors were slaughtered in Taiwan after their vessel was shipwrecked off the island’s northern coast, and the Japanese government sent a retaliatory expedition to Taiwan to avenge the death of “Japanese nationals.” At the time, the Ryūkyū kingdom was divided between pro-Japan and pro-Qing factions. Hence, the 1871 Taiwan incident was seen by Japanese policymakers as an opportunity to consolidate Japan’s claim over these strategically important islands. Thereafter, the Ryūkyū kingdom was annexed in 1872 and made into a Japanese prefecture in 1879. In order to ease its absorption into the Japanese administrative and legal structure, existing laws and customs were temporarily retained, but the assimilation of the Okinawan people into Japan was actively pursued through the imposition of Japanese education.

The Japanese government’s policy toward Taiwan in fact borrowed heavily from precedents in Hokkaido and Okinawa. First, as was the case in Hokkaido, Japanese emigration to Taiwan was actively promoted. In order to facilitate the policy of turning Taiwan into a Japanese settler colony, the Japanese government provided two years (after annexation in 1895) for the ethnic-Han inhabitants of Taiwan to decide whether they would remain on the island and become Japanese subjects or would sell their property and migrate “back” to mainland China. The hope was that a large number of Taiwanese would leave, creating an opportunity for Japanese settlers to become farmers and landowners in Taiwan. Second, as seen in Vice Foreign Minister Hara’s January 1896 proposal, the initial plan was to treat Taiwan as a special Japanese province.

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37 This policy was modeled after the German approach to determining citizenship in Alsace-Lorraine when this territory was annexed from France in 1871. For a discussion of this policy and the resulting problem of determining nationality and citizenship in Taiwan, see Asano, Teikoku Nihon no shokuminchi hōsei, pp. 30-50.
administered directly by Tokyo, where Taiwan would be gradually and completely incorporated into the Japanese administrative, legal, and political structure. Third, as was the case in both Hokkaido and Okinawa, education would be the primary method through which to advance the Japanization of the Taiwanese people.\footnote{Oguma, “Nihonjin” no kyōkai, pp. 93-100.}

By 1898, \textit{naichi enchō shugi} had thus become Tokyo’s official policy toward Taiwan. Not only was this institution-building approach already being pursued in Hokkaido and Okinawa, but it also seemed to best serve Japan’s short-term diplomatic objectives as well as its long-term geostrategic interests. Ironically, however, this was precisely the year in which the Taiwan Government-General abandoned \textit{naichi enchō shugi}, and adopted a colonial policy that closely resembled the one that had been advocated by Kirkwood. The reasons for this paradoxical turn of events (to be elaborated in the following sections of this chapter) were two-fold: First because of fierce Taiwanese resistance against Japanese forces, policymakers in Tokyo decided to grant the Governor-General of Taiwan considerable autonomy, and in particular, the right to implement law-like ordinances without prior permission from Tokyo. In this way, the GGT obtained the ability to pursue its own policy agenda and ignore Tokyo’s preference for assimilation.

The second reason was that with the appointment of Gotō Shimpei as the new Chief Civil Administrator of Taiwan (along with Governor-General Kodama Gentarō) in 1898, the GGT was now led, for the first time, by an individual who had extensively studied European (particularly British) colonial methods, and was single-mindedly focused on making Taiwan into a profitable colonial possession. Unlike past GGT officials, who saw their appointments in Taiwan to be temporary assignments before resuming their careers back in Tokyo, Gotō saw his life’s calling...
as a colonial administrator and empire builder. He had no desire to look to home for guidance, but was determined to chart his own course in Taiwan to become Japan’s Lord Cromer.39

3. The War in Taiwan and the Establishment of an Autonomous Government-General

In May 1895, when Admiral Kabayama Sukenori was appointed commander of the Taiwan forces, Prime Minister Ōtō instructed the man who was to become the first Governor-General of Taiwan that while the coercive power of the military was necessary to initially subdue foreign peoples, military rule was inappropriate for peacetime colonial administration. Under Ōtō’s original plan, drafted on May 21, the GGT was to be divided into three separate branches: civil, army, and navy affairs. Moreover, the Government-General was to be placed under the direct control of the Taiwan Affairs Bureau, and consequently under the jurisdiction of the Cabinet (in Tokyo). At this point, the appropriate credentials of the Governor-General had not yet been decided (most importantly whether or not he must be an active duty military officer), but the proposed system was clearly designed under the principle of civilian control of the GGT. This plan, however, was not to be implemented.40

Instead, the GGT acquired near absolute autonomy from Tokyo in 1896, and by administrative regulation, the Governor-General was to be an active duty general or lieutenant general (or admiral or vice admiral) of the Imperial Army (or Navy), and therefore equal in rank (within the Japanese bureaucratic hierarchy) to the Prime Minister himself. The immediate cause of this drastic and highly consequential change in the administrative structure of the GGT was

39 Earl of Cromer (Evelyn Baring) was the British Consul-General of Egypt from 1883 to 1907. His official title, “Consul-General,” masks the reality that he was in fact the autocratic ruler of Egypt for twenty-four years. He was at the time (and continues to be) widely regarded as among Britain’s most successful colonial administrators. For Cromer’s representative writings on colonial administration, see Modern Egypt (New York: Macmillan, 1908); Ancient and Modern Imperialism (London: J. Murray, 1909). For an authoritative biography of Cromer, see Roger Owen, Lord Cromer: Victorian Imperialist, Edwardian Proconsul (Oxford: Oxford University Press, 2004).

40 Prime Minister Ōtō’s instructions, as well as other documents pertaining to initial plans regarding the GGT, can be found in Ōtō Hirobumi, Taiwan shiryō [Taiwan documents] (Tokyo: Hara Shobō, 1970[1936]).
the ferocity of Taiwanese resistance against Japanese occupation, which seemed to suggest the
“necessity” of a military governor-general, at least in the short-term. Yet, lurking in the
background was the attempt by the military and other conservative elements within the Meiji
state to fend off challenges by political parties and liberal activists wherever they could within
the process of Japan’s slow development into a democratic state.41

Having defeated the Qing army and navy in Korea and Manchuria, and having acquired
Taiwan through the Treaty of Shimonoseki, the Japanese government had initially expected little
organized resistance—at least from regular military forces—on the island. Indeed, that the
Taiwan campaign was assigned to an admiral of the Imperial Navy, rather than an army general,
attests to early Japanese expectations. However, soon after the treaty with China was signed, the
situation in Taiwan took a negative turn for Japan. On May 25, 1895, the Qing governor of
Taiwan, Tang Jingsong, defied Beijing and declared independence from Chinese rule and
became the first (and only) President of the Republic of Formosa.42 Although Chinese forces in
the northern part of Taiwan largely followed Beijing’s orders and abandoned Tang by retreating
to the mainland, units in the south, led by Liu Yongfu, declared their loyalty to the new Republic,
ensuring that Japanese forces would face stiff resistance, as they commenced their southern
advance through the island.

Moreover, it was not just the defectors of the regular Qing army who fought against
Japanese aggression; an important source of local resistance was prominent landlord families,
who recruited their tenants to form private militias to repel the invaders.43 Consequently, within a

41 Oe, “Shokuminchi sensō to Sōtokufu no seiritsu,” pp. 18-19.
42 For an account of the establishment of the Republic of Formosa, see Kō Shōdō, Taiwan Minshukoku no kenkyū: Taiwan dokuritsu undo shi no ichi danshō [A study on the Republic of Formosa: a chapter in the history of the
43 Harry J. Lamley, “Taiwan under Japanese Rule, 1895-1945: The Vicissitudes of Colonialism,” in Taiwan: A New
History, ed. Murray A. Rubinstein (London: M.E. Sharpe, 1999), pp. 206-208. On the militias, see Steven Harrell,
month of the start of the campaign, Kabayama was compelled to ask for reinforcements twice. The military command of the GGT was also expanded to a full wartime footing and Lt. Gen. Takashima Tomonosuke (who previously served as Army Minister, and would do so again after this campaign) was assigned to command the Imperial Army in Taiwan on behalf of the embattled Admiral Kabayama.44

In all, the Japanese employed a fighting force of 40,983 men (plus an additional 20,621 men in non-combat units) to defeat the forces of the Formosan Republic. This was to constitute nearly one-third of all Japanese soldiers deployed during the entire Sino-Japanese War.45 Yet, the pacification campaign was hardly over with the capture of the city of Tainan (the last remaining stronghold of the Formosan Republic) and the fleeing of Liu Yongfu (who took over as de facto leader of the resistance when Tang Jingsong abandoned his Republic on June 4) in October 1895. Until 1902, Japanese forces continued to be embroiled in guerrilla warfare against local notables and their private militias, whose determination to resist the Japanese invaders had strengthened as a result of the brutality of the Japanese army (who burned entire villages and indiscriminately killed civilians) during the 1895-96 campaign.46 When the western plains region was finally pacified in 1902, the GGT turned its attention to the mountainous (and resource rich) areas of eastern Taiwan, which had previously been separated from the populous plains area by a long fortified line that ran the length of the island. The intensity of this last phase of the armed

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45 Ōe, “Shokuminchi sensō to Sōtokufu no seiritsu,” p. 6.

46 It is estimated that approximately 32,000 Taiwanese, which was more than one percent of the total population were killed between 1895 and 1902. Wang, *Legal Reform in Taiwan under Japanese Colonial Rule*, p. 111. For a detailed description of Taiwanese resistance and the Japanese pacification campaign, see Kō Sekai, *Nihon töchika no Taiwan: teikōto danatsu* [Taiwan under the Japanese rule: resistance and suppression] (Tokyo: University of Tokyo Press, 1972), pp. 9-159; Mukōyama, *Nihon töchika ni okeru Taiwan minzoku undō shi*, pp. 164-308.
conflict was much lower compared to the preceding campaigns, but it was not until 1915 that the Japanese were finally able to subdue the last of the indigenous Taiwanese tribes inhabiting the mountainous region.47

It was within this context of ongoing combat between the Japanese Imperial Army and various Taiwanese military units that the debate concerning the structure of the GGT took place among members of the Taiwan Affairs Bureau. The Bureau’s first draft (whose author is unclear) was written sometime in late 1895 (likely in November or December), and contained within it the following notable features: First, the qualification of the Governor-General was to be that of an active duty general, lieutenant general, admiral, or vice admiral. Second, the Governor-General was to follow the direction of the Minister of Colonization (“takushokumu daijin no kunrei ni shitagai”), but was nonetheless placed nominally under direct authority of the Emperor (“sōtoku wa tennō ni chokkatsu shi”). Third, the Governor-General was to be granted the power to appoint and dismiss higher civil servants (kōtō kan) at the sōnin rank, given that he first submit these requests to the Emperor for approval through the Prime Minister.48 This pertained to all officials of the GGT in managerial positions at the divisional (ka) level or below. As for bureaucrats who were not in managerial positions, and were outside the higher civil service hierarchy, they were to be appointed upon the sole discretion of the Governor-General.49 Fourth,

48 Higher civil servants in Japan were divided into the following three categories: shinmin kan, chokunin kan, and sōnin kan. Shinmin kan was the highest bureaucratic rank, and was held by the Prime Minister, Army General and Navy Admiral, cabinet ministers, and Taiwan and Korea Governor-Generals. Meanwhile, vice ministers and bureau chiefs were given one of two chokunin ranks, depending on the importance of their position. Next came the seven levels of the sōnin rank. For a brief description of the Japanese bureaucratic structure, see Okamoto Makiko, Shokuminchi kannyō no seiji shi: Chōsen, Taiwan Sōtokufu to teikoku Nihon [The political history of the colonial bureaucracy: Korean and Taiwanese Government-Generals and the Japanese empire] (Tokyo: Sangensha, 2008), pp. 41-44.
49 In other words, the only positions the government in Tokyo had any authority over were the top leadership positions of Governor-General (sōtoku), Chief Civil Administrator (minsei chōkan), director-generals of GGT.
the draft proposal created various bureaus within the GGT, and assigned to these bureaus duties that were normally under the jurisdiction of government agencies and ministries in Tokyo.  

Fifth, and finally, a separate document proposed the creation of a GGT legislative assembly (rippo gikai).  

This draft was a departure from Prime Minister Itō’s initial plan for the Taiwan Government-General. As Vice Foreign Minister (and Taiwan Affairs Bureau member) Hara pointed out in his notes concerning this Nov-Dec 1895 proposal, that by placing the Governor-General directly under the authority of the Emperor, his power was made greater than that of the proposed Minister of Colonization. Under such conditions, supervision by the Colonial Minister, and therefore the Cabinet, would have been in name only. (Allowing the Governor-General such freedom in bureaucratic appointment also made certain that the Colonial Minister would have little supervisory power over the GGT.) Furthermore, Hara was alarmed by the fact that the draft proposal designated that policy areas he felt should be properly placed under the jurisdiction of ministries and agencies in Tokyo—such as post and communication, legal affairs, and customs—would instead be administered by GGT bureaus. Meanwhile, the creation of a legislative assembly within the GGT was a direct challenge to the lawmaking authority of the Imperial Diet, and contradicted the government’s official policy of assimilation. Finally, Hara was opposed to limiting the governor-generalship to active duty military officials. Given the near absolute

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bureaus (kyokuchō), and provincial governors (shūchiji). Yet, even here, Tokyo would not have been in the position to make appointments freely. It was up to the armed forces to decide which active duty officer were to serve as Governor-General. Also, all bureaucratic appointments were ultimately made by the Emperor (upon consultation with his advisors), and it was unlikely that approval for the appointment of the Chief Civil Administrator, bureau chiefs, and provincial governors would be granted unless they first had the Governor-General’s support.

50 For the text of this proposal, as well as comments made in the margins by Hara, see Hara Takashi, *Hara Takashi kankei monjo* [Documents related to Hara Takashi], ed. Hara Takeshi Monjo Kenkyūkai vol. 6 (Tokyo: Nihon Hōsō Shuppan Kyōkai, 1984[1970]), pp. 220-23.

autonomy of the armed forces in Meiji Japan, this clause, more than anything else, made certain that the government in Tokyo would have little control over the actions of the GGT.\textsuperscript{52}

Hara’s counter proposal was presented to the Taiwan Affairs Bureau on February 2, 1896, as a part of his opinion paper favoring assimilation (discussed above). His most notable recommendations were as follows: (i) the jurisdiction of the central bureaucracies should be extended to Taiwan; (ii) a lawmaking body that might challenge the authority of the Imperial Diet should not be created in Taiwan; (iii) the supervisory power of the Minister of Colonization over the GGT should be strengthened; and (iv) the governor-generalship should be opened to civilians. On most of these points, he obtained the support of his fellow bureau members. As seen from the GGT bureaucratic system established by the Taiwan Affairs Bureau on March 31, 1896, there is no mention of creating a legislative body in Taiwan. The clause stating that the Governor-General was to be placed under the direct authority of the Emperor was deleted, while the supervisory power of the Minister of Colonization over the Governor-General was clarified and strengthened ("sōtoku wa ... takushokumu daijin no kantoku wo uke shohan no seimu wo tōri su").\textsuperscript{53} It was only in the issue of making central bureaucracies in Tokyo directly responsible for policy matters in Taiwan that Hara met opposition from many bureau members, who likely found Hara’s proposal to be highly impractical.\textsuperscript{54}

Meanwhile, Hara’s position that capable civilians should be allowed to serve as Governor-Generals of Taiwan met the strong objection of Vice Chief of Staff Kawakami Sōroku.

\textsuperscript{52} For Hara’s comments on the draft Taiwan Government-General proposals, see ibid., pp. 220-28.

\textsuperscript{53} The text of the 1896 imperial decree (chokurei) establishing the GGT can be found in Yamazaki Tansho, Gaichi tōchi kikō no kenkyū [A study of the governing institutions of the outer lands] (Tokyo: Takayama Shoin, 1943), pp. 185-86. A year later, minor changes were made to the bureaucratic system in Taiwan—changes which largely concerned its internal composition rather than its relationship to Tokyo. This 1897 GGT bureaucratic structure lasted until 1919, when Prime Minister Hara succeeded in revising the decree to allow for the appointment of civilians to the post of Governor-General. The 1897 GGT decree can be found on pp. 187-88. The 1919 revisions to the 1897 decree, which will be discussed in later pages, can be found on p. 190.

\textsuperscript{54} For a discussion of this meeting see Hara’s February 2, 1896 journal entry in Hara Takashi nikki, vol. 1, p. 230. On this point, see also footnote 21.
In part, a military governor-general was likely seen as necessary (or at least highly desirable) by the Army in order to have complete freedom of action in suppressing Taiwanese resistance.\(^{55}\)

Yet, underlying the Army’s position regarding the civilian governor-general proposal was the decision of Field Marshal Yamagata Aritomo (who rivaled Prince Ito Hirobumi in influence and prestige within the Meiji state) to adopt a policy of “northern defense and southern advance (hokushu nanshin)” in light of Japan’s territorial gains (or the lack thereof) following the Sino-Japanese War. With Japanese ambitions (temporarily) stifled in Korea and Manchuria, Yamagata determined that Japan could satisfy its geostrategic and economic interests by carving out a sphere of influence centered on Taiwan and China’s Fujian province (which was directly to the west of Taiwan). Given Yamagata’s supremacy within the military, he could ensure that the administration in Taiwan would be in the hands of individuals sympathetic to his southern expansionary policy as long as the Governor-General was a military officer.\(^{56}\)

According to Hara, a majority of the members of the Taiwan Affairs Bureau agreed with him in the desirability of opening the Governor-General’s post to a civilian.\(^{57}\) Yet, the opinion of the Army (or perhaps more precisely that of Field Marshal Yamagata) could not be dismissed, for the Army (as well as the Navy) possessed the power to bring down the Government by orchestrating the resignation of the Army (or Navy) Minister, who—by law—had to come from the ranks of active duty officers. In fact, the belief in the necessity of a military governor-general

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\(^{56}\) Ōe Shinobu, “Yamagata-kei to shokuminchi bunDan tōchi [The Yamagata clique and military rule in the colonies],” in *Iwanami köza kindai Nihon to shokuminchi* [Iwanami series on modern Japan and its colonies], ed. Ōe Shinobu, vol. 4 (Tokyo: Iwanami Shoten, 1993), pp. 3-15. Indeed, the first “peacetime” Governor-General Katsura Tarō colonial policy in Taiwan was premised on the importance of Taiwan to Japan’s southern advance strategy. See Tokutomi, *Kōshaku Katsura Tarō Den*, pp. 705-33. It was also hardly a coincidence that from 1896 to 1915, the individuals appointed as Governor-General were all key Yamagata protégés hailing from the Field Marshal’s home province of Yamaguchi (formally the Chōshū domain).

\(^{57}\) Hara, *Hara Takashi niki*, vol. 1, p. 230.
was so strongly held by the Army that Kawakami even defied the Meiji Emperor’s strong desire (expressed a year later in August 1897) for a civilian governor-general.58

### Table 1: Governor-Generals of Taiwan, 1895-1919

<table>
<thead>
<tr>
<th>Tenure as Taiwan Governor-General</th>
<th>Position held prior to that of Governor-General</th>
<th>Positions held concurrently as Governor-General and later appointments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kabayama Sukenori: May 10, 1895 to June 2, 1896</td>
<td>Member of Privy Council (1892-1894) Chief of Naval General Staff (1894-1895)</td>
<td>Member of Privy Council (1896, 1904-1922) Home Minister (1896-1898) Education Minister (1898-1900)</td>
</tr>
<tr>
<td>Katsura Tarō: June 2, 1896 to October 14, 1896</td>
<td>Commander of 3rd Division (1891-1896)</td>
<td>Army Minister (1898-1900) Prime Minister (1901-1906, 1908-1911, 1912-1913) Genrō [Elder Statesman] (1912-1913)</td>
</tr>
<tr>
<td>Nogi Maresuke: October 14, 1896 to February 26, 1898</td>
<td>Commander of 2nd Division (1895-1896)</td>
<td>Commander of 11th Division (1899-1901) Commander of 3rd Army (1904-1906) President of Gakushūin University (1907-1912)</td>
</tr>
<tr>
<td>Kodama Gentarō: February 26, 1898 to April 11, 1906</td>
<td>Vice Army Minister (1892-1898)</td>
<td>Army Minister (1900-1902) Home Minister/Education Minister (1903) Vice Chief of the General Staff, Japanese Imperial Army (1903-1906) Chief of the General Staff, Manchurian Army (1904-1905) Chief of the General Staff, Japanese Imperial Army (1906)</td>
</tr>
<tr>
<td>Sakuma Samata: April 11, 1906 to April 30, 1915</td>
<td>Commander of the Tokyo Garrison (1904-1906)</td>
<td>none (becomes gravely ill while in office and dies soon after his resignation)</td>
</tr>
<tr>
<td>Andō Teibi: April 30, 1915 to June 6, 1918</td>
<td>Commander of Chōsen (Korea) Army (1912-1915)</td>
<td>none (becomes an army reservist upon leaving office)</td>
</tr>
<tr>
<td>Akashi Motojirō: June 6, 1918 to October 26, 1919</td>
<td>Commander of 6th Division (1915-1918)</td>
<td>none (dies in office)</td>
</tr>
</tbody>
</table>


58 For a detailed account of this episode, see Hiyama Yukio, “Taiwan tōchi no kikō kaikaku to kanki shinsoku mondai: Meiji 30-nen no Taiwan tōchi [Reform of the Taiwan colonial administration and the problem of bureaucratic discipline: colonial rule of Taiwan in 1897],” in *Taiwan Sōtokufu monjo mokuroku* [Index to documents related to the Taiwan Government-General], ed. Chūkyō Daigaku Shakai Kagaku Kenkyūjo, vol. 2 (Tokyo: Yumani Shobō, 1995), pp. 348-51.
Consequently, it was little matter that the Colonial Minister (and later the Prime Minister or Home Minister, when the Colonial Ministry was abolished) was given authority to supervise the actions of the GGT. In a country where the military was the most powerful organ of the state, as long as the Governor-General was a high ranking officer of the Imperial Army or Navy, he was immune to any and all pressures from politicians in Tokyo.\textsuperscript{59} Also, the fact that the governor-generalship was restricted to the highest military ranks meant that he was likely to be a peer of members of the General Staff as well as Army and Navy Ministers.\textsuperscript{60} Indeed, as Table 1 displays, those who became Taiwan Governor-General between 1895 and 1919 (when the military governor-general system was abolished) were among the most accomplished military officers of Imperial Japan.

The political immunity enjoyed by the Governor-General also spilled over onto the rest of the GGT bureaucracy. For example, when high profile corruption charges against civilian officials of the GGT rocked the administration of Governor-General Nogi Maresuke in 1897, Nogi dismissed the Chief Justice of GGT Higher Court Takano Takenori (who was taking an active role in this case) in order to protect his Chief of the Civil Affairs Bureau, Mizuno Jun, from prosecution. This incident caused an uproar in Japan, especially among liberal politicians and activists, who viewed it as a blatant infringement of judicial independence—a principle protected by the Meiji Constitution. However, despite repeated complaints in the Imperial Diet and elsewhere against the actions of Nogi, as well as protests among judicial officials in the Taiwanese courts (which led to three judicial resignations in the GGT Higher Court), Nogi’s

\textsuperscript{59} For example, in November 1901, Home Minister Utsumi Tadakatsu challenged the GGT proposal for administrative reorganization, and in particular, the creation of the all-powerful Superintendent of Police-Inspectors (keishi sōchō) as an independent organ within the Division of Civil Administration (minseibu). However, despite Utsumi’s objection, administrative reform was implemented as planned by the GGT. Hui-yu Caroline Ts’ai, \textit{Taiwan in Japan’s Empire Building: An Institutional Approach to Colonial Engineering} (London: Routledge, 2009), p. 78.

\textsuperscript{60} When a lieutenant general was appointed to the post of Colonial Governor-General, his bureaucratic rank was increased from that of chokunin kan first rank to that of shinnin kan, which was normally held only by those with the military rank of general in the Imperial Army.
decision stood. With the Army firmly behind Nogi—or, more precisely, firmly committed to protecting the post of Taiwan Governor-General from political “meddling”—there was little that the government in Tokyo could do.  

Finally, GGT’s internal structure helped establish its “bureaucratic autonomy” in two ways: First, the GGT was incorporated into the larger Japanese bureaucratic organization—in the aftermath of the 1897 corruption scandals—and as a result, it could provide its members the same employment security enjoyed by Japanese civil servants in mainland Japan.  

As shown in Table 2, the GGT thus became the destination for ambitious and highly capable individuals who passed the prestigious higher civil service exam and, starting in 1903, the GGT received an average of eight to nine higher civil service exam qualifiers per year.  

Second, most appointments to higher office within the GGT were internal promotions (especially between 1896 and 1919) and by the 1910s, those serving as bureau and division chiefs tended to have experience of ten years or more in Taiwan. Consequently, the Government-General came to

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61 For a discussion of this case and its surrounding events, see Hiyama, “Taiwan tōchi no kikō kaikaku to kanki shinshuku mondai,” pp. 373-88; Mukōyama, Nihon tōchika ni okeru Taiwan minzoku undō shi, pp. 132-33; Wang, Legal Reform in Taiwan under Japanese Colonial Rule, pp. 68-69.

62 Daniel Carpenter writes that bureaucratic autonomy prevails when “politically differentiated agencies take sustained patterns of action consisted with their own wishes, patterns that will not be checked or reversed by elected authorities, organized interests, or courts.” Bureaucratic autonomy thus emerges when three conditions are met: (i) political differentiation of bureaucratic actors from those who wish to control them; (ii) the development of unique organizational capacities; and (iii) political legitimacy or strong organization reputations embedded in an independent power base. Daniel P. Carpenter, The Forging of Bureaucratic Autonomy: Reputations, Networks, and Policy Innovation in Executive Agencies, 1862-1928 (Princeton: Princeton University Press, 2001), p. 14.

63 The protection of the bureaucracy from political influences can be found in Article 10 of the 1889 Meiji Constitution: “The Emperor determines the organization of the different branches of the administration, and salaries of all civil and military officers, and appoints and dismisses the same. . . .” For the official English translation of the Meiji Constitution, see Itō Hirobumi, Commentaries on the Constitution of the Empire of Japan, trans. Itō Miyōji (Tokyo: Igirisu Hōritsu Gakkō, 1889). For a comprehensive examination of the Japanese pre-WWII bureaucratic system, see Hata Ikuhiko, Kanryō no kenkyū: fumetsu no pawā, 1868-1983 [Study of civil servants: their indestructible power, 1868-1983] (Tokyo: Kōdansha, 1983).

64 This figure does not include those individuals who joined the GGT after more than a year of passing the exam—that is, those transferring to the GGT from a different bureaucracy or agency. In total, 342 individuals joined the GGT within a year of passing the exam during the entirety of the GGT’s existence. Okamoto, Shokuminchi kanryō no seiji shi, pp. 234-42.

65 Ibid., pp. 328-35.
possess—or at least was claimed by its members to have possessed—a unique and cohesive bureaucratic identity.66

Table 2: Employment Destination of Higher Civil Servants, 1894-1947

<table>
<thead>
<tr>
<th>Destination</th>
<th>Total*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imperial Household</td>
<td>50</td>
</tr>
<tr>
<td>Cabinet</td>
<td>64</td>
</tr>
<tr>
<td>Ministry of Foreign Affairs</td>
<td>267</td>
</tr>
<tr>
<td>Ministry of Home Affairs**</td>
<td>2154</td>
</tr>
<tr>
<td>Ministry of Finance</td>
<td>942</td>
</tr>
<tr>
<td>Ministry of Agriculture and Forestry</td>
<td>567</td>
</tr>
<tr>
<td>Ministry of Home Affairs**</td>
<td>2154</td>
</tr>
<tr>
<td>Ministry of Commerce and Industry</td>
<td>489</td>
</tr>
<tr>
<td>Ministry of Communications and Transportation</td>
<td>813</td>
</tr>
<tr>
<td>Ministry of Railways</td>
<td>687</td>
</tr>
<tr>
<td>Ministry of Education</td>
<td>90</td>
</tr>
<tr>
<td>Ministry of Justice</td>
<td>446</td>
</tr>
<tr>
<td>other central bureaucracies and agencies</td>
<td>598</td>
</tr>
<tr>
<td>Government-General of Taiwan</td>
<td>363</td>
</tr>
<tr>
<td>Government-General of Korea</td>
<td>577</td>
</tr>
<tr>
<td>other colonial</td>
<td>111</td>
</tr>
<tr>
<td>other public sector</td>
<td>191</td>
</tr>
<tr>
<td>private sector</td>
<td>873</td>
</tr>
<tr>
<td>unknown</td>
<td>283</td>
</tr>
</tbody>
</table>

* This figure is for the number of individuals who found employment in the identified destination within five years of passing the higher civil service exam.

** Within the Home Ministry figures are included those with appointments in the provincial governments, including that of a provincial governor.


Bureaucratic autonomy, however, was not the only reason for the GGT’s ability to undertake institution-building with considerable discretion: as important was the Imperial Diet’s authorization for the GGT to issue “ordinances that have the same effect as the (Japanese) statute within his governing jurisdiction”—which was the first, and ultimately defining, clause of Law

66 GGT officials called their unique identity “Taiwan-like spirit (Taiwan-teki seishin).” According to Taiwan Nichi Nichi Shinpō (which was the GGT’s official newspaper), just like each family possessed its own unique traditions (kafū), officials in the GGT were unified in outlook by a common spirit (seishin). See “Taiwan-teki seishin,” Taiwan Nichi Nichi Shinpō, editorial, 30 May 1908. For further discussion of this concept of “Taiwan-teki seishin,” see Okamoto, Shokuminchi kanryō no seiji shi, pp. 335-38.
63, the controversial 1896 act concerning the authority of the GGT.\textsuperscript{67} (The entire law comprised six short articles, the last of which simply designated a three-year time limit to the law.\textsuperscript{68}) In addition to granting the Governor-General lawmakership powers, the most notable feature of Law 63 was that it created a legislative system that completely bypassed the Imperial Diet. Not only were Taiwan-specific laws to be drafted by the GGT, but the application of Japanese laws was to be done through an imperial ordinance (that is, via bureaucratic channels), rather than through parliamentary procedure. From the Government’s perspective, this concentration of legislative and administrative powers in the hands of the Governor-General seemed necessary at the time, given the unexpectedly strong resistance Japanese forces were facing in Taiwan. In this way, the Governor-General would be able to freely implement various draconian measures to suppress the insurgency without concerning himself with possible objections from liberal-minded parliamentarians, and without delays in action resulting from such objections, or from routine parliamentary procedure.\textsuperscript{69}

Yet, as legislators within the House of Representatives could see, not only was the constitutionality of Law 63’s lawmaking procedure highly suspect, but more importantly, the

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\textsuperscript{68} As for the five substantive articles, the first, as written above, granted the Governor-General the authority to issue statute-like ordinances, or ritsurei. Article 2 then specified the process through which a ritsurei could be issued: first a Consultative Council (hyōgikai) within the GGT gave approval to the proposed ordinance; second the ritsurei draft was submitted to the responsible cabinet minister (which was typically the Home Minister), who then forwarded it to the Emperor for final approval. Article 3 and 4 stipulated that in case of emergency, the process described in Article 2 may be temporarily suspended. Finally, Article 5 stated that Japanese statutes may be enforced within Taiwan through an imperial ordinance (chokurei).

\textsuperscript{69} For the Government’s official explanation for Law 63, see GGT Chief Civil Administrator Mizuno Jun’s testimony in the Imperial Diet on March 17, 1896, which can be found in Gaimushō Jōyakukyoku Hōkika, \textit{Taiwan ni shikō subeki hōrei ni kansuru hōritsu} (Rokujušanpō, Sanjūichigō oyobi Hō Sangō no gijirōku) [Diet records on acts concerning laws and regulations to be enforced in Taiwan (Law 63, Law 31, and Law 3)] (Tokyo: Gaimushō Jōyakukyoku Hōkika, 1966), pp. 3-4.
proposed law was a clear infringement on the powers and duties of the Imperial Diet. Leading
the charge against Law 63 was Takata Sanae of the liberal Rikken Kaishintō (Constitutional
(1874-1890), he stressed the unconstitutionality of granting the Governor-General the ability to
issue law-like ordinances, and to enforce Japanese statutes in Taiwan through imperial ordinance,
since the Constitution specifically identified certain matters (such as taxation) as requiring
parliamentary legislation. What was at stake, declared Takata, was the sanctity of the Meiji
Constitution and the various rights and duties that received protection in this document. 70
Furthermore, as Ichijima Kenkichi (a fellow liberal and former editor-in-chief of Yomiuri
Shimbun) astutely observed, the proposed act did not specify how the Governor-General was to
receive supervision from the Colonial Minister. Hence, this law created a system whereby the
GGT was neither responsible to the Diet nor to the Government. 71 These objections led to the
attachment of a three-year limit to Law 63—an acknowledgement by the Government that Law
63 was an aberration to normal lawmaking methods—but otherwise, the original draft of the act
was adopted unchanged by both chambers of parliament. 72

Here, it is important to note that while Law 63 detached Taiwan both administratively
and legislatively from mainland Japan, the Japanese government, or the GGT for that matter, was
hardly advocating a shift in colonial policy away from that of naichi enchō or dōka. For example,
when asked to explain the spirit of the controversial Article 1 of Law 63 during a hearing in the

70 Ibid., pp. 10-11, 18-20.
72 This outcome was a testament to the strength of conservative voices within a slowly democratizing Japan. For
further discussion and analysis of early parliamentary debate surrounding Law 63, see Haruyama Meitetsu, “Kindai
Nihon no shokuminchi tōchi to Hara Takashi [Modern Japanese colonial rule and Hara Takashi], in Nihon
shokuminchi shugi no seiji-teki tenkai, 1895-1934: sono tōchi taisei to Taiwan no minzoku undō [Political
development of Japanese imperialism, 1895-1934: its governance structure and Taiwanese nationalist movement],
ed. Haruyama Meitetsu and Wakabayashi Masahiro (Tokyo: Ajia Seikei Gakkai, 1980), pp. 7-20; Nakamura,
Shokuminchi tōchi hō no kihon mondai, pp. 73-116.
House of Representatives, Mizuno (GGT Chief of Civil Affairs) responded, “The spirit of the proposed act is to Japanize Taiwan by enforcing [Japanese] statutes wherever possible, and to rely only on the Governor-General’s ordinances in those matters where we cannot do this …”73

Furthermore, when questioned in the House of Peers whether the spirit of the proposed act was to extend the Meiji Constitution as well as Japanese statutes to Taiwan, Mizuno reaffirmed succinctly and without qualification that the act was “founded on the spirit to extend both.”74

Indeed, the reason why Japan’s policy toward Taiwan was hardly debated in either houses of the Diet in 1896 stemmed from the shared understanding of government officials, the GGT, and parliamentarians that Japan’s fundamental policy toward Taiwan was one of assimilation. Hence, the only question at stake was one of legislative procedure—i.e., whether Taiwan’s unstable conditions necessitated the Governor-General to possess both executive and legislative powers, or whether (as was the case in the provinces of Hokkaido and Okinawa) lawmaking in Taiwan could be conducted within the chambers of the Imperial Diet.

Nonetheless, because Law 63 (along with the GGT bureaucratic system) guaranteed colonial officials much freedom in action, it gave them room to craft their own independent policy. Early GGT administrations were much too occupied in combating the insurgency to offer any new ideas on how Taiwan should be governed. They could see (as did Hara and other proponents of naichi encho shugi) that it was difficult to immediately displace Taiwanese laws and customs in favor of Japanese ones, but Taiwan’s complete assimilation would benefit Japan in the long run.75 This was to change in 1898, however, with the arrival of Governor-General Kodama Gentarō and his pragmatic Chief Civil Administrator, Gotō Shimpei. As a proponent of

73 Gaimushō Jōyakukyoku Hōkika, Taiwan ni shikō subeki hōrei ni kansuru hōritsu, p. 5.
74 Ibid., p. 25.
75 For an overview of the policy of GGT administrations between 1895 to 1898, see Sugiyama Yasunori, Taiwan rekidai Sōtoku no chiseki [The political accomplishments of successive Governor-Generals of Taiwan] (Tokyo: Teikoku Chihō Gyōsei Gakkai, 1922), pp. 1-82.
"biological colonialism"—that is, the notion that colonial policy should emerge from local socio-environmental conditions—Gotō would spearhead institutional reform efforts that placed Taiwan onto its own unique modernizing path.

4. The Government-General under Kodama and Gotō and Rejection of Assimilation

By early 1898, it was clear to policymakers in Tokyo that Japan was failing to achieve its goals in Taiwan. The insurgency continued unabated. Rather than proving to be a profitable bounty of the Sino-Japanese War, Taiwan had become a considerable drain on the Japanese treasury. In 1896, nearly seven million yen in subsidies were needed to maintain the functions of the GGT and another six million in 1897. This appropriation, moreover, did not include the cost of stationing and operating a large military presence in Taiwan. In comparison, the colonial government’s tax income amounted to a mere 2.7 million yen in 1896 and 5.3 million in 1897. Given this dismal state, some even advocated selling Taiwan to France for 100 million yen (or 50 million dollars).

The incompetence of successive colonial administrations between 1895 and early 1898 was among the reasons for Japan’s initial failure as a colonial power. Under Governor-General Kabayama (1895-1896), the Japanese military galvanized grass-roots anti-Japanese movements by its indiscriminate and brutal killing of civilians, as they marched southward to defeat the nascent Formosan Republic. Governor-General Katsura Tarō (1896) was a skilled politician and administrator, and hopes were high that he would stabilize the situation. However, Katsura relinquished his post a mere two months into his tenure when the Army leadership needed his presence back in Tokyo to solve a political crisis. Nogi (1896-1898), who followed Katsura, was...
also a disappointment. Under his watch, corruption raged within the GGT, and several high-ranking officials were implicated. Among those compelled to resign was Mizuno Jun, who (as Chief of the Civil Affairs Bureau) was the top civilian bureaucrat of the GGT since the beginning of the Kabayama administration. His replacement, Sone Shizuo (a Finance Ministry bureaucrat), proved even less competent. Under the guidance of Mizuno and Sone, the civilian bureaucracy of the GGT ballooned in size (and in expense), but with no apparent improvement in effectiveness.\(^\text{78}\)

In January 1898, when Itō Hirobumi became Prime Minister for the third time, the decision was immediately made to recall both Nogi and Sone. Chosen to replace Nogi was Kodama Gentarō, who not only rivaled General Katsura (the new Army Minister) in political savvy and prowess, but was also widely regarded as the leading intellect of the Imperial Army. Kodama was unambiguously the best the Army had to offer to serve as Governor-General. (Later, Kodama served as the Chief of General Staff of the Manchurian Army and masterminded Japan’s victory over Russia in 1906.) Yet, to the bewilderment of many, the man recommended by Army Minister Katsura to lead Taiwan’s civil administration was Gotō Shimpei.\(^\text{79}\) Although he had prior experience with Taiwan—being the formulator of the GGT’s opium policy and having served as an advisor in sanitation affairs since 1896—he was a political novice with a thin resume. A medical doctor by training, Gotō was a graduate of a provincial medical school (that is,\(^\text{82}\)

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\(^{79}\) Katsura knew Gotō from their mutual participation in a group comprised of those having studied in Germany as part of their official training, and had likely been plotting for some to have Gotō appointed to a prominent position within the GGT. In fact, when Katsura became Governor-General in June 1896, he had Gotō join him, along with Prime Minister Itō and Navy Minister Saigō Tsugumichi, on a high profile tour of Taiwan. Meanwhile, Kodama was also well acquainted with, and quite impressed of, Gotō, due to Gotō’s work in establishing an immunization system for Japanese soldiers at Ninoshima. Tsurumi Y., _Seiden Gotō Shimpei_, vol. 2, pp. 647-48.
he was not from the prestigious Law Faculty of the University of Tokyo), and was chief of the
Home Ministry’s Sanitation Bureau prior to his appointment as Kodama’s top aide.80

Among the most prominent skeptics of Gotō was Inoue Kaoru, the new Finance Minister,
who had Gotō submit a plan for Taiwan as a test for his aptitude. Gotō’s response, titled “Taiwan
Tōchi Kyūkyū An (Rehabilitation of the Taiwan Administration),” survives not only as an
example of a winning job application essay, but also as the clearest statement of the policy that
guided Japanese colonial officials from 1898 to 1915 (when the last of Gotō’s protégés left the
GGT leadership).81 First, Gotō argued that the biggest mistake of previous colonial
administrations was that they ignored existing Taiwanese institutions of “self-rule” (jichi),82 and
instead, attempted to rule Taiwan by structures of formal local government based on Japanese
precedent. As a result, the GGT was overextending itself. Traditional Taiwanese systems of
“self-rule” provided various societal functions, such as policing, intra- and inter-village dispute
adjudication, conscription, and tax collection, without any cost to the state. Hence, by reviving
these systems of “self-rule,” the colonial government would not only greatly improve its ability
to maintain peace and collect taxes, but it could also decrease its financial reliance on Tokyo.
More broadly, Gotō argued that previous Japanese administrators had unwisely ignored the local

80 For Gotō’s career prior to his appointment as Chief Civil Administration of Taiwan, see ibid., vols. 1 and 2.
Gotō’s Taiwan opium policy can be found in vol. 2, pp. 589-626.
81 See “Taiwan tōchi kyūkyū an [Rehabilitation of the Taiwan administration],” in Gotō Shimpei monjo [Documents
related to Gotō Shimpei], Reel 12, No. 4.33 (Tokyo: Yūshōdō Finanu Shuppan, 1979). The entire document can
also be found in Tsurumi Y., Seiden Gotō Shimpei, vol. 2, pp. 650-55.
82 The concept of jichi was central to Gotō thinking on governance, and plays a prominent role in Gotō treatise on
governance, Kokka eisei genri [The principles of national hygiene], which was originally self-published in 1889.
Here, Gotō argues that systems of self-rule lies at the foundation of a nation-state, as it is what gives birth to the
public spirit and serves as a training ground for an individual’s political life. In all societies, both state and society
must play a role in advancing governance, Gotō argues, but the proportionate rule of each differs based on the
polity’s civilizational level—that is, the role of society increases with a polity’s evolutionary development. For
further discussion of Gotō’s arguments on “self-rule,” see Kohara Takaharu, “Gotō Shimpei no jichi shisō [Gotō
population’s attachment to their customs and traditions, and blindly pursued a socially disruptive policy of rapid modernization.

Second, Gotō argued that the colonial state should be made smaller and nimbler. In addition to relying more on traditional Taiwanese institutions of “self-rule,” the police should be placed at the center of local administration. Under Gotō’s proposal, their role went beyond the maintenance of peace, and included promotion of scientific agriculture, inculcation of sanitary habits, and adjudication of civil disputes. Third, and finally, Taiwan should be developed through deficit financing by floating 100 to 150 million yen worth of GGT bonds. GGT bonds (primarily to be sold to foreign investors) would then be used to finance the construction of railroads, harbors, water ways, sewage systems, barracks, and batteries. A comprehensive tax reform, as well as expected increase in revenue from the newly instituted opium monopoly, would also help end GGT’s reliance on Japanese subsidies, Gotō noted.

This proposal was outwardly a statement in pragmatism, and was interpreted by Finance Minister Inoue and other members of the cabinet as such. Heavy in detail (such as asking for 100 to 150 million in deficit financing), the document was notable for its silence on grand strategy and ideology of colonialism. It was therefore in stark contrast to Hara Kei’s 1896 policy paper on Taiwan, where he largely defended the doctrine of assimilation (dōka shugi) on principle. Nonetheless, hidden but firmly undergirding Gotō’s proposal was a clear worldview and long-term vision for Taiwan that implied a radical departure from the Japanese government’s

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83 For an examination of the GGT judicial system, see Wang, Legal Reform in Taiwan under Japanese Colonial Rule, pp. 90-103. Under the 1904 Civil Disputes Mediation Law, local administrative officials—that is, the police—were empowered to mediate civil disputes. Meanwhile, the 1904 Summary Judgment Law gave the local police officer wide-ranging powers to pass judgment on petty crimes. Although it was rarely pursued in actuality, the law provided a method for those convicted under the summary judgment procedure to apply for trial by court.


85 Asano, Teikoku Nihon no shokuminchi hōsei, p. 87.
goal of assimilating Taiwan into an integral component of mainland Japan. In the immediate term, Goto’s policy recommendations may have coincided with the perspective of the gradual assimilationists surrounding Prime Minister Itō, such as Denison, Ume, and Hara, all of whom believed that Taiwan would go through a transition period (of relying on traditional laws and customs) before the full set of Japanese institutions could be transferred. However, Goto’s dependence on traditional Taiwanese institutions was not simply a practical (and cost-saving) stopgap measure until Taiwan was “ready” for the introduction of Japanese laws. Rather, native institutions were to form the foundation upon which to construct Taiwan’s distinct (and modern) institutional order.

Goto’s worldview, shaped by his reading of Charles Darwin, Julian Huxley, Gustave Le Bon, and Herbert Spencer, was grounded in the so-called “principles of biology” (seibutsugaku no gensoku). As Goto explained to Gov-Gen Kodama, “We cannot suddenly change the eyes of a halibut to look like those of a sea bream. Likewise, the fact that we need to respect customs comes from the principles of biology.” Goto, like many of his contemporaries, extended the logic of evolutionary biology to cultures and civilizations. Envisioning himself as a “doctor king,” he saw his role as one of nursing the Taiwanese people back to health from a state of societal disarray, prohibiting habits and beliefs that were harmful to the body politic, and prescribing the appropriate medication to accelerate Taiwan’s modernization. As such, “seibutsugaku no gensoku” had a second meaning: the use of scientific methods to investigate the customs and traditions of the Taiwanese, and the application of this knowledge to colonial

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86 In particular, Ume’s recommendations on Taiwan was particularly important, given his position as Itō’s most trusted legal advisor. Ume’s thoughts on Taiwan, dated 1897, can be found in “Taiwan ni kansuru kiken [Some statements about Taiwan],” in Goto Shimpei monjo, Reel 23, No. 7.5.
87 Ibid., pp. 100-19.
policymaking. Gotô was highly critical of Japanese higher civil servants (especially those trained at University of Tokyo’s Law Faculty) who, in his mind, relied far too often on legalistic principles and theories to deduce rigid answers to real societal problems. Policymaking should be characterized by flexibility and pragmatism, Gotô insisted, and the specific solution most appropriate for a particular time, place, and condition must be investigated through careful empirical research. 89

The geostrategic vision of Gotô was also markedly different from that of Prime Minister Itô and his protégé, Hara Kei. In contrast to Itô and Hara, who both saw Taiwan as constituting the outer rim of the Japanese nation-state (along with Hokkaido and Okinawa), Gotô perceived Taiwan as the inner most layer of Japan’s (to be expanded) colonial empire. Upon arriving in Taiwan on March 28, 1898, Gotô thus noted to himself, “In substance, Taiwan is a colonial territory; it is indeed our nation’s only colonial territory, and will be our training ground in colonial policymaking.”90 Finding truth in the logic of social Darwinism, Gotô believed that strong states naturally “grew” as they defeated and absorbed weaker ones, and remained strong only when they were able to retain control over newly annexed territories. Accordingly, Gotô saw Taiwan as a test for Japan’s mettle as a great power (and colonizer), and prepared for further


90 In Japanese: “Taiwan wa naiyō ni oite wa shokuminchi, sono jitsu shikomo teikoku yuitsu no shokuminchi, ina shokumintōchi no renshūchi naru beshi.” Gotô’s memo can be found in Tsurumi Y., *Seiden Gotô Shimpei*, vol. 3, p. 45.
Japanese expansion by undertaking extensive research on Chinese coastal areas (especially those opposite of Taiwan Straits) as well as on Southeast Asian territories.91

Kodama and Gotō’s administration in Taiwan, which lasted from 1898 to 1906, can be roughly divided into two periods: (i) the emergency phase (1898-1902), and (ii) the developmental phase (1902-1906).92 During the first period, the most pressing issue confronting Gotō was the grass-roots armed resistance. As argued by Gotō in his “Kyūkyū An,” the key to winning the anti-insurgency campaigned was the restoration of traditional Taiwanese systems of local “self-rule,” and in particular, the village-level institution of self-policing and collective responsibility known as hokō (baojia).93 Within an ideal-typical hokō organization, ten households comprised one kō, and ten kō formed one ho, which was then headed by an “elected” official with the title of hosei. It was in 1896 that Japanese officials first discovered the existence of hokō, and by relying on hokō elders, organized village-level militias as an auxiliary force. However, it was not until 1898, when Gotō took charge of the colonial administration, that hokō’s true potential as a local policing and surveillance institution was fully realized.94

As reconstituted by Gotō, hokō units were designed to play instrumental roles in four areas of local government: (i) household registration and monitoring of population movements; (ii) sanitation and disease control; (iii) building and repairing of roads and bridges; and (iv) the

92 For an excellent English-language overview of the various reforms undertaken by Kodama and Gotō, see E. P. Tsurumi, “Taiwan Under Kodama Gentarō and Gotō Shimpei.”
93 The baojia system was originally established in Taiwan in the late seventeenth century, but had largely atrophied by the time of the Japanese conquest in 1895. For a discussion of the Qing era system of governance in Taiwan, see Ramon H. Myers, “Taiwan under Ch'ing Imperial Rule, 1684-1895: The Traditional Order,” Journal of the Institute of Chinese Studies of the Chinese University of Hong Kong 4.2 (1971): 495-522.
94 Ts’ai, Taiwan in Japan’s Empire Building, pp. 120-21.
maintenance of security. To this end, hoko officials were responsible for closely monitoring fellow villagers, and deterring them from taking actions antithetical to the colonial regime. If a hoko official failed to prevent “criminal” activity in the village, all members of that particular hoko were subject to collective punishment (renza). Meanwhile, when the police or army sought local laborers to serve as porters or to repair roads and bridges, it was up to the hosei to recruit the necessary manpower. In addition, hoko officials were tasked with organizing a village-level security force known as the sōteidan (able-bodied corps). This force played a critical role in the counter-insurgency campaign (especially in maintaining peace after military operations), and by 1902, armed resistance in the western plains region (where the majority of the Taiwanese lived) had come to an end.95

Another early priority of Gotō was land reform. As Gotō learned through the work of his new land investigation bureau (created in September 1898), traditional Taiwanese land relations were characterized by a double-tier tenure system, where two types of landed elites claimed “ownership” of a single parcel. On one hand were the patent (taiso/dazuhu) holders, who theoretically possessed “ownership” rights to the land and were responsible for paying a land tax to the Chinese imperial state. On the other were perpetual tenants (shōso/xiaozuhu holders), who paid rent to dazuhu holders while also acting as landowners themselves by freely selling their xiaozuhu rights (without the permission of a dazuhu holder) and subdividing the land to lease smaller parcels to peasants.96 Gotō found this convoluted system to be highly inefficient (as it

created multiple opportunities for tax evasion), and in the way of the development of Taiwanese agro-business (as actual ownership to land was obscured). However, its outright abolishment was sure to provoke backlash by those individuals the colonial state relied upon for its pacification efforts, since hokō leaders were almost always wealthy landlords. Furthermore, since land was the most important possession in Taiwan (as an agrarian society), radical reforms had the danger of jeopardizing Taiwanese economic and social relations. A careful balancing act between modernization and preservation of tradition was hence sought.⁹⁷

The solution devised by Gotō and his land investigation bureau was to transform xiaozuhu holders—the individuals who actually lived on the land and were recognized by the peasants as local powerholders—into legal owners of agricultural lands by buying out the absentee dazuhu holders. This was done through payment of interest-bearing bonds worth three to five times the amount of dazuhu holders’ annual rental income. Modernization of the land ownership system also involved an island-wide land survey (from 1898 to 1903), which found that there were more unreported agricultural lands than reported ones in the island. As a result, land tax revenue doubled from 0.92 million yen in 1903 to 1.96 million in 1904, and with a hike in the tax rate the following year, revenue from land reached 2.98 million in 1905. In turn, as shown in Table 3, this played a key role in allowing the GGT to achieve financial independence from Tokyo by ending Japanese government subsidies in 1904. Yet, despite initial protests from landowners due to this sudden increase in land tax, Gotō’s land reform had the long-term effect of fostering collaborative ties between the agrarian elite and the colonial state, as these reforms

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made xiaozuhu holders the sole owners of valuable lands (with the GGT’s backing). Moreover, as the colonial state’s revenue was appropriated to the promotion of scientific agriculture (especially in sugar) and to the building of new irrigation systems, the resulting increase in crop yields would more than compensate for this three-fold increase in land taxes.\(^98\) Even the ostensible losers in land reform—the dazuhu holders—had much to gain from the new order. The compensation they received was invested in new business ventures in sugar, finance, and mining just in time for them to ride the wave of rapid post-conflict economic expansion.\(^99\)

### Table 3: Sources of Revenue for the Taiwan Government-General, 1896-1906 (in million yen)

<table>
<thead>
<tr>
<th>Year</th>
<th>Net Revenue</th>
<th>Tax Revenue (Land tax, Excise and Customs)</th>
<th>Revenue from Government Monopoly</th>
<th>Income from Government Property and Public Utilities</th>
<th>Subsidies from Japanese Treasury</th>
<th>Revenues from Sale of GGT Bonds</th>
<th>Carryover from Previous Year</th>
<th>Other</th>
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<tr>
<td>1896</td>
<td>6.97</td>
<td>2.03</td>
<td>-1.81</td>
<td>-0.21</td>
<td>6.94</td>
<td>0.00</td>
<td>0.00</td>
<td>0.02</td>
</tr>
<tr>
<td>1897</td>
<td>8.34</td>
<td>2.63</td>
<td>0.42</td>
<td>-0.84</td>
<td>5.96</td>
<td>0.00</td>
<td>0.00</td>
<td>0.18</td>
</tr>
<tr>
<td>1898</td>
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Furthermore, the purpose of land reform was not simply to increase the colonial government’s tax revenue; it also sought to introduce modern land relations to Taiwan, even as

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traditional land-related legal terms were retained to ease the transition. For example, according to Taiwanese custom, a private individual could not acquire full ownership of land, as all land hypothetically belonged to the sovereign. Hence, the most an individual could acquire was a yezhu (proprietor) right. In the 1905 land law reform, the GGT retained the terminology of yezhu rights, but then imbued it with rights and obligations associated with complete land ownership in the Western legal sense. Consequently, various changes resulted in the actual way that land was possessed, transferred, and used as collateral. Before, a yezhu right could be passed from one individual to another without official paperwork, but after 1905, transfer of land required a financial transaction if it occurred outside of an inheritance. Also, while land was commonly possessed without registration prior to 1905, after the reforms, all privately held land had to be registered with the state or it would be considered as part of the public domain. Other land-related terminologies, such as pugeng, dian, and tai (which roughly corresponded to lease, pledge, and mortgage), were also retained by the colonial state, but the rights and obligations associated with these transactions were conformed to Western notions of land ownership. As one legal scholar put it, the Japanese had employed “old bottles” to accommodate “new wine.”

This attempt to conform Taiwanese land relations to Western standards, nonetheless, was to be the exception rather than the rule. In other areas of civil and criminal law, Gotō sought to “modernize” traditional Taiwanese institutions, rather than replace them with Western institutions in substance (if not in name). Hence, during the developmental phase of the Kodama-Gotō administration (1902-1906), the investigation and codification of Qing-era laws and Taiwanese customs became the GGT’s most significant undertaking, along with infrastructural development (such as the building of railroads, highways, and harbors). In turn, Gotō’s anti-

assimilationist goal of establishing a distinct institutional sphere in Taiwan could no longer be concealed, leading to intense questioning and objections by Diet members.\(^{101}\)

The initial stages of investigating Taiwanese laws and customs had already begun in 1898 through the work of the land investigation bureau (headed by Nakamura Zekō), but it was not until April 1901 that the Commission for the Investigation of Old Laws and Customs (Kyūkan Chōsa Kai) was organized with law professor Okamatsu Santarō as its chief. After its formal incorporation as an organ of the GGT in October, the Committee came to be comprised of a 15-member steering and editorial board and was supported by a staff of approximately one-hundred field researchers and translators. Headquartered at the University of Kyoto (in Japan), the Committee was divided into two divisions. The first concerned the study of Taiwan’s legal system and administrative procedures. Of particular interest were laws and customs concerning land and kinship relations (such as family, lineage, marriage, succession, and inheritance). The second division was on the traditional economy, with particular emphasis on movable possessions (that is, possessions other than land), commerce, and credit. Eventually the two divisions were combined into one, and a new third division, responsible for crafting draft legislations, was established in 1909.\(^{102}\)

The purpose of this commission was made explicit in an article written by Gotō in May 1901, where he publicly revealed (for the first time) his anti-assimilationist stance by criticizing policymakers in Tokyo who maintained that Japanese laws could be transferred to Taiwan at some future date. Instead, what Taiwan needed, Gotō argued, was its own “permanent legal

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\(^{101}\) Here it is instructive to compare the difference in content between the 1899 and 1902 Diet debates concerning Law 63. In 1899, Diet members largely questioned to the constitutionality of Law 63 and did not touch upon the issue of colonial policy. In 1902, however, Diet members voiced concern that the GGT seemed to be abandoning the goal of assimilation. See Gaimushō Jōyakuokyu Hōkika, *Taiwan hōritsu gijiroku*, pp. 29-186.

system” (eikyū tōchi no hōritsu seido), based on scientific research on old laws and customs. Gotō, nonetheless, warned that this would take some time, as the GGT (or anyone else for that matter) did not possess enough information on Taiwanese traditional institutions. While the Japanese had a long history of studying the Qing legal system (kangaku), there was no previous research on how abstract Chinese legal principles translated into actual practices within Taiwan. Hence, not only did Okamatsu’s researchers examine all available Chinese legal treatises as well as standard Qing-era national and provincial statues and miscellaneous works (such as local gazetteers and essay compilations), but they also undertook extensive interviews with Taiwanese local notables and collected anything that could help illuminate legal practices, such as contracts, ledgers, certifications, and inscriptions. The effort was monumental. Indeed, it was not until August 1914 (long after both Kodama and Gotō had left Taiwan) that the Kyūkan Chōsa Kai completed its multi-volume report and produced a series of draft legislations to serve as the foundation of a new Taiwanese law code.

Ironically, however, obstructing the path toward the creation of a distinctly Taiwanese institutional sphere was Law 63. Up to this point, it was precisely due to Law 63’s “delegated law-making system” (innin rippō seido) that Gotō was able to implement a series of reforms that led Taiwanese colonial policy away from Tokyo’s assimilationist agenda. However, Law 63 was

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103 Gotō Shimpei, “Taiwan keieijyō kyūkan seido no chōsa wo hitsuyō to suru iken [The need for the investigation of the system of old customs from the perspective of Taiwan’s administration],” *Taiwan kanshū kiji* 1.5 (1901): 24-38. The journal *Taiwan kanshū kiji* in fact became the primary platform through which both Gotō and Okamatsu advocated on multiple occasions their anti-assimilationist stance. For a particularly insightful analysis, see Okamatsu Santaro, “Nihon Mimpō no ketten wo ronjite Taiwan rippō ni taisuru kibō ni oyobu [Hopes for Taiwanese legislation through the recognition of the flaws of the Japanese Civil Code],” *Taiwan kanshū kiji* 5.3 (1905): 13-26. Here, Okamatsu flips the usual assimilationist position by arguing that precisely because Japan’s law code is so flawed (due to its awkward mixture of French and German laws) that Taiwan would be better off with a fresh start. Just like India’s civil code is an improvement on these customary laws of Britain, Taiwan’s civil code would likely be an improvement on Japan’s.

a temporary law, which required Diet approval every three years. It was also a law grounded in
the assumption that Taiwan was under the Meiji Constitution—that is, a territory that was a part
of the Japanese nation-state, but (due to emergency conditions) temporarily placed under an
irregular legal structure (where the Diet’s lawmaking powers were delegated to the Governor-
General). A new and permanent statute to replace Law 63, which would ensure Taiwan’s
separation from Japan, was thus sought by Gotō. As early as 1901, Gotō had instructed
Okamatsu (who had come to play the role of Gotō’s chief legal advisor) to begin the process of
drafting a legislative proposal to replace Law 63. This was completed in 1904 as the “Taiwan
Tōchi Hōan” (Taiwan Governance Law), in time for the 21st Diet session.\(^{105}\)

The most prominent features of the “Taiwan Tōchi Hōan” were as follows: First, unlike
Law 63, the new draft proposal assumed that the Constitution did not apply to Taiwan. Hence, it
not only prevented challenges to the legislative autonomy of the GGT on constitutional grounds,
but moreover, it implied Taiwan’s permanent separation from the Japanese national community.
Second, it formalized Taiwan’s de facto financial independence from Japan by designating the
GGT as a corporate entity. The GGT could therefore possess property, issue bonds, and devise
its own budget without intervention from the Imperial Diet. Fourth, the Governor-General would
become an equivalent of a cabinet minister. This would allow him to directly seek the
enforcement of existing Japanese laws and regulations in Taiwan via an imperial ordinance
(chokurei)—rather than through the government in Tokyo—for only a cabinet minister was
constitutionally permitted to initiate a chokurei request. Finally, it strengthened the role of the

\(^{105}\) In addition, Okamatsu boldly drafted an amendment to the revered text of the Meiji Constitution that would have
recognized the existence of colonial territories within the Japanese empire. For the role of Okamatsu in the writing
of Taiwan Tōchi Hōan, see Haruyama, “Hōgaku Hakase Okamatsu Santarō.” Okamatsu’s initial legislative proposal
can be found under the title, “Taiwan tōchi hō [Taiwan governance law],” in Suzuki Saburō monjo [Documents
related to Suzuki Saburō], no. 10, National Diet Library, Tokyo. Okamatsu’s explanation for his legislative proposal,
titled, “Taiwan no seido ni kansuru ikensho [Opinion paper concerning Taiwan’s system],” is reproduced in Taiwan
kingendaishi kenkyū 6 (1988): 217-32. The final draft of the Taiwan Governance Law, along with the GGT’s official
reason for its need, is found in Gotō Shimpei monjo, Reel 31, No. 77.
GGT Consultative Assembly by making it responsible for passing the GGT’s budget, in addition to its existing duty of drafting GGT ordinances. The Consultative Assembly was thus transformed into a nascent legislative assembly under this proposal. In short, the “Taiwan Tōchi Hōan” made Taiwan institutionally independent from Japan.106

Meanwhile, the consensus among policymakers in Tokyo that Taiwan was to eventually be assimilated into Japan had also begun to crack. Kodama and Gotō’s success in turning around Japan’s fortunes in Taiwan had much to do with this, but as important was the ascension of Gotō’s long-time patron, Katsura Tarō, to the position of Prime Minister in 1901. Judging from Katsura’s 1896 policy statement (issued when he was Governor-General), his initial view of Taiwan did not differ considerably from those of Itō and Hara; like them, he was a gradual assimilationist.107 Yet, by the time Law 63 was due for its third review in February 1905, Katsura’s position had come to resemble that of his protégé Gotō. As such, in response to dietman Ōishi Masami’s question during the 21st Diet session regarding Japan’s basic policy in Taiwan, Katsura answered (perhaps too honestly): “I will respond to the issue of whether [Taiwan] should become a part of Japan or treated as a colonial territory. It is without doubt a colonial territory. I believe that we cannot transform [Taiwan] to resemble the Japanese mainland.”108

However, Katsura’s backing alone was insufficient to pass the “Taiwan Tōchi Hōan” in the Imperial Diet, for the Prime Minister and his cabinet were unaffiliated with any of the political parties that populated the lower legislative chamber. Hence, from the very beginning of his administration in 1901, Katsura had little choice but to rely on a strategic partnership with

106 Haruyama, “Taiwan kyūkan chōsa to rippō kōsō.”
107 Katsura Tarō, “Taiwan tōchi hōshin.”
Hara Kei, who was party secretary of Rikken Seiyûkai (then the largest political party) to pass key legislations. Yet, Hara was unwilling to compromise with Katsura over the Taiwan legislation, due to his strong assimilationist views on this matter. Gotô’s chances of passing the “Taiwan Tôchi Hôan” during the 21st Diet session were further damaged by the absence of Governor-General Kodama, who (as the Chief of the General Staff of the Manchurian Army) was leading Japan’s war against Russia. In past legislative struggles between the GGT and the Diet, Kodama had proven to be an astute politician and effective negotiator. With his impeccable military credentials (and now, as a successful Governor-General of Taiwan), he may therefore have been able obtain enough votes for the “Taiwan Tôchi Hôan” even without Hara’s support. Confident that Kodama’s return would make the necessary difference for the legislation’s passage, the Katsura government settled for a one year extension of Law 63, rather than risking a vote on the new Taiwan legislation.

In February 1906, legislation to replace Law 63 was finally introduced, but it was no longer Gotô’s proposal. In January, the Katsura cabinet had fallen due to the unpopularity of the Treaty of Portsmouth (which ended the Russo-Japanese War), and Saionji Kimmochi, the leader of Seiyûkai, became Prime Minister. In the new Saionji cabinet, Hara chose to serve as Home Minister, and tasked himself (as the minister formally responsible for administering Japanese

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110 For Hara’s journal entry describing his meeting with Katsura, Gotô, and Ichiki Kitokurô (Chief of the Cabinet Legislation Bureau) during the 21st Diet session, see Hara, *Hara Takashi niki*, vol. 2, pp. 122-24.
111 For example, Kodama played an instrumental role in negotiating the passage of a bill in the Imperial Diet approving deficit financing of Taiwan through the issuance of 35 million yen worth of GGT government bonds in 1899. See Kobayashi, “Gotô Shimpei to shokuminchi keiei,” pp. 16-21.
112 For the record of the debates surrounding Law 63 during the 21st Diet session, see Gaimushô Jôyakukyoku Hôkika, *Taiwan hûritsu gijiroku*, pp. 187-220.
colonial policy) with the drafting of a counter-proposal to the “Taiwan Tōchi Hōan.” The chief characteristic of Hara’s new draft law—which was a simple document comprised of three short articles—was that it did away with the GGT ordinance (ritsurei) system, and instead, designated that all laws and regulations in Taiwan were to take the form of imperial ordinance (chokurei). This proposal also faced resistance in the Diet, but this time, from the House of Peers. The reason for controversy was that the law eliminated the Governor-General’s lawmaking powers, even if (as a practical matter) the GGT would likely continue to author chokurei drafts. Moreover, a chokurei required the official sponsorship of a cabinet minister in a way that a ritsurei did not. What was at stake, therefore, was the autonomy of the GGT from Tokyo, and in particular, the political parties that had now come to play a dominant role in the formation of governments (as a result of Japan’s democratization). In the end, the 22nd Diet passed Law 31 (drafted by Tsuzuki Keiroku, a close ally of Field Marshall Yamagata) to replace Law 63, but the two laws were identical in substance. Only this time, it had a five-year limit.

Although hardly apparent at the time, this status quo in the legal framework governing the Taiwan Government-General was nonetheless to ultimately benefit Hara and fellow proponents of assimilation. On April 11, 1906, Kodama resigned as Governor-General upon his promotion to the post of Chief of the General Staff of the Imperial Japanese Army, and he died of a cerebral hemorrhage in July. Gotō, satisfied with his accomplishments in Taiwan, decided to

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113 Since Gotō remained the GGT Chief Civil Administrator, he was thus placed in the peculiar position of having to defend the government’s— that is Hara’s—Taiwan proposal, which he personally opposed. For the entire 22nd Diet session records pertaining to Taiwan, see Gaimushō Jiyakukyoku Hōkika, Taiwan hōritsu gijiroku, pp. 221-92.  
114 For Hara’s draft proposal (and its various drafts), see Hara Takashi kankei monjo, pp. 330-31.  
115 Gaimushō Jiyakukyoku Hōkika, Taiwan hōritsu gijiroku, pp. 229-44. See in particular statements by Tsuzuki Keiroku and Hozumi Yatsuka. For an analysis of the 22nd Diet debates concerning Taiwan, see Haruyama Meitetsu, “Meiji kenpō taisetsi to Taiwan tōchi [The Meiji constitutional structure and Taiwanese colonialism],” in Iwanami kōza kindai Nihon to shokuminchi [Iwanami series on modern Japan and its colonies], ed. Ōe Shinobu, vol. 4 (Tokyo: Iwanami Shoten, 1993), pp. 43-45. Tsuzuki’s draft legislation, the various amendments made to this proposal, and the final text of Law 31 can be found in Hara Takashi kankei monjo, pp. 331-33. For an English translation, see Wang, Legal Reform in Taiwan under Japanese Colonial Rule, p. 193.
pursue his ambition as an empire-builder in Japan’s new continental frontier in China, and accepted the post as the first President of the South Manchurian Railway in November. Many of Kodama and Gotō’s allies continued to occupy top positions in Taiwan until 1915, but without their leadership, little effort was made to place the autonomy of the GGT on a permanent foundation. Legislative drafts by the Old Customs Investigation Committee were completed in 1914, and the pieces were finally in place for the establishment of a distinct legal structure in Taiwan based on Taiwanese customs and traditions; however, complacent with the relative peace and economic prosperity, and lacking in long-term vision, post-Gotō GGT officials allowed Okamatsu’s draft law codes to languish in bureaucratic muddle.\textsuperscript{116}

The complacency of colonial administrators in Taiwan finally caught up with them in 1918, when Hara Kei became Prime Minister and immediately set his eyes on reining in the autonomy of the GGT, as well as Japan’s newer colonial governments in the Kwantung Leased Territory, Karafuto, and Korea (all of which became a part of the Japanese Empire in the aftermath of the 1904-1905 Russo-Japanese War).\textsuperscript{117} The first phase of Hara’s assault on the GGT took place in 1919, when bureaucratic rules concerning colonial governments were changed to allow for a civilian governor-general.\textsuperscript{118} Later that year, Den Kenjirō was appointed by Hara as the first civilian to head the GGT with the specific instruction to advance Taiwan’s

\textsuperscript{116} Haruyama, “Taiwan kyûkan chûsa to rippô kôsô.”

\textsuperscript{117} In fact, the abolishment of the military governor-general system was among Seiyûkai’s top priorities since the early 1910s, given the (correct) perception that the Army-controlled colonial governments gave the military a platform for pursuing its own agenda and weakened civilian control over the armed forces. On this point, see Imai Seiichi, “Taishôki ni okeru gunbu no seiji-teki ichi [Political position of the military during the Taishô period],” in \textit{Taishô demokurashii} [Taishô democracy], ed. Yui Masaomi (Tokyo: Yûseidô Shuppan, 1977): 116-49; Li Hung Rang, “Dai ichiji kensei yôgo undo no Chôsen no kansei kaiaku ron [The first movement for constitutional government and the reformation of the government organization in Korea],” \textit{Nihon shokuminchi kenkyû} 3 (1990): 48-93; Ozaki Yukio, “Hanbatsu no Matsuro [The End of Clique Politics],” \textit{Seiyû} 149 (1913): 32-39.

\textsuperscript{118} For a comparison of the 1919 GGT bureaucratic reform to the original 1896 system, see Okamoto, \textit{Shokuminchi kanryô no seiji shi}, pp. 83-96.
assimilation into Japan. Thus ended the incredible autonomy that the GGT had enjoyed since its establishment in 1896. Thereafter, until the restoration of the military governor-general system in 1936, every time a change in government occurred between the two main political parties—the Seiyūkai and the Keiseikai (later Minseitō)—a new Governor-General and Chief Civil Administrator were sent to Taiwan as loyal agents of the government in Tokyo.

Finally, Law 3 replaced Law 31 in March 1921, this time as permanent law. Although the GGT ordinance system was retained, the new law was written in such a way that designated the extension of Japanese laws to Taiwan (via an imperial ordinance) as the norm, and the drafting of Taiwan-specific ritsurei the exception. Specifically, two characteristics of Law 3 led to the extensive adoption of Japanese statutes in Taiwan after its passage. First, any technical changes required to transfer the original Japanese statute to Taiwan (such as substituting the word “Supreme Court” within the original Japanese law with “Taiwan Higher Court”) could be done via chokurei, rather than through an act of the Imperial Diet. This simplified the procedure for adopting Japanese laws and regulations in Taiwan immensely, thus preventing the Governor-

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119 Den’s complete subordination to Hara can be seen from Hara’s journal entries. See in particular, the entries for March 6, August 10, and November 15, 1920, in Hara Takashi nikki, vol. 5, pp. 222, 271, and 315. According to Hara’s journal entries, the reason for the resignation of Chief Civil Administrator Shimomura Hiroshi (who was a holdover from the previous GGT administration) on July 11, 1921 was due to his unhappiness with the lack of policymaking freedom under the post-1919 regime. See Hara Takashi nikki, vol. 5, pp. 407-08.

120 Here, it is important to note that while this reform had the effect of diminishing the status of the Taiwan Governor-General, it did not necessarily decrease the quality of individuals appointed to this position. In fact, all civilian Governor-Generals were highly capable individuals. Den Kenjirō (both a Yamagata protégé and a Hara ally) was an able administrator, who later served as Ministry of Justice and as Minister of Commerce and Agriculture in the Japanese Cabinet. Three of Den’s successors (Uchida Kakiichi, Kawamura Takeji, and Ishizuka Eizō) were former high-ranking officials of the GGT, and another—Ōta Masahiro—had extensive experience with colonial policy, as the former Chief Executive of the Kwantung Leased Territory. However, none of these individuals were able to pursue their own independent policy in Taiwan, as Kodama and Goto had done previously, and their talents were therefore wasted. Edward I-te Chen, “Japanese Colonialism in Korea and Formosa: A Comparison of the Systems of Political Control,” Harvard Journal of Asiatic Studies 30 (1970), pp. 131-32; Okamoto Makiko, “Seitō seijiki ni okeru bunkan sōtokufu se: rikken seiji to shokuminchi tōchi no sōkoku [The civilian government-general system during the period of party politics: the conflict between constitutional government and colonial administration],” Nihon shokuminchi kenkyū 10 (1998): 1-18; Okamoto, Shokuminchi kannyō no seiji shi, pp. 327-489.

121 Gaimushō Jōyakukyoku Hōkika, Taiwan hōritsu gijiroku, p. 463. The text of Law 3 can be found in Gaimushō Jōyakukyoku Hōkika, Taiwan no inin rippō seido, pp. 26-27. For an English translation, see Wang, Legal Reform in Taiwan under Japanese Colonial Rule, pp. 193-94.
General from relying on a *ritsurei* for reasons of expedience. Second, the law specified the conditions under which a *ritsurei* was to be used: (i) there was no appropriate law in Japan; and (ii) the enforcement of a Japanese law was difficult due to special conditions found within Taiwan. Consequently, the work of the Old Customs Investigation Committee was disregarded by Den and his successors, and a modified version of Japan’s civil code was extended to the Taiwanese with much fanfare on January 1, 1923. With the subordination of the Taiwan Governor-General to the will of political parties in Tokyo now complete, Taiwan was thus firmly placed on a path toward institutional assimilation into Japan.

5. Conclusion: Agent Discretion and Colonial Institution-building

When Japan’s “success” in the establishment of colonial governance in Taiwan is explained, the focus is typically on the leadership of Governor-General Kodama and his chief lieutenant, Gotō Shimpei. After all, when they landed in Taiwan in early 1898, the island was embroiled in a guerrilla war, with no end in sight. Yet, by 1902, the island was largely at peace, and by 1905, Taiwan had achieved fiscal independence from Japan, five years ahead of schedule. The key to Gotō’s achievements in colonial institution-building was his belief in pragmatism, as well as his commitment to basing policymaking on careful (scientific) research. Assimilation was rejected in 1898 not because Gotō was against making Taiwan a permanent part of the Japanese empire—he was an avid imperialist—but because Gotō reasoned that conditions in Taiwan simply did not allow for such a policy, and its pursuit would in fact jeopardize Japan’s

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123 A detailed analysis of the changes in civil code during the Den era can be found in Wang, *Legal Reform in Taiwan under Japanese Colonial Rule*, pp. 140-69. In the cases of family and succession laws (which concerned marriage, divorce, adoption, and succession), however, existing Taiwanese customary laws were retained, even if their specific applications were subjected to the biases of Japanese judges trained in the Western legal tradition.
124 For a brief overview of the steps taken by the Den administration (1919-1923) to advance assimilation, see Kenjirō Den, “Assimilation Keynote of Taiwan Policy,” *The Trans-Pacific* 8 (1923): 45-47.
control over the island. He imagined an alternative modernity for Taiwan, where the Government-General would function as an autonomous state ruled by “enlightened” Japanese technocrats.

However, this account of Gotō’s leadership must be placed in its proper context—namely, what allowed this relatively unknown bureaucrat to obtain such freedom of action in Taiwan and to single-handedly abandon the long-term objectives of his government in Tokyo? Indeed, if we turn to the Philippine case (to be discussed in detail in the following chapter), we find that within the U.S. colonial government were also skilled colonial administrators—such as Governor-General Luke E. Wright (1904-1906) and Chief of the Philippine Constabulary Harry H. Bandholtz (1907-1913)—who sought to govern the Philippines with flexibility and pragmatism. However, unlike Gotō, Wright was forced to abandon his attempt to rectify the mistakes of early U.S. colonial officials (and was subsequently dismissed from his post), when his centralizing reforms met the objections of U.S. War Secretary William Howard Taft. In Taft’s view, by concentrating power in the colonial government, Wright’s reforms had the danger of undermining the carefully constructed myth of the United States as a benevolent occupier. Meanwhile, Bandholtz’s repeated calls for placing the municipal police under the authority of the Constabulary (the national-level police force) in order to strengthen the regulatory powers of the colonial state were dismissed by Governor-General Wright’s humbled successors, who feared that such actions would invite further rebuke from Washington.

The causal importance of agent discretion is also observed when institution-building in Taiwan is compared to that of Korea (which was formally annexed by Japan in 1910). In both cases, the 1919 colonial bureaucracy reform allowed for the appointment of a civilian governor-general. However, while the Governor-General of Taiwan received supervision by the Prime
Minister, the Governor-General of Korea was responsible only to the Emperor. Furthermore, because governor-generals occupied the highest bureaucratic rank of shinnin (or the Emperor’s direct servants), the Privy Council (as the Emperor’s advisory body) could veto the Prime Minister’s recommendations for these posts. In the case of Taiwan, the Privy Council found no reason to object to a civilian governor-general due to its (by now) relatively peaceful conditions. In Korea, however, the Privy Council determined that continued instability resulting from the March 1, 1919 independence movement required that the post of Governor-General be occupied by a military officer. Consequently, Saitō Makoto, a former Admiral and a navy reservist, was chosen to become the new Governor-General of Korea in 1919, as the compromise candidate of Hara and Field Marshall Yamagata (who was then Chairman of the Privy Council). In short, while the GGT had been subordinated to the central government as a result of the 1919 reform, the Government-General of Korea (GGK) retained its autonomy.126

This variation in the degree of autonomy enjoyed by the Taiwanese and Korean colonial governments in the 1920s led to a divergence in colonial policy between the two, especially on the issue of institutional assimilation. As discussed above, Gotō and Okamatsu sought the political and legal separation of Taiwan from Japan through the creation of a Taiwanese legislative assembly and the adoption of a Taiwan-specific law code. The policy, however, was overturned by Governor-General Den Kenjirō and his successors in the 1920s, who instead strengthened the GGT Consultative Council (hyōgikai) through the appointment of Taiwanese notables, while introducing semi-popularly elected assemblies (with half of their members chosen by a limited franchise) in the prefectural and city governments. The aim was to make

Taiwanese prefectures resemble more closely Japanese ones in preparation of Taiwan's eventual absorption into Japan. Meanwhile, Taiwanese political movements advocating the establishment of a “national”-level legislative assembly in the island were criminalized, and in 1923, seven members of the League for the Establishment of a Taiwan Parliament were handed sentences of three to four months in prison. Further political participation of the Taiwanese would have to wait until they were culturally assimilated into the Japanese nation, the GGT declared, and “ready” to send delegates to the Imperial Diet.

In contrast, during this same period, the GGK became increasingly receptive towards the idea of a legislative body in Korea. In 1925, the very year that the Taiwan Police Headquarters compiled a report condemning petitions by Taiwanese elites for the establishment of a native legislative assembly, Soejima Michimasa (President of Keiō Nippo, the GGK-sponsored newspaper) penned an editorial advocating the need for a full-fledged lawmaking body within the GGK. Subsequently, various proposals for the creation of a Korea Assembly were drafted

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127 For a discussion of the role and functions of the Consultative Council under Den, see Ching-chih Chen, “Japanese Socio-political Control in Taiwan, 1895-1945,” Diss., Harvard University, 1973. The council was comprised of nine ranking members of the colonial administration, nine Japanese civilians from the settler community, and nine Taiwanese notables. The Japanese and Taiwanese civilian members of the council were all appointed by the Governor-General for two-year terms, but could be dismissed at any time. Only seven Consultative Council meetings were held between 1921, when the new system was initiated, and 1929, and its agenda was entirely controlled by the Governor-General. In 1930, the rules for the Consultative Council were changed to allow councilors to introduce any issue for discussion, but no record remains on the frequency at which the Council met after 1930, as well as their deliberations. Meanwhile, a discussion of the new local government system under Den and his successors can be found in Chen, “Japanese Socio-political Control in Taiwan,” pp. 374-84.


by GGK officials in the late 1920s and submitted to Tokyo for approval. These efforts led to very little substantive changes, given that a reform of the GGK’s administrative structure required approval by the Japanese government; nonetheless, they were indicative of the overall policymaking approach of the GGK in the 1920s. Indeed, while seventy percent of all laws and regulations in effect in Korea (prior to its independence in 1945) were those enacted via GGK ordinance (seirei), only thirty percent of laws and regulations in Taiwan took the form of GGT ordinance (ritsurei). The rest, enforced via imperial ordinance, were direct applications of Japanese statutes. Although the goal of Tokyo towards both Taiwan and Korea was assimilation, only in Taiwan—the less autonomous of the two in the aftermath of the 1919 reform—was this reflected in actual colonial policy.

However, this focus on agent discretion provides only half of the story. It highlights the causal importance of the structural relationship between the colonial administration and its home government, but says little of how relations between colonial agents and local elites may lead to different institutional outcomes. Indeed, while reform agents with discretionary power are more likely to construct hybridic (as opposed to dualistic) institutions in the target territory, how such

Sōtokufu Keimukyoku, 1939), pp. 316-25. For Soejima’s editorial, see Soejima Masamichi, “Chōsen tôchi no konpon gi [The fundamental meaning of Korean colonial policy],” Keijō nippō, November 26, 27, and 28, 1925.
130 These policy proposals can be found within the Saitō Makoto documents, as (in order that they were drafted) No. 75.6, 75.5, 75.4, 75.7, and 71.4. Saitō’s documents can be found in Saitō Makoto kankei monjo [Documents related to Saitō Makoto], National Diet Library, Tokyo.
132 These figures for GGK and GGT ordinances as a percentage of the total numbers of laws and regulations in Korea and Taiwan were calculated by the author from information provided in Gaimushō Jōyakukyoku Hōkika, Nihon tôchi jidai no Chōsen [Korea under Japanese colonial rule] (Tokyo: Gaimushō Jōyakukyoku Hōkika, 1971), pp. 64-71.
institutions perform in the short-term, as well as their long-term evolutionary trajectory, is also determined by the interactions between colonizers and native elites of the colonized territory.

As I argue in the ensuing chapters, successful institutions are more likely forged under a foreign occupation when local powerholders have the capacity, and exhibit the willingness, to effectively resist (with violence if necessary) specific institutional designs envisioned by foreign agents. Importantly, the capacity and willingness of local elites to resist the reform program of foreigners could well vary across different institutions. It was precisely for this reason that while the institutional order forged under Gotō’s leadership was effective overall, there was some variation in institutional durability across policy areas. Meanwhile, the sensitivity of the U.S. colonial administration to the demands of local Filipino elites in some areas compensated for its lack of discretion, and its consequent failure to integrate Filipino customs and traditions into the formal institutional structures of the state. Placing the colonial state at the analytical center, why institution-building succeeds or fails is ultimately determined by the ways in which its agency is constrained from above as well as from below.
Chapter 3: U.S. Occupation of the Philippines and State-building Failure
Consequences of a Subordinated Agent

1. Introduction

The Philippine mission had many of the right ingredients for institution-building success, as enumerated by those grappling with the problem of nation-building today. Although ethnically diverse, the Philippine Islands were largely at peace by 1902 due to an aggressive U.S. counter-insurgency campaign and the administrative separation of territories populated by non-Christian peoples from Christian-majority regions. It was also relatively easy for Americans to maintain stability, as rival ethnic groups were spread out across the sparsely populated archipelago, with enough distance (and usually mountains or bodies of water) between them to prevent inter-ethnic conflict from arising. Policymakers in Washington were fully committed to state-building in the Philippines, and had articulated a clear and coherent plan for institutional reform. American colonial officials in the Philippines dominated the executive and legislative branches of the occupational administration, and could appropriate the internal revenue of the islands to projects as they saw fit. At the same time, strong collaborative ties were forged between American officials and Filipino elites, in both Manila and the provinces, and many native elites spoke enthusiastically of a liberal and democratic future for the Filipino people. However, despite the existence of all of these positive factors, U.S. occupiers left behind institutional arrangements that were modern in some ways, but distinctly Filipino in others and, for the most part, dysfunctional. In this way, the American occupation of the Philippines, while far surpassing the successful post-WWII occupations in Germany and Japan in duration and intensity, is similar in outcome to the failing state-building missions of late.

To a large extent, American state-building failure in the Philippines can be attributed to the incongruence between Washington’s preferred strategy for institutional reform versus the
political and socioeconomic realities on the ground. Although some attempt would be made to incorporate Filipino customs and prejudices within the new institutional architecture, President William McKinley and his advisors desired that American institutions serve as dominant models for the new Filipino nation-state. Moreover, policymakers in Washington assumed that the greatest evil of the existing political system in the Philippines, which was under Spanish colonial rule prior to American occupation, was centralized despotism by the Government-General in Manila. Hence, U.S. liberalization and democratization strategy would be one of decentralizing political authority to municipal bodies and affording local Filipino elites with considerable autonomy. Since American democracy first developed at the local level in small New England towns, McKinley and his allies argued, a similar process of bottom-up democratization was also most appropriate for the Philippines. The problem with this strategy, however, was that Filipino elites were hardly nascent liberal-democrats in the waiting. Municipal governments during the Spanish period were corrupt, not because of centralized despotism, but because of extreme socioeconomic inequality and the prevalence of clientelistic relations between rich landlords and poor landless peasants. It is therefore of little surprise that, after liberalizing and democratizing reforms were undertaken by empowering illiberal and undemocratic elites in the localities, newly established institutions did not function as intended by colonial reformers.

In this way, the attempt to transform the Philippine Islands in the American image failed because U.S. state-building strategy was based on misinformation and false impressions. Yet, what is most puzzling about America’s failure in state-building is why U.S. policymakers were unable to adjust their initial (and unsuccessful) institution-building strategy to reflect realities on the ground. Early mistakes may be explained by the difficulty of obtaining accurate information regarding a foreign territory in a state of war, but the U.S. occupation lasted for decades—that is,
long enough for lessons to be learned and necessary adjustments to be made. Moreover, American colonial agents stationed in the Philippines were clearly aware of the difficulty of forging a Filipino democracy from the bottom up, as evidenced by their private correspondences and diaries. Why, then, did the initial state-building strategy articulated by Secretary of War Elihu Root in 1899 (less than a year after U.S. forces landed in Manila) persist unchanged under successive Republican administrations, later to be adopted by Woodrow Wilson (in a modified form) during his presidency? What explains the rigidity through which the state-building effort was pursued, even as evidence mounted that a dramatic change in course was necessary?

As I demonstrate in this chapter, the debilitating rigidity of the U.S. state-building mission was caused by two inter-related factors: First, the process through which the United States undertook reforms in the Philippines became a matter of domestic partisan politics. Facing an electorate that was skeptical of foreign entanglements, as well as a vocal anti-imperialist movement, McKinley and his allies were compelled to characterize U.S. expansionary designs in the Pacific as a “civilizing mission”—a duty bestowed upon the American people by an act of Providence. Consequently, in order to maintain public support for the occupation, and to keep the Democrats and their anti-imperialist allies at bay, successive Republican administrations could not afford to take any actions that would undermine this storyline. With members of Congress wondering aloud why a large U.S. military presence was needed in the archipelago if American intentions were truly benevolent, Secretary Root found it politically expedient to quicken the pace of transferring political authority from the U.S. military to Filipino collaborators in the provinces. Even if the newly organized and Filipino-led municipal and provincial governments did not function as anticipated, political power could not be reconcentrated into the hands of American colonial officials without provoking protests from
Democrats and anti-imperialists. Meanwhile, it was also not possible for Washington to accept the fact that the Philippines would not easily be transformed into a liberal and democratic nation-state in the American image. A more coherent and functional institutional order could have been established if the prevailing system of clientelistic rule was recognized and incorporated into the governance structure, but such would have undermined the raison d'être of the occupation.

Second, and more importantly, precisely because the Philippine occupation became such a contentious point in U.S. domestic politics, hardly any discretionary power was afforded to top American colonial agents in the Philippines. Consequently, the colonial administration was made into a loyal executioner of the agenda devised in Washington. Moreover, the various measures taken to maintain colonial agents’ faithfulness to Washington led to perverse incentives (on the part of the agents) that were detrimental to institution-building success. By purposefully appointing politically weak individuals to serve as colonial agents, and by denying them security in tenure, the Secretary of War made sure that his agents would have little incentive to question the preferred institution-building strategy of Washington, or engage in meaningful policy debates with their politically-minded superiors. By punishing any deviation from the initial institution-building strategy devised by Secretary Root, Washington made sure that its agents would not dare to conjure innovative solutions or engage in on-the-ground experimentation with alternative institutional arrangements. Rewarded for their faithfulness rather than their innovativeness, America’s colonial agents left unexplored a possible middle ground between the transformative agenda of policymakers in Washington and the reality of entrenched Filipino institutions.

A defining characteristic of institution-building under foreign occupations (in comparison to institutional reform within a domestic context) is that the implementation of the reform effort is entirely delegated. Those who initiate the reforms (and are ultimately responsible for them) do
not take part in the actual process of building institutions; rather, they dispatch agents to a target territory on their behalf. Therefore, the act of adjusting initial expectations regarding attainable goals, and that of modifying reform strategies in light of new information, is undertaken through negotiation between two different actors: the principal and his agent. Both the principal (i.e., the home government of the occupying country) and the agent (i.e., the occupational administration) share the common goal of state-building success; however, while state-building is the primary goal of the agent, it is only one of many domestic and foreign policy concerns of the principal. Consequently, how the relationship between the principal and the agent is structured critically affects the way in which the institution-building effort proceeds. If agents are under little constraint from their home government, they will ignore the various domestic and foreign policy priorities of the principal, and undertake reforms that they find most conducive to the establishment of a strong state. On the other hand, a subordinated agent will take into account such domestic and foreign policy concerns, but will lack the flexibility to reform institutions innovatively. In the following pages, the U.S. occupation of the Philippine Islands is examined as an illustrative example of institution-building by a subordinated agent, and the costs associated with this arrangement are explored in detail.

2. The Birth of the Civilizing Mission Consensus

The Spanish-American War began as a conflict over Cuba in response to the 1895 Cuban struggle for independence against Spain. As the yellow press agitated American public opinion with stories of Spanish brutality in suppressing the revolution, and as U.S. shipping and sugar interests complained of heavy losses due to ongoing political instability in Cuba, the McKinley administration at first responded by securing an agreement with Spain to allow Cuban political autonomy beginning on January 1, 1898. Yet, instability continued as Spanish officers rioted in
Havana in response to this agreement. To ensure the safety of American citizens and U.S. interests in Cuba, the *USS Maine* was deployed to Havana, while other naval squadrons were moved to Key West and the Gulf of Mexico, as well as Hong Kong, to engage Spain’s Pacific armada (anchored in Manila) in case of war. On February 15, the *Maine* sank to the bottom of Santiago Harbor after a massive explosion; Spain was immediately blamed for this incident. With the press clamoring for war, business and religious communities also joined the bandwagon.¹ On April 20, McKinley signed a joint resolution that authorized the use of force to restore order in Cuba, but which also included a key amendment (by Senator Henry Teller) disallowing the United States from establishing permanent control over Cuba in the aftermath of the war. Yet, the first battle of the Spanish-American War did not take place in Cuba or, for that matter, the Caribbean Sea. Instead, the war began with Commodore George Dewey’s decimation of the Spanish armada in Manila Bay on May 1, 1898. The war, initially over Cuba, had become an all out conflict between the United States and Spain over supremacy in the Caribbean and the Pacific. Though supposedly fighting to secure Cuban independence, by early 1899 the United States had transformed itself into an overseas empire by making Cuba its protectorate and by annexing Guam, Puerto Rico, and the Philippines.

America was electrified by the news of Dewey’s victory in Manila Bay. In a single stroke, U.S. forces had crippled Spanish power in the Pacific, thus liberating the Filipinos from three centuries of Iberian misgovernment. Seemingly guided by Providence, America was now well positioned to extend liberty and freedom—along with its exports—not only to the Philippines but also to the rest of Asia. Even for the many Americans who were unconcerned with the specific implications of Dewey’s victory, the news gave ample reasons to celebrate

American greatness. Yet, going against the public euphoria with their usual pessimism and contrarian ways, the mugwumps\textsuperscript{2} of the Northeast began a quest to prevent their beloved republic (already threatened in their view by greedy businessmen, city bosses and their immigrant supporters, and militant labor) from corruption and decay. Aware that expansionists within the Republican Party, such as Assistant Secretary of the Navy Theodore Roosevelt and Senator Henry Cabot Lodge, would attempt to seize this opportunity to further their agenda, mugwumps lost no time in organizing their opposition. As early as May 9, 1898 Carl Schurz (a leading mugwump intellectual and former Republican senator) warned McKinley that the war against Spain, with its noble goal of Cuban liberation, should not be transformed into one of “greedy ambition, conquest, and self-aggrandizement.”\textsuperscript{3} On June 15, concerned mugwumps gathered at Boston’s symbolic Faneuil Hall to inaugurate their public campaign against imperialism.\textsuperscript{4}

As a group largely comprised of disgruntled professors and lawyers in their 60s and 70s, and affiliated with neither the Democrats nor the Republicans, mugwumps lacked the political acumen or strong organizational base to mount an effective challenge against imperialism on their own. Even the Anti-Imperialist League, which was formed on November 19, 1898 under the leadership of George Boutwell and Erving Winslow, was a failed political organization. They initially gained the support of Samuel Gompers, President of the American Federation of Labor, but due to the mugwumps’ inherent dislike of organized labor, they were never able to fully utilize Gompers’ early assistance. Having been among the leaders of the anti-slavery movement,

\textsuperscript{2} The term mugwump originated during the 1884 presidential election and was used to describe a group of Northeastern intellectuals, businessmen, and politicians who had spearheaded the anti-slavery movements of the 1840s and 1850s, but abandoned the Republican Party to support the reformist Grover Cleveland against the seemingly immoral James G. Blaine. See Robert L. Beisner, \textit{Twelve against Empire: The Anti-imperialists, 1898-1900} (New York: McGraw-Hill, 1968), pp. 5-17.


\textsuperscript{4} \textit{Ibid.}, p. 123.
mugwumps tried to gain the backing of black organizations, but only Reverend William H. Scott and his supporters were willing to abandon Lincoln's party. Due to their better-than-thou attitude and self-righteousness, mugwumps alienated influential anti-imperialist Republicans, such as Senator George Hoar of Massachusetts, House Speaker Thomas Reed, and the industrialist Andrew Carnegie. They also failed to control the activities of their own members, and allowed Edward Atkinson (honorary vice-president of the League) to embarrass them through his highly graphic description of the various venereal diseases that American soldiers would contract in the Philippines, which was only surpassed in notoriety by his widely condemned attempt at sending anti-war propaganda to American soldiers in the archipelago.5

Despite their organizational weaknesses, the mugwumps were nonetheless effective in influencing public discourse through voluminous publications and speeches. They could not be easily ignored, for in spite of their small number and political incompetence, they included within their ranks influential journalists like Edwin Godkin, as well as public intellectuals, like Charles Eliot of Harvard University. Indeed, the tremendous disdain shown by Roosevelt and other expansionists toward the mugwumps in part reflected a grudging recognition of the mugwumps' ability to publicize their concerns and place the expansionists on the defensive.6 Furthermore, even though mugwumps were themselves on the fringe of party politics, their sentiments were shared by Southern Democrats, who feared (as did many mugwumps) that annexation of the Philippines would bring hordes of "colored" people to American shores.7

6 Beisner, Twelve against Empire, p. 56, 225.
Consequently, Republicans were forced to use every rhetorical and political weapon in their arsenal to obtain the needed two-thirds majority for Senate ratification of the annexation of the Philippines in 1899.8 Moreover, with the 1900 presidential election only a year and a half away, the McKinley administration not only had to convince wavering Senate Democrats (from the mid-West) to their cause but also, more broadly, the majority of the American electorate.9 Hence, the battle over votes in the Senate was accompanied by a battle over ideology. Indeed, the chief reason that mugwumps and other anti-imperialists ultimately failed in their quest to stop the expansionists was due to the success of McKinley and his allies in responding to their criticisms and usurping their rhetoric. Denying that America was becoming an empire, expansionists argued that they (led by Providence) were reluctantly assuming the moral obligation of a great republic by spreading liberty and good government to places that had previously been ruled by despotism and corruption.10 In this way, by forcing the McKinley administration to commit to “benevolent assimilation,”11 the anti-imperialists certainly left their mark on U.S. colonial policy.

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8 At the end, Senate ratification of the Treaty of Paris (between the United States and Spain over the annexation of the Philippines) came down to one vote.
9 William Jennings Bryan, who had set his sights on becoming the Democratic presidential nominee for the 1900 election, believed that the Republicans were setting themselves up for electoral defeat if they were to obtain Senate confirmation for the Treaty of Paris. Consequently, he urged his Democratic colleagues from the mid-West to support annexation as a strategy for winning the 1900 election. Since Senate ratification of the treaty came down to one vote, Bryan’s cynical tactic proved decisive in placing the Philippines under American control.
11 The so-called “Benevolent Assimilation” proclamation was delivered by President McKinley as an executive order to the Secretary of War on December 21, 1898. The order may be found in James D. Richardson, A Compilation of the Messages and Papers of the President, 1789-1897, vol. 10 (Washington, D.C.: GPO, 1899): 219-21.
The various arguments against Philippine annexation that filled the pamphlets of the Anti-Imperialist League and the halls of Congress can be categorized into one of two general themes. The first was inward-looking, and sought to defend American republicanism from decay. Our Founding Fathers, argued Senator Hoar, “knew what caused the downfall of the mighty Roman Republic. They read ... the history of freedom, of the decay, and the enslavement of Greece. ... They learned from her the doctrine that while there is little else that a democracy can not accomplish it can not rule over vassal states or subject peoples without bringing in the elements of death into its own constitution.” Specifically, Hoar argued that to rule foreign people through conquest was in direct contradiction with the spirit of the Declaration of Independence and the U.S. Constitution, and Congress had no authority to act against the intentions of its Founding Fathers and the nation’s most cherished principles:

[T]he question with which we must have to deal is whether Congress may conquer and may govern, without their consent and against their will, a foreign nation, a separate, distinct, and numerous people, a territory not hereafter to be populated by Americans, to be formed into American States and to take its part in fulfilling and executing the purposes for which the Constitution was framed ... [T]he question is whether the men who framed the Constitution ... meant to confer that power among the limited and restrained powers of the sovereign nation that they were creating.

To Hoar, annexation of the Philippines posed a threat to American national identity because it undermined the very principles upon which the American nation was founded. Other anti-imperialists, however, perceived the threat to American nationhood to lie not only in the realm of ideology, but also in reasons of race. Schurz, most notably, argued that if the United States were to remain true to its republican principles, it could not rule over alien peoples

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13 Ibid., 495.
undemocratically; hence, if any new territory were to be annexed, it should be placed on a clear path toward statehood. However, the incorporation of tropical races into the Union would dilute America’s Anglo-Saxon nation. Thus it was best to leave the Filipinos alone. Senator Benjamin Tillman (Democrat of South Carolina) enthusiastically agreed. After passage of the Treaty of Paris (which ratified U.S. annexation of the Philippines) on February 6, 1899 Tillman pointed out that most Democrats from the South voted against the treaty because “we understand and realize what it is to have two races side by side that can not mix or mingle without deterioration and injury to both and the ultimate destruction of the civilization of the higher.”

Second, in their more noble moments, anti-imperialists attacked annexation out of consideration for the wishes of the Filipinos. Anti-imperialists asked what right the United States had in denying Filipinos the universal human right to choose their own form of government. Quipping that the constitutional argument for slavery was in fact stronger than that of the annexation of the Philippines, Hoar invoked Abraham Lincoln’s famous line that “No man was ever created good enough to own another,” and declared, “No nation was ever created good enough to own another.” Mugwumps, such as Moorfeild Storey and William James, expressed similar sentiments. In his keynote speech for the June 15, 1898 meeting at Faneuil Hall, Storey argued that “to seize any colony of Spain and hold it as our own, without the free consent of its people is a violation of the principles upon which this government rests.” Not only was the annexation of the Philippines a blatant display of hypocrisy, James argued, but America was also about to destroy “the one sacred thing in the world, the spontaneous budding of a national life.”

15 Beisner, Twelve against Empire, p. 22-23.
17 Ibid., p. 501.
18 Quoted in Tompkins, Anti-imperialism in the United States, p. 124.
American intervention would nip at its bud the formation of a new and prosperous nation, for "we can destroy their old ideals, but we can't give them ours." 19

If fear of national decay and commitment to republican principles motivated the anti-imperialists in 1899, what, then, compelled expansionists to insist upon the annexation of the entire Philippine archipelago? Exponents of the "large policy," such as Roosevelt and Lodge, believed that the United States should play a role in international politics commensurate to its economic prowess. It was also necessary for the United States to pursue foreign policy goals that would maintain its rapid economic growth. Up to this point, the United States had relied on Britain to protect the high seas and keep European markets open to U.S. manufactured goods, but it was time the United States shared this burden with Britain by constructing a first-class navy and becoming an active participant in great power politics. With the rise of Germany and increasing friction among European states, Europe was moving away from free trade and toward protectionism and economic nationalism. Britain, now increasingly concerned with the balance of power in Europe (and having to concentrate its naval power closer to home), was not only willing, but eager to share the responsibility of maintaining Anglo-Saxon supremacy over the high seas with the United States. Moreover, while U.S. trade with China was still miniscule, it was bound to become the most important destination for U.S. manufactured goods in the near future, given the population of China. 20 Therefore, when America suddenly found itself in control of Manila Bay and well positioned to plant the U.S. flag a mere seven hundred miles

19 Quoted in Beisner, *Twelve against Empire*, p. 44.
from Hong Kong, the expansionists, supported by major business associations, were determined not to let this tremendous opportunity slip by.\textsuperscript{21}

Indeed, even reluctant expansionists within the Republican Party could see the obvious benefit of securing a coaling station or a naval base in the Philippines, but from there to the annexation of the entire archipelago was a monumental leap. Two practical considerations convinced McKinley and other cautious Republicans of the necessity of annexing it all.\textsuperscript{22} First, Brig. Gen. Francis V. Greene, Maj. Gen. Wesley Merritt, and other officers returning from the first (1898) expedition to the Philippines testified to McKinley that the City of Manila and its harbor were indefensible without control over the rest of the island of Luzon. Manila alone would be a source of weakness, rather than strength, in a time of war. Yet, it was also not possible to annex just Luzon, for that would likely lead to other powers laying claims to the rest of the principal islands of the Philippines, forcing the United States to defend a long coastline from multiple directions. Therefore, the only strategically viable option, if any Philippine territory was to be placed under U.S. control, was annexation of the entire archipelago.\textsuperscript{23}

\textsuperscript{21} Strong support for Philippine annexation by business groups was in fact a reversal of their previous opposition to the Spanish-American War. For example, the New York Journal of Commerce, which had argued against the war for fear of its costs, was now insisting that the Philippines be retained to uphold American rights in China. Similar views were expressed in other leading business newspapers, such as the Wall Street Journal, the American Banker, the Banker and Tradesmen, the Age of Steel, the Iron Age, the United States Investor, the Financial Record, the Brandstreet, and the New York Commercial. The argument that the Philippines should be retained for reasons of trade was not confined to any one part of the United States. In the South, business newspapers saw annexation as a way of securing access for American cotton goods into China, while those in San Francisco and Seattle believed that acquisition of the Philippines would lead to growth of trans-Pacific trade. This is not to suggest, however, that business associations were unanimous in their support for annexation. In particular, sugar-beet growers were strongly opposed to annexation, for fear of competition from Filipino sugar plantations. This opposition from sugar (as well as tobacco) interests would, in the ensuing years, come to play a critical role in delaying free trade between the United States and the Philippines. For more on the business perspective on annexation, see Pratt, Expansionists of 1898, pp. 266-78; Richard E. Welch, Jr., Response to Imperialism: The United States and the Philippine-American War, 1899-1902 (Chapel Hill: University of North Carolina Press, 1965), pp. 75-88.


Moreover, even if it were strategically possible to retain just Manila, there was the question of what the United States would do with the rest of the islands. From both a political and strategic perspective, it was inconceivable that America would hand the islands back to Spain or sell them to another colonial power, such as Japan or Germany. Therefore, there were only three practicable options for the Philippines: independence, existence as an American protectorate, or outright annexation. The possibility of granting Filipinos immediate independence was rejected given the prevailing belief—shared by many anti-imperialists alike—that Filipinos lacked the capacity for self-government. In a widely circulated and cited article published in July 1898, John Foreman (an Englishman with extensive experience in the Philippines) argued, "The Philippine Islands ... would not remain one year a peaceful united Archipelago under an independent native Government." The problem, Foreman noted, was that Filipinos lacked a sense of national unity. Emilio Aguinaldo, who (as the commander of the revolutionary army) had formed an independent government in the city of Malolos, only commanded the support of the Tagalog "tribe." Even if Aguinaldo could temporarily piece together a national government, the Philippines would quickly splinter into smaller units, with anarchy and civil war resulting. Importantly, Foreman's analysis was supported by U.S. military officers returning from the Philippines, such as Greene and Merritt, as well as by Senator Albert Beveridge, who had visited the islands to gain "firsthand" knowledge. According to Beveridge, the problem was not only that the Filipino majority distrusted Aguinaldo, but also, that the Filipinos were simply incapable of self-government. "My own

26 Ibid. "Tagalog" referred to the dominant ethnic group in the Philippines to which Aguinaldo and many of his lieutenants belonged.
belief is that there are not 100 men among them who comprehend what Anglo-Saxon self-government even means,” Beveridge asserted, “and there are over 5,000,000 people to be governed. I know many clever and highly educated men among them, but there are only three commanding intellects and characters—Arellano, Mabini, and Aguinaldo.” 28

Once it was established that the Filipinos were incapable of self-government, further implications followed that undermined the anti-imperialist position. First, if the United States granted independence to Aguinaldo and his revolutionaries, the islands would quickly descend into a state of anarchy. It would then be a matter of time before other powers would lay claims to the islands. There was ample evidence for this scenario. Immediately after America defeated the Spanish armada, German warships began making provocative maneuvers in Manila Bay, while Japan’s Prime Minister, Itō Hirobumi, offered his assistance (given his knowledge of the “Asiatic” mind) to the Americans. Not only would the colonization of the Filipinos by imperialist nations be detrimental to their wellbeing, but also, takeover of the islands by any power but the United States, the British warned, would greatly complicate the balance of power in Asia. 29 Moreover, the (perceived) fact that Aguinaldo lacked the popular support of the Filipinos implied that the American protectorate proposal, as championed by moderate anti-imperialists, was infeasible. 30 It is absurd, Lodge argued, “that we should acknowledge [Aguinaldo] as a government, enforce his rule upon the other eighty-three tribes and upon all the

28 Senator Beveridge on policy regarding the Philippines, Congressional Record, 56th Cong., 1st sess. (7 March 1900), p. 705. For his entire argument, see pp. 704-12. Cayetano Arellano was a leading Filipino jurist, who became the first Philippine Supreme Court Justice under U.S. rule. Apolinario Mabini was a political philosopher and leading member of the Philippine Revolution.
29 Leech, In the Days of McKinley, p. 327; Welch, Response to Imperialism, p. 9; Dean Worcester to Mrs. Worcester, 14 February 1899, Vol. 16, Worcester Papers, Special Collections Library, University of Michigan, Ann Arbor.
30 Senator Tillman on policy regarding the Philippine Islands, U.S. Senate, Congressional Record, 55th Cong., 3d sess. (7 Feb 1899), p. 1531. The protectorate proposition was also adopted by William Jennings Bryan in his 1900 campaign to unseat McKinley. For his speeches concerning imperialism, see William Jennings Bryan, Republic or Empire? The Philippine Question (Chicago: The Independence Company, 1899).
other islands, and then protect him from foreign interference.” This plan “would involve us in endless wars with the natives and keep us embroiled with other nations …”31 If the United States was to shoulder the duty of protecting the islands, it must also possess the power to forge a Filipino nation-state out of the many “tribes” that inhabited the islands. The way to do this effectively, Lodge argued, was for the United States to directly govern the islands.32 Thus, the only defensible option from a practical standpoint was none other than annexation.33

Committed to annexation, the administration and its allies now faced the task of defending their policies against anti-imperialist critics and convincing the public that despite the appearance of imperialism, America was in fact a force of freedom and democracy. To this end, the administration sought to characterize the annexation of the Philippines as a continuation of America’s westward continental expansion, akin to President Thomas Jefferson’s Louisiana Purchase of 1803.34 In response to Senator Hoar’s argument that annexation of the Philippines was unprecedented (in that the islands were densely populated by over seven million non-white inhabitants), Senator Orville Platt rebutted, “[W]hat did we do with the Indians of this country?

31 Senator Lodge on the Philippine Islands, U.S. Senate, Congressional Record, 56th Cong., 1st sess. (7 March 1900), p. 2617. For his entire argument, see pp. 2616-30.
32 Senator Beveridge on policy regarding the Philippines, Congressional Record, 56th Cong., 1st sess. (9 January 1900), p. 709.
33 According to James Rusling, McKinley said the following to a delegation of Methodist Church leaders on November 21, 1899: “When I next realized that the Philippines had dropped into our laps I confess I did not know what to do with them. … And one night late it came to me this way—I don’t know how it was, but it came: (1) That we could not give them back to Spain—that would be cowardly and dishonorable; (2) that we could not turn them over to France and Germany—our commercial rivals in the Orient—that would be bad business and discreditable; (3) that we could not leave them to themselves—they were unfit for self-government—and they would soon have anarchy and misrule over there worse than Spain’s was; and (4) that there was nothing left for us to do but to take them all, and to educate the Filipinos, and uplift and civilize and Christianize them, and by God’s grace do the very best we could by them, as our fellow-men for whom Christ also died. And then I went to bed, and went to sleep, and slept soundly, and the next morning I sent for the chief engineer of the War Department (our map-maker), and I told him to put the Philippines on the map of the United States (pointing to a large map on the wall of his office), and there they are, and there they will stay while I am President!” See James F. Rusling, “Interview with President William McKinley,” The Christian Advocate 22 January 1903: 17.
34 This argument, while presented by various Republican senators, was most clearly articulated by Orville Platt of Connecticut, who was considered to be among the best legal minds in the Senate by his peers. For his argument, see Senator Platt on acquisition of territory, U.S. Senate, Congressional Record, 55th Cong., 3d sess. (19 December 1898): 287-97.
… We found here a continent in the hands of the Indians, aborigines, who did not want us to come here, who did not want to be governed by us without their consent, and with them incapable of consenting, we have nevertheless, gone on and legislated for them and governed them …”35 The literal application of the anti-imperialist doctrine that no people may be governed without their consent would have “turned back the Mayflower from our coast and would have prevented our expansion westward to the Pacific Ocean.”36

Furthermore, the anti-imperialists’ interpretation of the Declaration of Independence was not based on an accurate reading of history. Lodge asked his esteemed colleagues, “Upon whose consent did [the Declaration of Independence] rest?”—certainly not those of African descent, women, or minors, for none of them had possessed the right to vote. Not all white adult males consented to the Declaration either, for many Americans had fought on the side of Britain. “From this it follows that the consent of the governed is a phrase which represents a great and just principle, but which in practice must have its existence determined by actual facts and conditions, and is not to be ascertained merely by voting or in any other way.”37 Even Senator Henry Teller, who had but a year ago spearheaded a resolution preventing the annexation of Cuba, agreed: “There is no government in the world, and there never has been one, founded upon a strict observance of [the principle of the consent of the governed], and there can not be. … Because the interests of the few must give way to the interests of the great mass; because it might be dangerous to the body politic to allow a certain class to participate in the affairs of the

36 Ibid.
37 Senator Lodge on the Philippine Islands, U.S. Senate, Congressional Record, 56th Cong., 1st sess. (7 March 1900), p. 2618.
government.”38 Here again, the widely held belief that Aguinaldo lacked the sympathy of the majority of the Filipinos proved critical in justifying annexation.

If Americans were to be true to the vision of the Founding Fathers, expansionists argued, they had no choice but to follow Jefferson’s expansionist program, and extend America’s democratic principles and republican institutions to the seven million Filipino souls, who had previously known only despotism and oppression. Since the Filipinos were not ready for self-government, to leave them to their own devices would be an act of cowardice and an abandonment of America’s God-given duty.39 Platt thus asserted to his fellow senators:

I believe in Providence. … I believe the same force was behind our army at Santiago and our ships in Manila Bay that was behind the landing of the Pilgrims on Plymouth Rock. I believe that we have been chosen to carry on and to carry forward this great work of uplifting humanity on earth. From the time of the landing on Plymouth Rock in the spirit of the Declaration of Independence, in the spirit of the Constitution, believing that all men are equal and endowed by their Creator with inalienable rights, believing that governments derive their just powers from the consent of the governed, we have spread that civilization across the continent until it stood at the Pacific Ocean looking ever westward.40

In this way, McKinley and his allies in the Senate successfully turned the table on the anti-imperialists. Extension of American sovereignty into the Philippine Islands was not an act of imperialism, but one of emancipation; America was not building an empire, but rather, spreading republicanism. Soon after the passage of the Treaty of Paris on February 6 (which ratified America’s “purchase” of the Philippines from Spain), McKinley traveled to Boston—the home of the anti-imperialist movement—and stated to an enthusiastic audience, “No imperial designs

38 Senator Teller on acquisition of territory, U.S. Senate, Congressional Record, 55th Cong., 3d sess. (20 December 1898), p. 328. For his entire argument, see pp. 325-30.
39 Senator Lodge on the Philippine Islands, U.S. Senate, Congressional Record, 56th Cong., 1st sess. (7 March 1900), p. 2620.
lurk in the American mind. They are alien to American sentiment, thought, and purpose.” What
his administration had done was to “commit the free and enfranchised Filipinos to the guiding
hand and the liberalizing influences, the generous sympathies, the uplifting education, not of
their American masters, but of their American emancipators.”

Having thus committed the United States to the building of a Filipino nation-state, it was
up to McKinley’s advisers to devise a plan for carrying out the “civilizing mission.” Chosen to
undertake this arduous assignment was Elihu Root, who was appointed the Secretary of War in
August 1899. Root’s selection for the portfolio took the public by surprise, given Root’s
background as a corporate lawyer. But in Root, McKinley saw exactly the type of man he would
need to move forward: Root’s skills as a lawyer would not only be useful in defending the
administration’s Philippine policy against the public, but he also possessed the legal training and
knowledge to lay the foundation for a governance structure over the colonial possessions.

First, Root was to examine the constitutional question regarding the newly annexed territories and to
present the administration’s case to the Supreme Court. Root persuasively argued that the United
States, as a sovereign state, possessed the inherent right to annex new territories, but since the
Constitution could only be promulgated for new territories through an act of Congress, the
inhabitants of these “unincorporated” territories had no automatic claim to the legal rights
provided by the Constitution. Second, Root was tasked with the establishment of a permanent
system, within Washington, for administrating the unincorporated territories. The result,

41 William McKinley, “Speech at Dinner of the Home Market Club, 16 February 1899,” in William McKinley,
Speeches and Addresses of William McKinley, from March 1, 1897 to May 30, 1900 (New York: Doubleday and
42 Root’s skills in defending the administration against anti-imperialist critics were vividly displayed on the
campaign trail, where Root acted as the administration’s primary spokesman regarding the Philippines issue. See,
for example, “Address of the Secretary of War, at Canton, Ohio, October 23, 1900,” in Elihu Root, The Military and
Colonial Policy of the United States: Addresses and Reports, ed. Robert Bacon and James Brown Scott (Cambridge,
MA: Harvard University Press, 1916): 27-64. See also Philip C. Jessup, Elihu Root (New York: Dodd, Mead and
43 Leech, In the Days of McKinley, p. 387.
discussed below, was the creation of the Bureau of Insular Affairs within the Department of War. 44 Third, McKinley instructed Root to devise a plan for the government of the islands. 45 After months of study and investigation, Root’s plan for governing the Philippines was presented to the American public as the “Instruction of the President of April 7, 1900, to the Secretary of War.”46 While this document lacked a profound title, and even obscured its true author, it came to be regarded as the “Magna Charta given to the Philippine people.”47

Although Root’s Instructions were deliberately vague on some points, in three key areas he clearly laid out the priorities of the McKinley administration, and provided detailed direction as to the institutions he expected to establish in the archipelago. First, the Philippines was to have a decentralized political structure. Following the “example of the distribution of the powers between the States and the National Government of the United States,” the Instructions mandated that the central government of the Philippine Islands “shall have no direct administration except of matters of purely general concern, and shall have only such supervision and control over local government as may be necessary to secure and enforce faithful and efficient administration by local officers.”48 Second, it was the responsibility of the American administration to protect the life, liberty, and, in particular, property of the Filipinos. Recognizing how disputes in land ownership between Spanish land-owning Catholic orders, Filipino landlord elites, and peasants were breeding rural unrest, Root instructed the colonial government to make a thorough

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45 According to Philippine Vice-Governor (and later Governor-General) Luke E. Wright, “From the beginning we have experienced the benefits of [Root’s] counsel and direction and have appreciated the fact that he was, more than any other man in the United States, master of the Philippine question.” Luke E. Wright to Henry T. Allen, 20 February 1902, Folder 1, Box 2, Clarence Ransom Edwards Papers, Massachusetts Historical Society, Boston.
47 These were the words used to describe the document by Clarence Edwards, the first Chief of the Bureau of Insular Affairs. Edwards, “The Work of the Bureau of Insular Affairs,” p. 247.
investigation “into the justice of the claims and complaints made against such landholders by the people of the Islands, or any part of the people, and to seek by wise and peaceable measure a just settlement of the controversies and redress of the wrongs which have caused strife and bloodshed in the past.” Root’s solution to settling land disputes was distinctly conservative, reflecting ideological currents of the time. In accordance to the “principle of our own Government,” disputes over land were to be resolved through “due process of law,” rather than by the colonial state. Land redistribution was out of the question; if struggling peasants felt that their land had been unjustly usurped by powerful landed elites prior to American occupation, it was up to them to take the matter to court and fight for their claims. Finally, Root instructed that it was the duty of the colonial administration to establish a secular education system in the islands. “In doing this,” Root wrote, “[American reformers] should regard as of first importance the extension of a system of primary education which shall be free to all, and which shall tend to fit the people for the duties of citizenship and for the ordinary avocations of a civilized community.” English was to be the medium of that education.

The reason why this document, which came with no legal authority (as would an Act of Congress), had such a constraining effect on American state-building efforts in the Philippines was because it came to be used as a potent campaign tool by McKinley and his cabinet, as well as by successive Republican administrations. Although the document made assurances and guarantees (at least in rhetoric) to the Filipinos regarding their rights and duties, it was primarily a promise to the American public that the U.S. Government had only benevolent intentions in the Philippine Islands. When the document was presented, the war in the Philippines, which was supposed to have lasted only a matter of months, was dragging on, and the administration’s

49 Ibid., p. 489.
50 Ibid.
claim that the vast majority of Filipinos desired American sovereignty sounded less credible as the body count increased and news of both Filipino and American atrocities reached the yellow press. Indeed, it was Root’s primary duty (as the administration’s “defense lawyer”) to sell the war of conquest against Filipino revolutionaries to the American public. The “benevolent” Instruction, along with frequent reports from William Howard Taft (who was sent by McKinley to the archipelago in April 1900 to implement the administration’s state-building strategy) that the military situation was going well, were Root’s primary weapons against his anti-imperialist critics. He reasoned (correctly) that it would be difficult for the Democrats to call for an immediate end to the occupation when victory against Filipino “insurgents” seemed so close, and when the objective of the occupation was unambiguously framed as to provide the Filipino people with a just and democratic system of government. Hence, any deviation from his Instructions on the part of the colonial administration could not be tolerated, as it would provide Democrats the opportunity to reveal the administration and its allies as imperialists in disguise.51

51 For Taft’s many correspondences to Root on the matter of the war effort, see Reel 640, William Howard Taft, Papers: 1890-1930 (Washington, D.C.: Library of Congress, 1969). In particular, see Taft to Root, 14 July 1900, 18 August 1900, 23 August 1900, 31 August 1900, and 10 October 1900. See also Taft to Root, 21 August 1900, Folder 15, Box 1, Edwards Papers. On the administration’s aggressive efforts to spin the progress of the war in a positive light, see Edwards to Taft, 17 August 1900, Folder 15, Box 1, Edwards Papers; Edwards to “John,” 27 September 1900, Folder 16, Box 1, Edwards Papers; Root, “Address of the Secretary of War, at Canton, Ohio, October 23, 1900” in Root, The Military and Colonial Policy of the United States; Taft to Root, 31 October 1900, Reel 463, Taft, Papers.

52 For example, following the November 1900 presidential election, Root continued to press the Taft Commission to proceed with the transfer of provinces from military to civil control in order to prevent the American presence in the Philippines from being characterized and criticized as cruel and oppressive. Hence, even those districts where security conditions did not necessarily permit the transfer to civilian hands were thus demilitarized. For example, Vice-Governor Wright wrote to Harry H. Bandholtz (civil governor of Tayabas), “I quite understand the difficulties under which you labor with reference to Principe and Infanta. It is of course not expected that you shall do the impossible, but only the best you can. These districts were added to your province more for the purpose of putting all the territory of the islands under civil government preparatory to the issuing of the amnesty proclamation than for any other reason, and in this matter we were acting under instructions from the Secretary of War” [emphasis mine] (1). Wright to Harry H. Bandholtz, 11 August 1902, Section 1907-1908, Reel 7, Harry H. Bandholtz Papers, Bentley Historical Library, University of Michigan, Ann Arbor. For an illustration of how Congressional questioning of American atrocities led Root to hurry the process of establishing civil government throughout the islands, see Wright to Taft, 19 April 1902, Reel 36, Taft, Papers; Taft to Wright, 6 May 1902, Reel 36, Taft, Papers; Root to Taft, 9 June 1902, Reel 36, Taft, Papers.
Largely as a result of this effort to portray themselves as the true defenders of republican principles, Republicans not only secured Senate confirmation of the Philippine annexation in 1899, but moreover, they transformed the 1900 presidential election from a fight over imperialism to an affirmation of America’s duty to spread civilization to the Philippine Islands. The enthusiasm that greeted President McKinley in October 1899 as he toured the battleground states of the mid-West was palpable; deafening were the cheers and the ovation he received when he spoke of the sacrifices of American soldiers in the Philippines and of America’s responsibility in enlightening the Filipino people.\(^53\) It was clear to both Republicans and Democrats that Philippine annexation and the civilizing mission were now a winning cause for McKinley. Consequently, although William Jennings Bryan (the Democratic candidate) had initially sought to make imperialism a paramount issue in the campaign, he had little choice but to abandon it.\(^54\) Even the official Democratic platform now favored limited retention of the archipelago.\(^55\) The primary difference, then, between the two parties was that while the Democrats explicitly guaranteed independence after a period of direct American administration and tutelage, Republicans promised this implicitly through their rhetoric of preparing the Filipinos for self-government. The “great debate” over imperialism was thus over even before the results to the 1900 presidential election were known. The policy of assimilating Filipinos into America’s own republican image emerged triumphantly as the national consensus.

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\(^{53}\) Opinion polls did not exist at this time, so it is not possible to accurately gauge the degree to which the American electorate supported annexation. The best indication of public sentiment comes from descriptions of audience reactions to speeches given by candidates. See McKinley, *Speeches and Addresses of William McKinley*, pp. 226-346.


3. From Conquest to Collaboration: Emergence of a Dualistic System of Local Governance

Root was indeed a master manipulator of information, as he selectively presented to the American public the optimistic reports of Taft, while hiding the more pessimistic assessments that were coming in from his generals. Nonetheless, it is likely that Root and other members of the McKinley cabinet truly believed that the transformation of the Philippine Islands in the American image was an achievable goal. After all, this was the conclusion reached by Jacob Schurman and his fact-finding mission, which was dispatched in early 1899 by McKinley to investigate the conditions in the archipelago. The problem, however, was that Schurman and his Commission’s conclusions were largely incorrect, as they were made when the United States had little understanding of the situation on the ground. In early 1899, when the Commission was conducting its investigation, the offensive against Aguinaldo and his revolutionary army had barely begun. The focus of Maj. Gen. Elwell Otis (commander of the Division of the Philippines from August 1898 to May 1900) was on defeating Aguinaldo’s forces in the field, rather than in occupying and controlling territory outside of Manila (which the United States had occupied since the summer of 1898). As such, the prevailing political conditions of the provinces were unknown to the Americans, other than through testimonies of Filipino collaborators.

Unfortunately, those elites whom the Americans found trustworthy and related most closely to—that is, the highly educated and Europeanized urban notables of Manila, known as

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57 A thorough discussion of the Schurman Commission can be found in Kenneth E. Hendrickson, Jr., “Reluctant Expansionist: Jacob Gould Schurman and the Philippine Question,” *The Pacific Historical Review* 36.4 (1967): 405-21. An account of the activities of the Schurman Commission, as well as the interaction among commissioners, is described in detail by Commissioner Dean C. Worcester in letters to his wife. See Vol. 16, Worcester Papers, Special Collections Library. Other than Schurman, who was President of Cornell University and a known anti-imperialist, the Commission included Otis, Dewey, Charles Denby (former U.S. Minister to China), and Worcester (a zoologist from University of Michigan with prior experience in the Philippines).
the ilustrado—were hardly representative of the entire Filipino elite stratum. Indeed, it was precisely because many of them lacked political power (despite their wealth and education) that they became the most enthusiastic supporters of American rule. They hoped that by collaborating with the American regime, they would finally obtain the power and prestige that had long eluded them under Spanish rule. To this end, the ilustrados helped establish three myths (some of them purposefully, some accidentally) that became the foundation upon which the Schurman Commission's erroneous report was written, and provided the assumptions undergirding America’s initial pacification efforts and institution-building strategy.

First, based on testimonies of ilustrado elites, the Commission reported to Root that the greatest evil of the Spanish system was centralized despotism. As a result of excessive centralization, “[t]he local institutions of the archipelago had fallen into such decay and confusion that their several members were atrophied and useless, if not indeed transformed into instruments of corruption.” Where once municipal offices were sought “as the highest honor,” they had “degenerated into base, ignoble, and odious charges which no self-respecting man would voluntarily accept.” The problem, the Commission explained, was that because Spanish governors could admonish, fine, or suspend Filipino municipal officials at will, these officials had little incentive to undertake “vigorous initiative in office.” Rather than working for the benefit of the townspeople, the municipal mayor was “in truth a political representative of the general government [in Manila] and, as it were, an arbitrary governor of the town.”

Consequently, the surest way to transform the Philippines into a democracy was to devolve political power to the localities and empower those respectable Filipino elites that had previously refused to serve as servants of the despotic Spanish regime.

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However contrary to the Commission’s depiction of the position of gobernadorcillo (municipal mayor) as desired only by petty crooks, it was in fact hotly contested among rival Filipino elite factions. After all, the gobernadorcillo was at once a judge and the highest-ranking administrator in a township government. His duties were numerous, and included collection of taxes, supervision of public works projects (including the allocation of covée labor), trial of minor civil and criminal cases, investigation of more serious criminal cases (to be tried by a Spanish provincial judge), deployment of the local police force, and implementation of various ordinances and decrees of the Spanish colonial state. These various duties provided ample opportunities for self-enrichment, as well as the ability to distribute favors to allies and to punish enemies. In this way, the gobernadorcillo and other Filipino municipal officials, known as *principales*, were hardly pawns of the Spanish government, but were wielders of immense political, social, and economic authority in their own right, who enjoyed considerable local autonomy given the short reach of the Spanish colonial state. Insofar as they were “corrupt,” it was due more to the prevailing clientelistic social structure and stark economic inequality, rather than because of Spanish despotic rule. Hence, while the Spanish Governor-General in Manila was unambiguously a despot, the political system of the archipelago was more accurately one of decentralized despotism by local Filipino elites.60

The second myth, which was accepted as truth by the Schurman Commission (although through no fault of the *ilustrados*) was that “the most encouraging feature in the difficult problem we have undertaken in the Philippines is the perfect coincidence between the theory and

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practice of our government on the one hand, and the aspirations and ideals of the Filipinos on the 
other.”\textsuperscript{61} It was indeed certainly the case that \textit{ilustrados} had repeatedly expressed their desire for 
liberalizing reforms since the late nineteenth century. However, as Julian Go cogently displays in 
his analysis of \textit{ilustrado} political discourse, the meaning that they attached to terms such as 
“liberty” was different from that of American colonial reformers. When \textit{ilustrados} called for 
liberalizing reforms under the Spanish regime, they had in mind the establishment of a proper 
system of reciprocity between rulers and the ruled—that is, a mutually beneficial system of 
patron-client exchanges, where \textit{ilustrados} would serve as political representatives of the Filipino 
people. Liberty was not a matter of individual rights, but a state achieved at the communal level 
when subjects were rewarded for their loyalty and service.\textsuperscript{62} Therefore, when Americans 
introduced local elections (in 1901), as a method of practical training in democracy, it was 
terpreted by Filipino elites as recognition of their loyalty to the American regime and as 
permission to buttress their existing clientelistic networks under American auspices.\textsuperscript{63}

The third and final myth, which most significantly affected America’s pacification effort, 
was that Aguinaldo and his lieutenants had only the backing of a small minority of the Filipino 
people, and the \textit{ilustrados} were the true and natural leaders of the Filipino nation. The \textit{ilustrados} 
were in fact late participants in the 1896 Filipino Revolution into which the United States 
intervened in 1898. While Aguinaldo and other regional elites engaged in a futile struggle 
against superior Spanish forces, the \textit{ilustrados} initially remained allied to the Spanish colonial

\textsuperscript{61} Schurman, et al., \textit{Report of the Philippine Commission to the President}, vol. 1, p. 85.
regime in Manila. They had little interest in supporting a revolution that was seemingly on its path toward failure. It was only after American forces intervened in the revolution, and defeated the Spanish armada in the 1898 Battle of Manila Bay, that the *ilustrados* enthusiastically joined Aguinaldo and members of the *principalia* class to form a unified Filipino government in Malolos.\(^{64}\) If the *ilustrados* were the last to join, they were the first to defect upon learning of the annexationist intentions of the United States.\(^{65}\) Yet, even as the *ilustrados* abandoned the revolutionary cause, support for Aguinaldo did not wane among the *principales*, for Aguinaldo had successfully cultivated ties with local elites throughout the archipelago prior to the opening of hostilities between U.S. and Filipino forces in February 1899. As towns were liberated from Spanish control by the revolutionary army, municipal elections took place immediately, returning to office precisely those individuals who had held positions in local government under the Spanish. Moreover, in order to secure the support of *principales* throughout the archipelago, Aguinaldo granted them considerable autonomy in the management of municipal affairs.

Schurman and his fellow commissioners were not the only ones ignorant of the actual situation on the ground. Maj. Gen. Otis, although having served in the Philippines since summer of 1898, was also very much a victim of the general lack of information and of the deliberate misinformation of the *ilustrados*. Based on the testimonies of *ilustrado* elites, Otis’ military strategy was a combination of relentless pursuit of Aguinaldo’s conventional forces (with the aim of defeating the “Tagalog insurrection”) and of attracting the support of local elites through


display of American benevolence. Misled by the *ilustrados*, Otis came to believe that the only thing that prevented Filipino elites from accepting U.S. sovereignty was Aguinaldo’s propaganda against the American regime.\(^{66}\) Not only would the U.S. military engage and defeat Aguinaldo’s forces on the battlefield, but it would also devote equal energy to civil affairs, like building roads and bridges, enforcing hygienic codes, and providing primary education to the local population. It was hoped that through these acts, Filipinos would come to understand the benevolent intentions of the Americans, and realize that rumors of American maliciousness were untrue.\(^{67}\)

Therefore, despite objections from his field commanders, Otis dispersed his army into small garrisons throughout the archipelago, and instructed his officers to assist Filipinos in providing much needed public goods and services.\(^{68}\) Once towns were “liberated” from insurgent control, township governments were organized under military auspices and existing municipal officials were retained and embraced as partners.\(^{69}\)

As the U.S. military advanced outward from Manila, it became evident that a more coherent framework for municipal organization was needed. To this end, Otis’ first plan for local governance (drafted by Col. William Kobbé) was implemented on July 31, 1899, as General Order (G.O.) 43. The underlying assumption of G.O. 43 was that the municipal laws of the Spanish were wisely framed, but had been corruptly administered by the Spanish colonial government. Therefore, in organizing municipal governments, Spanish decrees and customs...
were to be retained as much as possible. The most important, and perhaps only, innovation of G.O. 43 was the expansion of the electorate. While under the Spanish regime, the franchise only extended to members of the *principalia*, G.O. 43 allowed for the town-at-large to elect the *presidente* (as the *gobernadorcillo* was now called). However, this liberal (and potentially socially transformative) provision was reversed when G.O. 40 (drafted by Cayetano Arellano, a prominent *ilustrado* and future Philippine Chief Justice) replaced G.O. 43 on March 29, 1900. Under G.O. 40, the electorate was limited to men over 23 years of age, who had one of the following qualifications: were municipal officeholders under the Spanish regime, paid 30 pesos in taxes annually, or were fluent in either English or Spanish. Nonetheless, while both G.O. 43 and 40 created a system of Filipino local rule, Otis did not intend to give the Filipinos a free hand in managing their affairs. U.S. military officers approved election results, supervised the conduct of municipal councils, and were authorized to organize townships without reference to either G.O. 43 or 40, if necessary. Although Otis had underestimated the degree of popular support Aguinaldo had attained, he was much too cautious, and generally distrustful of the Filipinos, to believe that they would behave according to American wishes without sufficient supervision.

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Meanwhile, the military aspect of the pacification campaign had the appearance of success by the time G.O. 40 was implemented. Aguinaldo’s conventional forces were defeated in November 1899 and insurgent activity had largely ended (for the time being) in the early months of 1900. Confident of military success, Otis handed over his command to Maj. Gen. Arthur MacArthur on May 5, 1900, and returned home to a hero’s welcome. Judging that the military campaign was largely over (based on Otis’ reports), McKinley appointed a second Philippine Commission, headed by Taft, to replace the U.S. military as the new executive and legislative body on the islands. By June, Taft and his fellow commissioners had arrived in the Philippines and reported to Secretary Root that the insurrection was practically over, except in a few Tagalog strongholds.

Nonetheless, not all U.S. military officials agreed with Otis’ sunny prognosis, and MacArthur in particular was far less sanguine. Much of Aguinaldo’s military leadership remained at large. Reports were coming in that Filipino revolutionaries were in the process of regrouping, and were preparing to intensify attacks against the American forces with the aim of swaying the outcome of the 1900 U.S. presidential election. MacArthur, nonetheless, at first clung to the hope that a display of “benevolence” could alone prove sufficient to end the war, for he understood that the American public (and hence politicians in Washington) would be uneasy with aggressive anti-insurgency measures. On June 21, 1900, MacArthur issued a “Notice of Amnesty” to Filipino insurgents as a final push for peace. However, his amnesty proclamation fell on deaf ears. Meanwhile, although there was some increase in the number of surrenders

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74 For an example of Otis’ optimistic reports, see Elwell S. Otis to Henry C. Corbin, 26 June 1899, Folder p. 124-163, Vol. 17, Worcester Papers, Special Collections Library.
76 Taft to Root, 14 July 1900, Reel 640, Taft, Papers.
79 Taft to Root, 31 November 1900, Reel 463, Taft, Papers.
following McKinley’s reelection in November, the revolutionary leadership remained committed to resisting the occupation, and sporadic ambush of American columns continued. The insurgents could not deal a serious blow to the U.S. forces, but the death toll mounted. 80

It had become abundantly apparent to MacArthur by the end of 1900 that Otis’ policy of “attraction,” in its present form, was failing. Ilustrado assurances that principales would quickly switch allegiance from Aguinaldo to the American regime were discovered to be untrue. As MacArthur reported, “[M]ost towns secretly organized complete insurgent municipal governments, to proceed simultaneously and in the same sphere as the American governments, and in many instances through the same personnel.” While cooperating with the U.S. military in the building of roads, the opening of schools, and the enforcing of hygienic codes during the day, many “pacified” towns furnished supplies and provided places of refuge for insurgents at night. “In other words,” MacArthur wrote, “the towns, regardless of the fact of American occupation and town organization, are the actual bases for all insurgent military activities.” When chased by U.S. forces, insurgents would disband, and with local assistance were “transformed into the appearance of a peaceful native ….” MacArthur came to realize that the revolutionaries were more widely supported by the Filipino people than had been imagined initially. He reasoned that it was certainly the case that many principales and villagers cooperated with the insurgents out of intimidation and the threat of assassination, “but fear as the only motive is hardly sufficient to account for the united and apparently spontaneous action of several millions of people. One traitor in each town would effectually destroy such a complex organization.” 81

On December 20, 1900 (with McKinley safely reelected), MacArthur announced his new counter-insurgency strategy; simply put, those who refused American “benevolence” would be severely punished.\textsuperscript{82} To this end, all individuals suspected of aiding the insurgency were tried by a military tribunal, and insurgents captured in civilian clothes no longer received the privileges afforded to prisoners of war.\textsuperscript{83} Since guerrilla warfare could only be sustained through the cooperation of the \textit{principales}, measures that directly threatened the wellbeing of local elites were formally sanctioned. When \textit{principales} were found aiding the insurgents, their crops were destroyed and their houses burned; they also faced the threat of imprisonment and deportation. In addition, the number of garrisons was increased from 400 before the campaign to 502 within a few months, so that security could be adequately provided to Filipino collaborators. The system of intelligence gathering was revamped, and a robust network of spies and informants was established. “Water cure” (which involved forcing gallons of water into the victim’s stomach) was now widely used to obtain information. MacArthur also increased the number of native troops (known as the Scouts) and began organizing municipal police forces to bolster the security of the garrisoned towns, and to support the Army’s intelligence operations. U.S. troops, now reaching 70,000 men in number, were continuously deployed on a relentless offensive campaign in order to exhaust and starve the guerrilla forces into submission.\textsuperscript{84}

\textsuperscript{82} For the full text of MacArthur’s December 20, 1900 proclamation, see Arthur MacArthur, \textit{Annual Report of Major General Arthur MacArthur, U.S. Army, Commanding, Division of the Philippines}, vol. 1 (Manila: [s.n.]: 1901), pp. 6-9. The anti-insurgent tactics outlined in the proclamation had already been in use by many local commanders by the time MacArthur announced its implementation. In the First District of the Department of Northern Luzon, officers had published and circulated on June 15, 1900 the sections of G.O. 100 (written in 1863) that authorized harsh treatment of spies, rebels, traitors, and prisoners of war during irregular (guerrilla) warfare. Nonetheless, MacArthur’s December 20 proclamation officially sanctioned the anti-insurgent measures already in use and allowed officers to increase pressure on the local population through measures such as reconcentration. It also had the effect of sending a strong and clear message to \textit{principales} all over the archipelago. Linn, \textit{The U.S. Army and Counterinsurgency in the Philippine War}, pp. 42-61.

\textsuperscript{83} Accordingly, in the three months following this pronouncement, 79 Filipinos were hanged.

Most controversially, the use of “reconcentration” was authorized. Under this policy, a select number of municipalities were designated as safe zones and heavily guarded by U.S. troops. All inhabitants in the region were ordered to relocate to one of the reconcentrated towns, and were allowed to leave only when accompanied by troops. Harbors were closed and all trade between municipalities ceased. Outside of the reconcentrated towns, soldiers were allowed to shoot indiscriminately at all adult males and destroy crops as they pleased. This policy not only cut off the insurgents from their source of food and shelter, but also made life unbearable for both ordinary Filipinos and *principales* alike. The mortality rate skyrocketed from lack of food and unsanitary conditions. Although clearly inhumane, the strategy proved highly effective and compelled both insurgents and their *principales* supporters to yearn for peace.\textsuperscript{85}

On March 15, 1901, the United States scored its first and most important victory in the counter-insurgency campaign when Mariano Trias (commander of revolutionary forces in the Tagalog heartland of Southern Luzon) came to terms with the United States, thus triggering a rush of insurgent surrenders, as seen in Figure 1. Aguinaldo’s capture on March 28 delivered a further blow to the insurgency. Soon thereafter, Manuel Tinio in northern Luzon (April 29), Juan Cailles in Laguna (June 24), Vito Belarmino in Albay (July 4), and Juan Climaco in Cebu (September 26) laid down their arms.\textsuperscript{86} By the end of 1901, the only major military commanders left in the field were Vicente Lukbán in Samar and Miguel Malvar in Batangas. Lukbán, widely known and feared for orchestrating the annihilation of the 74-man garrison in Balangiga, was the

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first to capitulate. Sick and malnourished, he was captured on February 18, 1902.87 Malvar and his men survived several more months of battering by Brig. Gen. J. Franklin Bell (who, as the Army’s most skilled counter-insurgency tactician, was transferred from his command in northern Luzon to Batangas), but with his soldiers starving, his ammunition depleted, his wife ill with a newborn child, and his people crammed into disease-ridden reconcentrated towns, Malvar finally surrendered on April 16.88 Although sporadic fighting continued for the next few years, the Filipino-American War was practically over with more than 4,000 Americans and an estimated 50,000 Filipino soldiers dead.89

Figure 1: Insurgent Surrenders, May 1900 to May 1901

Source: Arthur MacArthur, *Annual Report of Major General Arthur MacArthur, U.S. Army, Commanding, Division of the Philippines*, vol. 1 (Manila: [s.n.], 1901), pp. 77-85. Data does not include small surrenders or instances when the names of surrendering officers were not given.

The problem with MacArthur’s counter-insurgency success, however, was that it did not follow the accepted storyline of Republican policymakers back in Washington. Filipinos were

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89 Kramer, *The Blood of Government*, p. 157. This figure does not include the countless Filipino civilian deaths.
supposed to have welcomed Americans as liberators and emancipators, not resisted them to the point of needing to be coerced into submission. Everything MacArthur and his men learned in the course of the military campaign was therefore to be purposefully forgotten, so that the myths eloquently articulated by Lodge and Beveridge in the halls of Congress, substantiated by Schurman’s investigative commission, and encapsulated in Root’s Instructions to Taft could be maintained. When U.S. lives were no longer at stake, it again became permissible to invent convenient truths that appealed to U.S. domestic politics, rather than to face harsh realities on the ground. Draconian counter-insurgency tactics were needed to subdue Filipino revolutionaries, because Aguinaldo’s “insurrection” was in fact a widely supported independence movement, and because Filipino elites had little interest in welcoming America’s “civilizing mission.” Yet, the account presented by the Republican administration (now led by President Roosevelt after McKinley’s assassination) and its allies was that the insurgent army led by Aguinaldo prolonged the insurrection by terrorizing the Filipino people into cooperation. Since Aguinaldo and his men had largely been captured or killed, liberated Filipinos could express their “true” preference for American benevolent rule. It was now up to Taft, as the Republican administration’s loyal representative in the archipelago, to make sure that America’s state-building mission would at least take on the appearance of this preferred reality.

First, and most consequentially, Taft undid the delicate balance of autonomy and supervision Otis and MacArthur had constructed in Filipino municipalities by extricating military involvement in civil affairs. Although MacArthur had hoped that heavy military presence in the archipelago would continue for the foreseeable future in order to consolidate
American rule, this proposition proved simply untenable in Washington. The Army Bill of February 1899, which created a 65,000-strong regular army, as well as a 35,000-men volunteer army for service in the Philippines, had generated considerable debate among senators across party lines. Senator George Vest, most prominently, noted how strange it was that if U.S. forces were in the Philippines as liberators and emancipators (as argued by the administration and its allies just a few weeks prior), the President would need “100,000 missionaries with rifles to shoot his good resolution into effect.” Ultimately, the bill passed 55 to 13, but it was not without a crucial amendment by Senator Francis Cockrell making the enlargement of the army into a temporary measure to expire in July 1901. When a new army bill was introduced in early 1901 (to replace the 1899 bill), members from both the House and Senate again wondered why such a large army was needed.

Hence, it was clear to the administration that political necessities demanded that the de-escalation of U.S. military involvement in the islands happen sooner rather than later. The administration could not keep asking Congress for more troops if it was to effectively hold anti-imperialist challenges at bay. Enough forces would be supplied to American generals for their military campaign, but the army would not be available to play a role in governing the “pacified” regions of the archipelago. Any hint of coercive military rule was out of the question if domestic support for the occupation was to be maintained. Consequently, as early as February 26, 1901 (that is, even before the surrender of prominent “insurrecto” generals), Root made it clear to

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90 For an account of the dispute between MacArthur and Taft on the establishment of civil rule, see Ralph Eldin Minger, “Taft, MacArthur, and the Establishment of Civil Government in the Philippines,” Ohio Historical Quarterly 70.4 (1961): 308-31. Note that this article is heavily biased in supporting Taft’s perspective on the matter.
92 Ibid.
93 Frank Hindman Golay, Face of Empire: United States-Philippine Relations, 1898-1946 (Madison: Center for Southeast Asian Studies, University of Wisconsin, 1998), p. 70. The new Army Bill created a regular force with a minimum size of approximately 50,000 men and a maximum of 100,000. Revealingly, as soon as the American-Filipino War was declared to be over, President Roosevelt ordered to fix U.S. military strength at the 1901 bill’s minimum of 56,989. “Reduction of the Army,” New York Times 25 October 1902: 8.
Maj. Gen. Adna Chaffee (who was to succeed MacArthur later in the year) that it was his
intention to establish civil (colonial) government under Taft as quickly as possible “because we
wish the army to avoid the prejudice which always arises when military government is too long
continued, and because we want to get the Army out of the governing business and get its
officers back to the performance of their proper function as soldiers.”94 As reports of atrocities
by U.S. military personnel against Filipino civilians filled the press, and as inquiries regarding
American (mis)conduct in the archipelago were demanded by Congressmen, Root understood
that the patience of the American public was quickly running out.95

Operating under Root’s Instructions, Taft and his fellow members of the Second
Philippine Commission immediately took to the task of drafting new laws for the organization of
local governments, once legislative duties were transferred from MacArthur’s military regime to
the Taft Commission in September 1900.96 The act for the organization of municipal government
(completed in January 1901) was far more detailed than G.O. 40, specifying various rights and

94 Root to Chaffee, 26 February 1901, Reel 640, Taft, Papers.
95 For reports of abuses by military officers, see George K. Hunter to Taft, 16 May 1900 and 4 June 1900, Reel 30,
Taft, Papers. For Taft and Root on their policy of removing U.S. military officers from civil affairs, see Taft to
Root, 11 August 1900, Reel 640, Taft, Papers; Taft to John C. Spooner, 3 September 1900, Reel 31, Taft, Papers;
Taft to David B. Henderson, 30 October 1900, Reel 31, Taft, Papers; Taft to Henry Cabot Lodge, 7 January 1901,
Reel 31, Taft, Papers; Root to Taft, 21 January 1901, Reel 640, Taft, Papers; Root to McKinley, 24 January 1901,
Reel 640, Taft, Papers; Root to Adna Chaffee, 25 February 1901, Reel 640, Taft, Papers; Taft to Root, 12 April
1901, Reel 32, Taft, Papers; Taft to Root, 2 August 1901, Reel 464, Taft, Papers. Congressional hearings regarding
U.S. military conduct in the archipelago were eventually held in 1902. For excerpts from the hearings pertaining
specifically to the issue of U.S. atrocities, see Graff, ed., American Imperialism and the Philippine Insurrection. The
1902 hearings covered many other topics and include testimonies by all of the major players who were involved in
the pacification and institution-building efforts up to that point. All of these testimonies, along with various
documents presented as evidence, can be found in U.S. Senate Committee on the Philippines, Affairs in the
Philippine Islands: Hearings before the Committee on the Philippines of the United States Senate
96 The Philippine Commission operated as the sole law-making body of the U.S. colonial government before the
inauguration of the Philippine Assembly in 1907. Thereafter, the Commission (with an American majority)
functioned as the upper house, while the all-Filipino Assembly became the lower house of parliament. The
Commission was initially comprised of Taft, Luke Wright (former attorney-general of Tennessee), Henry Ide
(former supreme court justice of Samoa), Bernard Moses (professor of Spanish history at U.C. Berkeley),
Worcester, and three Ilustrados belonging to the newly created (in December 1900) and pro-American Federal
Party. The Filipino members of the Commission were: Benito Legarda, Jose R. de Luzuriaga, and T. H. Pardo de
Tavera. On the founding of the Federal Party, see Cullinane, Ilustrado Politics, pp. 60-64; Stanley, A Nation in the
Making, pp. 68-72.
The duties of the presidente and the municipal council under the new system. Comprised of nine chapters and one-hundred and five sections, the act described the lawful process through which presidentes were to be elected (largely following the system under G.O. 40), the duties of the presidente, the type of taxes that should be collected and the ends to which they should be used, and how the finance of the municipalities should be maintained and audited, among other topics. The act even came with an appendix listing all of the official forms presidentes and municipal councils were expected to fill out and submit to higher authorities as they performed their duties.

The passage of this act was followed by an act for the organization of provincial governments that, while a much shorter document with “only” twenty-three sections, was still far more complex than any previous legislation designed to set up a system of governance in the islands.97

The primary difference between this new system of local and provincial government in comparison to the system under the U.S. military (other than their sheer length and complexity), was that supervision over municipal governments was to be conducted entirely at the provincial level by the governor and the provincial board. It was the duty of the governors (many of whom were Filipino) to tour municipalities under their jurisdiction every year in order to ascertain that local officials were performing their duties as mandated by law. Meanwhile, provincial treasurers (who were all initially American) were to make sure that the finances of each municipality were in sound condition. This was in stark contrast to the local governmental system under the U.S. military, where commanders of the 500-some garrisons kept a close and constant eye on the performance of presidentes and municipal councils.98 Under the new system, clear instances of corruption and electoral fraud were certainly punished by American authorities in Manila, but

97 These acts can be found as Act No. 83 and 84 in Division of Insular Affairs, Public Laws and Resolutions Passed by the United States Philippine Commission (Washington, D.C.: GPO, 1901), pp. 133-77.
98 For a review of the system of local government from the Spanish to the American era, see José P. Laurel, Local Government in the Philippine Islands (Manila: La Pilarica Press, 1926).
without direct intervention by U.S. officials, it was difficult to compel local elites to enforce new American rules and regulations in education, road maintenance, health and hygiene, and such. In this way, outside of Manila and the principal cities of major provinces, Filipinos were largely left to their own devices. While Americans dominated policymaking in Manila, Filipinos were now fully in control of their own hearts and minds everywhere else in the archipelago. 99

Consequently, the new governance system of the American regime (especially at the municipal level) came to be characterized by a dualistic institutional order, where the way in which Filipino elites actually behaved had little resemblance to how they were supposed to act under the newly instituted laws and regulations. The new municipal and provincial acts were certainly popular among the principalia class (for it assured them significant local autonomy), but as these laws were designed without any appreciation of the prevailing clientelistic social order (where completing cliques of landed elites ruled as petty despots over dependent peasants), they hardly functioned as intended by American colonial officials. Simply parachuting in a new set of “enlightened” laws was not about to change the entrenched system of clientelistic rule. More than anything else, the new laws simply became a method through which Americans could belittle the political competence of Filipino elites by applying a standard of efficient and upstanding political behavior that did not even exist in American cities (with their political bosses and gangs) at the time. 100


100 In an effort to differentiate “bossism” that existed in American cities with the prevailing system of clientelism in the Philippines, colonial officials determined that what they observed in the archipelago was a distinctly Filipino system called “caciquism.” According to James LeRoy (a scholar-administrator, who served as Taft’s personal secretary in the Philippines), caciquism could be best understood in the following manner: “Imagine a rural community, secure in the political dominion of one selectman, or of one or two families of selectmen, and at the social wink and nod of the unofficial manor-house; but picture that sort of local leadership set in a community where only two, four, or twelve families out of a population of ten thousand or more live in stone houses with wood floors.
4. The Occupational Administration as a Subordinated Agent

It did not take long for Taft and fellow American Commissioners to realize that their system of local rule, which they had established with such haste in 1901, was not functioning as intended. For example, as shown in Table 1, fifty to sixty cases of fraud, negligence of duty, abuse of authority, and other major and minor crimes were charged against presidentes on a yearly basis between 1904 and 1913. While already a high number (given that there were approximately seven to eight hundred local governments), this likely represented only a small fraction of the actual abuses that took place, for the type of acts considered illegal by American authorities were often accepted as a fact of life by Filipinos. The widespread practice of collecting “voluntary contributions” is a case in point. While these contributions were ostensibly collected to provide for public goods and services, much of it ended up in the pockets of the presidentes. Peasants, nonetheless, made these contributions dutifully, as a similar form of informal taxation was levied during the Spanish period. Furthermore, while municipalities were given responsibility for providing primary and intermediate education, American colonial agents quickly discovered that this was beyond their means. Municipalities also failed to provide safe roads, thereby hampering commercial activity. Finally, presidentes showed little desire or aptitude for enforcing sanitary codes, even after the devastating cholera epidemic of

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and the rest in cane shacks, dependent upon those above them for employment, or a piece of land to till, or the money advances inevitably needed each year to till it; finally, transfer your manor to the tropics, where fertility of soil and enervation of climate breed laziness and inertia, above and below in society, and you may have some conception of what caciquism is in Philippine village life.” James A. LeRoy, *Philippine Life in Town and Country* (New York: G. P. Putnam’s Sons, 1905), pp. 172-73.

101 Cullinane, “Implementing the ‘New Order,’” pp. 54-55. For more data on abuses by municipal officials, see pp. 52-53, 56-58.


1902-1904 had demonstrated the need for such. In sum, as Glenn Anthony May writes, “From the outset, the experiment in political education appeared to founder, and what foundered most of all was the attempt to establish efficient municipal governments.”

Table 1: Charges Brought Against Municipal and Township Officials, 1904-1913

<table>
<thead>
<tr>
<th>Year</th>
<th>Charges against Presidentes</th>
<th>Charges against all local officials</th>
<th>No. of municipal and township governments</th>
<th>No. of municipal and township officers</th>
</tr>
</thead>
<tbody>
<tr>
<td>1904</td>
<td>58</td>
<td>186</td>
<td>706</td>
<td>11,333</td>
</tr>
<tr>
<td>1905</td>
<td>51</td>
<td>203</td>
<td>651</td>
<td>10,783</td>
</tr>
<tr>
<td>1906</td>
<td>55</td>
<td>212</td>
<td>679</td>
<td>10,842</td>
</tr>
<tr>
<td>1907</td>
<td>NA</td>
<td>182</td>
<td>695</td>
<td>10,842</td>
</tr>
<tr>
<td>1908</td>
<td>NA</td>
<td>318</td>
<td>720</td>
<td>11,438</td>
</tr>
<tr>
<td>1909</td>
<td>64</td>
<td>321</td>
<td>762</td>
<td>12,356</td>
</tr>
<tr>
<td>1910</td>
<td>67</td>
<td>338</td>
<td>789</td>
<td>12,519</td>
</tr>
<tr>
<td>1911</td>
<td>54</td>
<td>252</td>
<td>NA</td>
<td>12,793</td>
</tr>
<tr>
<td>1912</td>
<td>51</td>
<td>230</td>
<td>808</td>
<td>12,315</td>
</tr>
<tr>
<td>1913</td>
<td>50</td>
<td>152</td>
<td>825</td>
<td>13,435</td>
</tr>
</tbody>
</table>


As a remedy to this situation, the Commission undertook a series of reforms starting in 1903. First, municipal treasurers were made members of the civil service, to be appointed by the American provincial treasurer. Provincial boards were also given the duty to review municipal ordinances and annul any acts by the municipal government found detrimental to American interests. Meanwhile, Manila’s control over provincial governments was strengthened by giving the Executive Bureau (which had the dual role of the Governor-General’s secretariat and the

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105 Commissioner Dean Worcester noted, “Towns which had temporarily been put in decent sanitary conditions [following the epidemic] relapsed to their original state of uncleanness … A large majority [of the presidentes] apparently viewed the situation with complete indifference contenting themselves with making … the inspection trips required by law without any real, determined effort to improve sanitary conditions.” Dean C. Worcester, A History of Asiatic Cholera in the Philippine Islands (Manila: Bureau of Printing, 1908), p. 94.

106 May, Social Engineering in the Philippines, pp. 41-42.
interior ministry) the authority to review all legislation passed by provincial boards, as well as
the task of investigating and punishing suspected acts of corruption and electoral fraud. Most
importantly, in 1905, the duty of supervising provincial treasurers was transferred from the
Insular Treasurer to the Executive Bureau to streamline Manila’s control over local government.
Yet, despite these efforts, there was a limit to what the one or two Americans within the
provincial boards (lacking in both resources and information) could do to adequately monitor
and supervise the conduct of the presidentes and their associates. While the Executive Bureau
could ascertain whether or not the laws passed by provincial governments (as well as municipal
councils) accorded with those passed by the Philippine Commission, the bureau did not have the
manpower to actually inspect whether local officials acted in compliance with these laws.107
Frustrated with its inability to compel Filipino compliance to new rules and regulations, the
Commission ultimately decided to transfer key functions from municipalities and provincial
governments to local branches of the central bureaucracy starting in 1906. Maintenance of both
public works and public health thus became the duty of respective American district officers of
the Bureau of Public Works and Bureau of Health.108 Although the financing of primary
education was initially seen as a rightful responsibility of municipal governments, it was now
almost entirely undertaken by Manila.109

To some extent, these centralizing reforms were effective: superior roads were being built
by the Bureau of Public Works, and the Bureau of Health did a better job at controlling the
spread of cholera than did the provincial governments. However, none of these reforms actually

109 While township governments in the United States were responsible for approximately seventy-three percent of
the total educational expenditure in 1913, the figure was less than fourteen percent in the Philippines (where it was
supposedly modeled on the American system). Board of Educational Survey, A Survey of the Educational System of
the Philippine Islands (Manila: Bureau of Printing, 1925), p. 588.
addressed the root problem of the new institutional order—namely, the existence of a dualistic system of formal American institutions co-existing alongside, but not interacting with, informal Filipino ones. In effect, U.S. colonial reformers simply abandoned their efforts to improve local governance, and instead focused their energies on directly providing public goods and services to a small segment of the Filipino population. As long as new roads, schools, and hospitals were being built, the colonial administration could report to the Secretary of War and Congress that the United States was indeed governing over the Filipinos with “benevolence.”

In order to have truly tackled the problem of local governance by uprooting corruption and punishing misconduct by municipal officials, the colonial administration would have had to significantly curtail Filipino local autonomy and place elected Filipino municipal officials under direct American supervision. However, even if such a policy were feasible, it would have been politically and ideologically unacceptable to policymakers in Washington. Such actions would have transformed (or at least appeared to transform) America into a European-style empire by replacing “benevolence” with naked coercion. On the other hand, to have recognized clientelism as a key characteristic of Filipino politics, and to have created a more coherent institutional structure by directly linking new American political institutions with existing Filipino ones was impermissible. If the “uncivilized” ways of the Filipinos were legitimated,

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111 For example, see Governor-General Forbes’ “Progress Barometer” in Forbes, *The Philippine Islands*, vol. 2, pp. 459-66.

112 Clymer, “Humanitarian Imperialism,” p. 515; Norman G. Owen, “Introduction: Philippine Society and American Colonialism,” in *Compadre Colonialism: Studies on the Philippines under American Rule*, ed. Norman Owen (Ann Arbor: The University of Michigan Center for South and Southeast Asian Studies, 1971), pp. 5-6. Bandholtz (soon to be appointed as Chief of the Philippine Constabulary), for example, complained to his friend John Bruce that “our form of government is not highly adapted to handling colonies, especially at such a great distance as the Philippines are from America. Our philanthropists get most distorted ideas of what should be done in such cases and the politicians are invariably influenced by these ideas … In Mindanao, the Moro Province, where the government is more paternal, there is more downright prosperity than in any other place in the Islands (1).” Bandholtz to John E. Bruce, 16 February 1907, Reel 1, Bandholtz Papers.
America’s raison d' être for exercising sovereignty over the Philippines would be lost, providing fodder to the anti-imperialists.113

The constraints placed upon colonial agents by policymakers in Washington were considerable, disallowing any deviation from the administration’s policy as originally articulated in Root’s Instructions, and faithfully followed by successive Republican administrations and their allies in Congress.114 First, the U.S. Congress possessed the authority to directly legislate over Philippine matters, as well as place limits on the type and content of laws that the Philippine Commission could draft for the islands. Consequently, the Philippine Organic Act of 1902, which defined the powers and duties of the Insular Government (as America’s colonial regime in the Philippines came to be known), was a comprehensive bill consisting of eighty-eight sections on the following topics: commercial relations, citizenship and immigration, rights and liberties, political participation, judiciary, navigation, public lands, forestry, mining, bond issuance, granting of franchises, business activity, coinage, treasury, and accounting. The Organic Act was significant not only for its breadth, but also for its content. In light of concerns by such anti-imperialists as Senator Joseph Rawlins that American capital would be used for investment opportunities (provided by the American occupation) to exploit the islands, the bill placed strict limitations on what the Insular Government could do to promote business activity in the

113 Gleeck, American Institutions in the Philippines, pp. 33-34. As David P. Barrows (Director of Bureau of Education) critically noted, “Doubtless to many Americans at the beginning, assimilation seemed the desirable and logical outcome but this expectation at no time led to the adoption of measures calculated to force the Filipinos along lines uncongenial to their racial aptitude. There is a difference between offering to a colonial people like the Filipinos, the choice of what are judged to be the best of our own ideas and institutions and compelling such selection, and this difference has been observed in the Philippines.” Barrows to Taft, 5 August 1907, Folder Jan-Dec 1907, Box 1 (Outgoing Correspondence), David P. Barrows Papers, Bancroft Library, University of California, Berkeley. Frustration regarding the strategy of “benevolent assimilation” is palpable in early correspondences by W. Cameron Forbes (the newly appointed Secretary of Commerce and Police) to his friends and superiors after his arrival in the Philippines. See, for example, Forbes to Henry Higginson, 13 February 1905; Forbes to Theodore Roosevelt, 28 February 1905; Forbes to Leonard Wood, 22 April 1905, Outgoing Correspondence, Vol. 2, W. Cameron Forbes Papers, Houghton Library, Harvard University, Cambridge.


Furthermore, the lawmaking authority of Congress had the important effect of greatly strengthening the hand of the Bureau of Insular Affairs (BIA), which (under the direct management of the War Secretary) was the primary entity overseeing the day-to-day behavior of the Insular Government. The BIA was organized on July 1, 1902 with Clarence Edwards as its first chief, but its origin dates back to 1898, when the Department of War assigned officers to sort and redirect various information and data concerning tariff and revenue matters coming in from Cuba. In anticipation of the occupation of Puerto Rico and the Philippines (in addition to Cuba), it was determined that a formal organization was needed not only to assess incoming data, but also to more broadly regulate relations between the United States and its new territories. The Division of Customs and Insular Affairs was thus created within the Department of War on January 1, 1899, and later reorganized into the Division of Insular Affairs on December 10, 1900. This was expanded and renamed the Bureau of Insular Affairs under the \textit{Philippine Organic Act} of 1902 and came to be comprised of the following divisions: Correspondence,
Record, Compilation and Cuban Records, Statistical, Accounting, Philippine Insurgent Captured Records, and the Purchasing and Disbursing Division. To ensure that the BIA acted in accordance with the priorities of the administration, it was placed directly under the control of the Secretary of War. 116

The primary method by which the BIA exercised its power over the Insular Government was through its routine function as a “clearinghouse for all questions as between the government of the Philippine Islands and the government of the United States." 117 When heads of bureaus or departments within the Insular Government needed anything from supplies to personnel, they obtained them through the BIA. Thus, the BIA could block the implementation of any policy or program needing permission or support from Washington by bureaucratic fiat. 118 More significantly, however, was that whenever Congressional legislation was required by the Insular Government to implement a newly proposed program, it was the law officer within the BIA that played a prominent role in drafting the Executive’s legislative proposal (to submit to Congress) by selectively incorporating suggestions by the Insular Government. 119 Conversely, the law officer evaluated the legislative proposals of the Philippine Commission (at least the more important or controversial ones) to ascertain that they were in accordance with American laws and precedents. 120 For example, when disputes over land ownership between the Catholic Church and municipal governments led to agitation and violence, Governor-General Wright could not

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119 The most important legislation that the BIA created was the Philippine Organic Act of 1902. For the BIA’s role in this matter, see Edwards to Allen, 5 January 1902, Folder 1, Box 2, Edwards Papers; “Draft of Bill for an Act to Provide for the Administration of Government in the Philippines, etc.,” in Correspondences of the Philippine Commission, Compiled 1900 and 1906, Bureau of Insular Affairs, RG 350, The U.S. National Archives and Records Administration, College Park.
move to solve the crisis until his policy regarding the matter (which was to let the Philippine courts adjudicate the dispute) was first reviewed and approved by Charles Magoon, the BIA’s law officer at the time. Given the importance placed by President Roosevelt in courting the Catholic vote (within the United States), it was imperative that the issue be thoroughly vetted by policymakers in Washington before Wright could take any action.\textsuperscript{121}

In this way, although the BIA did not directly formulate policy, it served as the eyes and ears of the Secretary of War, and helped to ensure that successive Governor-Generals followed the administration’s overall state-building strategy and its domestic political priorities. As Root explained to Henry Cooper (Chairman of the House Committee on Insular Affairs), the BIA “is the only thing which enables us to keep our hands at all on the government of our distant possessions … the successful conduct of this Bureau is essential to secure efficiency and accountability in insular government, and to keep the Government in Washington, both Legislative and Executive, always informed of what is going on.”\textsuperscript{122} Precisely for this reason, the BIA, and especially its chief, was at times the target of scorn by American colonial officials.

“That fool Edwards is always scenting some mischief or some fuss,” James LeRoy (who served as Taft’s private secretary in the Philippines) lamented. “The mistakes and blunders that bureau makes could hardly be increased in number by deliberate effort. They are always trying to

\textsuperscript{121} Cruz, America’s Colonial Desk and the Philippines, p. 118; Wright to Taft, 13 April 1904, Folder 16, Box 3, Edwards Papers; Wright to Taft, 27 April 1904, Folder 17, Box 3, Edwards Papers; Wright to Taft, 15 June 1904, Folder 20, Box 3, Edwards Papers. Any dispute involving the Catholic Church attracted the most careful consideration by the law officer during the McKinley and Roosevelt administrations, given the desire by both McKinley and Roosevelt to court the Catholic vote. See, for example, John Ireland to Charles E. Magoon, 28 June 1902, Folder 5, Box 2, Edwards Papers; Edwards to Wright, 16 January 1904, Folder 14, Box 3, Edwards Papers; Thomas A. Hendrick to Roosevelt, 30 September 1904, Folder 9, Box 4, Edwards Papers; Wright to Taft, 14 October 1904, Folder 11, Box 4, Edwards Papers; Edwards to Wright, 6 July 1902, Reel 36, Taft, Papers; Taft to Henry C. Ide, 22 January 1906, Reel 487, Taft, Papers; LeRoy to Barrows, 21 June 1906, Box 21, Barrows Papers.

\textsuperscript{122} Root to Henry A. Cooper, 25 January 1905, Folder 4, Box 5, Edwards Papers. To this end, BIA Chief Edwards even intervened in personnel matters concerning high-ranking officials in the Insular Government. See Edwards to Taft, 23 December 1908, Folder 13, Box 7, Edwards Papers; Edwards to Jacob M. Dickinson, 14 October 1909, Folder 19, Box 7, Edwards Papers.
influence or forestall ‘public opinion’, and they always succeed in poking up a row.”123

Constantly under the watchful eye of the BIA, colonial administrators were thus compelled to continually justify their actions to their superiors at home, and in doing so, were conditioned to faithfully follow Washington’s priorities.124

The third and most important factor that helped to maintain Washington’s control over Philippine affairs was the subordination of the Governor-General to the Secretary of War. As discussed above, it was hard for America’s colonial agents to escape the BIA’s watchful eyes, since most new policy initiatives of the Philippine Commission (which became the archipelago’s legislative body in September 1900) necessitated support by the BIA in the form of supplies, personnel, or Congressional legislation. Another source of formal oversight was the Philippine auditor, who, while stationed in the Philippines, reported directly to the Secretary of War.125 American civilians in Manila and Filipino collaborators also served as useful and reliable informants, for they did not hesitate to write to the Secretary when they found the policies of the Commission to be disagreeable.126 Finally, it was customary for the Governor-General to pen a detailed unofficial report once or twice a month to keep the Secretary well informed of matters within the islands, as well as to discuss any initiatives that were under consideration by the Commission. The mere act of writing these reports led to considerable self-restraint on the part of the Governor-General, but in instances where there were any hint of disagreement between the

123 LeRoy to Barrows, 21 June 1906, Box 21, Barrows Papers.
124 This dynamic is illustrated in a letter from Forbes to Edwards, 28 June 1910, Confidential Letter-File, Vol. 1, Forbes Papers.
125 Elliott, The Philippines to the End of the Commission Government, pp. 121-22; Root to Taft, 7 January 1901, Reel 47, Taft, Papers.
126 For illustrative examples, see Clymer, Protestant Missionaries in the Philippines, pp. 167-72; Frederick Z. Rooker to Edwards, 28 March 1904, Folder 15, Box 3, Edwards Papers; Pardo de Tavera to Taft, 4 September 1905, Reel 52, Taft, Papers.
Governor and the Secretary, the latter did not hesitate to rebuke the former, thus keeping his colonial agent in line.127

Opium legislation in the Philippines serves as a clear example of this dynamic. Many evangelical Protestant clergymen and laypersons (who were among the Republican Party’s core supporters) viewed America’s annexation of the Philippines as an act of Providence, and wholeheartedly accepted the conviction of the “white man’s burden.” As such, they closely monitored the actions of the Insular Government and made sure that its actions were justifiable in the eyes of God.128 Given their self-proclaimed role as guardians of American morality in the Philippines, the Protestant churches and missions immediately took note of the Philippine Commission’s opium policy. Under Spanish rule, the import of opium had been legal and was regulated by a system of state-sponsored monopolies. When the United States took over, this system of opium monopolies was abolished, but the drug itself remained legal, its distribution instead regulated through tariffs. However, this tariff-based system encouraged smuggling and, in 1903, the Commission proposed a reintroduction of opium monopolies to more effectively tax and regulate the drug. Upon learning that the Commission’s proposal would directly involve the United States in the distribution of opium, Christian leaders immediately lobbied the Roosevelt administration against this measure. So strong was the outrage displayed by religious groups that Root ordered Taft to shelve the Commission’s opium proposal and instead draft a plan for its prohibition. As the Commission hesitated to adopt such a radical course, Washington stepped in to directly solve the crisis. At the suggestion of the Executive, Congress determined on March 3, 1905 that opium would become illegal in the Philippines in three year’s time. The Insular

127 This custom started with Taft. The first of such lengthy unofficial reports was Taft to Root, 14 July 1900, Reel 640, Taft, Papers.
128 Clymer, Protestant Missionaries in the Philippines, pp. 154-57.
Government was thus left to figure out how it could possibly carry out this policy when the drug was traded legally in the rest of Southeast Asia.\textsuperscript{129}

The Insular Government’s inability to exercise discretionary power was also caused by its weakness as a bureaucratic organization.\textsuperscript{130} In the first place, the Governor-General, members of the Philippine Commission, and secretaries of executive departments of the Philippines were all political appointees without set terms, whose careers depended entirely on the continued support of the War Secretary and the President. Moreover, Philippine colonial officials—even those appointed to the post of Governor-General—tended to be plucked out of obscurity, and hence possessed little political leverage of their own in Washington. If they crossed either the Secretary of War or the President, there were no political networks or bureaucratic organizations within Washington to come to their defense. Governor-Generals, despite their immense responsibility, were therefore easily disposable.\textsuperscript{131} As shown in Table 2, between 1901 and 1913, the following individuals served as Governor-General: Taft, Luke Wright, Henry Ide, James Smith, and W. Cameron Forbes. Taft, although he went on to an illustrious career, was a little-known circuit court justice with no experience in politics prior to his appointment to head the second Philippine

\textsuperscript{129} Ibid., p. 167; Anne L. Foster, “Models for Governing: Opium and Colonial Policies in Southeast Asia, 1898-1910,” in The American Colonial State in the Philippines: Global Perspectives, ed. Julian Go and Anne L. Foster (Durham: Duke University Press, 2003): 92-117. As Taft wrote to Root, “Your telegrams with respect to the Opium bill do not surprise me. I feel very sure that the opium bill would do good, and it would bring us a good revenue, but it is difficult to reconcile the religious people of the United States to any system which in the slightest degree recognizes the fact that opium is smoked in spite of whatever prohibition is sought to be imposed. We shall comply with your request and hear the public discussion, and then not decide the question until we have heard your judgment [emphasis mine].” Taft to Root, 15 June 1903, Box 165A, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C. See also Root to Taft, 10 August 1903, Reel 40, Taft, Papers; Taft to Wright, 8 January 1905, Reel 492, Taft, Papers; Taft to Wright, 1 March 1905, Reel 492, Taft, Papers; Taft to Wright, 23 June 1905, Reel 493, Taft, Papers; Taft to Edwards, 16 July 1907, Reel 491, Taft, Papers. These letters and cables also demonstrate that after Taft succeeded Root as Secretary of War, he abandoned his previous pro-opium stance, and fully embraced the view that opium should be prohibited in the Philippines.


Commission. As for the others, Wright was a former attorney general in private practice, Ide the Chief Justice of Samoa, Smith a soldier turned Philippine provincial governor, and Forbes a rich businessman bitten by the colonial bug. In short, these were not the kind of men destined to be remembered by history prior to their service in the Philippines, and (with the exception of Taft) they led undistinguished careers thereafter.

### Table 2: Governor-Generals of the Philippine Islands, 1901-1913

<table>
<thead>
<tr>
<th>Employment prior to the Philippines</th>
<th>Other positions held in the Philippines</th>
<th>Length of tenure as Governor-General (Civil Government before 1905)</th>
<th>Government employment after the Philippines</th>
</tr>
</thead>
<tbody>
<tr>
<td>William H. Taft</td>
<td>Commissioner (1900-1904); President of Philippine Commission (1900-1901)</td>
<td>July 4, 1901 to January 31, 1904</td>
<td>Secretary of War (1904-1908); President of the United States (1909-1913); Chief Justice of the Supreme Court (1921-1930)</td>
</tr>
<tr>
<td>Luke E. Wright</td>
<td>Lawyer in private practice</td>
<td>Commissioner (1900-1906); Secretary of Commerce and Police (1901-1904)</td>
<td>February 1, 1904 to April 1, 1906</td>
</tr>
<tr>
<td>Henry C. Ide</td>
<td>Supreme Court Justice of Samoa</td>
<td>Commissioner (1900-1906); Secretary of Finance and Justice (1901-1906)</td>
<td>April 2, 1906 to September 19, 1906</td>
</tr>
<tr>
<td>James F. Smith</td>
<td>Lawyer in private practice</td>
<td>Governor of Negros (1899-1901); Justice of the Philippine Supreme Court (1901-1901); Commissioner (1903-1909); Secretary of Public Instruction (1903-1906)</td>
<td>September 20, 1906 to November 10, 1909</td>
</tr>
<tr>
<td>W. Cameron Forbes</td>
<td>Executive in a consulting firm</td>
<td>Commissioner (1904-1913); Secretary of Commerce and Police (1904-1909)</td>
<td>November 11, 1909 to August 23, 1913</td>
</tr>
</tbody>
</table>


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The incident that most vividly illustrates the complete subordination of the Insular Government to the Secretary of War was the 1906 dismissal of Governor-General Wright by Taft, who had succeeded Root as Secretary of War in 1904. During his tenure as the Philippine Civil Governor, Taft labored faithfully to implement Root’s policy as laid out in the Instructions. As Taft left for the United States on December 23, 1903 to become Secretary of War, he did not remain in the islands long enough to sufficiently evaluate the outcome of his efforts, and to appreciate the inherent contradiction in America’s state-building agenda. It was during Wright’s governor-generalship that American colonial agents were able to assess more fully the effects of their early reform efforts, and the prognosis was hardly encouraging. The primary problem, as discussed above, was the complete incompetence of municipal governments in the provision of basic public goods and services, such as roads, education, and health and sanitation.

It seemed that the only thing at which presidentes excelled was in enriching their friends, families, and themselves. Since local governments were supposed to serve as the backbone of the new Philippine nation-state (and the site for political education), their failure to function as envisioned—that is, like early New England towns—was a cause of great concern.

Furthermore, while the leaders of the revolutionary army had all surrendered by 1902, the Insular Government was having difficulty maintaining peace, as armed bands continued to engage in acts of violence throughout the archipelago, and particularly in the provinces of Batangas,

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135 For a detailed account of the state of provincial and municipal governments during the governorship of Wright, see the third through fifth annual reports of the Executive Secretary, which cover the period from October 1, 1903 to June 30, 1906. These reports can be found under the title, Annual Report of the Executive Secretary of the Philippine Islands to the Honorable Governor-General, and are all published by the Bureau of Printing in Manila.
Cavite, and Samar. These problems were exacerbated by the fact that the Insular Government was short on funds. The inefficient Spanish taxation system remained unreformed, and American authorities were having difficulty paying for the various programs meant to uplift the Filipinos, while also maintaining peace and security on the islands.

In order to address these problems, Wright first instructed Ide (Secretary of Finance and Justice) to oversee a comprehensive reform of the internal revenue system. Second, he placed Forbes (Secretary of Police and Commerce) in charge of a committee to reorganize the bureaucratic organization of the Insular Government, with the aims of reducing waste and increasing its effectiveness at directly providing the goods and services that had so far been neglected by local governments. Third, as shown in Table 3, Wright increased the number of Americans in the Philippine Civil Service as part of his effort to strengthen the bureaucratic arm of the colonial government. Fourth, he tightened Manila’s grip over provincial and municipal governments by expanding the functions and the jurisdiction of the Philippine Executive Bureau to include supervision of the provincial treasury, in addition to its existing mandate of overseeing local elections and reviewing provincial and municipal acts and ordinances. Finally, Wright suspended the writ of habeas corpus in provinces with continued insurgent activity, and condoned the aggressive “peacekeeping” tactics of the Philippine Constabulary (the national

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137 The problem of revenue shortage was repeatedly the source of complaint by Forbes. See, for example, Forbes’ journal entries on 25 August 1904, *Journal of W. Cameron Forbes*, Vol. 1, p. 53. This shortage of funds was also a result of the Insular Government’s inability to issue bonds without Congressional legislation. See Wright to Taft, 13 April 1904, Folder 16, Box 3, Edwards Papers.


139 The committee’s recommendation can be found in the Forbes Papers under the heading, *Report of Committee on Organization of the Insular Government*. The resulting law was passed by the Philippine Commission on October 26, 1905, as Act 1407. See U.S. Department of War, *Acts of the Philippine Commission* (Washington, D.C.: GPO, 1905), pp. 239-60.
paramilitary police), which included the harassment of *principales* and *ilustrados* suspected of sympathizing with the rebels.\textsuperscript{140}

**Table 3: Separations of Americans from the Philippine Civil Service, 1903-1913**

<table>
<thead>
<tr>
<th>Fiscal Year (ending on Jun 30)</th>
<th>No. of Americans in Service on Jan 1</th>
<th>Voluntary</th>
<th>Involuntary</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1903</td>
<td>2,777</td>
<td>617</td>
<td>269</td>
<td>886</td>
</tr>
<tr>
<td>1904</td>
<td>3,228</td>
<td>787</td>
<td>313</td>
<td>1,100</td>
</tr>
<tr>
<td>1905</td>
<td>3,307</td>
<td>614</td>
<td>195</td>
<td>809</td>
</tr>
<tr>
<td>1906</td>
<td><em>no data</em></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1907</td>
<td>2,616</td>
<td>536</td>
<td>90</td>
<td>626</td>
</tr>
<tr>
<td>1908</td>
<td>2,479</td>
<td>407</td>
<td>77</td>
<td>484</td>
</tr>
<tr>
<td>1909</td>
<td>2,659</td>
<td>376</td>
<td>62</td>
<td>438</td>
</tr>
<tr>
<td>1910</td>
<td>2,633</td>
<td>508</td>
<td>92</td>
<td>600</td>
</tr>
<tr>
<td>1911</td>
<td>2,633</td>
<td>481</td>
<td>71</td>
<td>552</td>
</tr>
<tr>
<td>1912</td>
<td>2,680</td>
<td>412</td>
<td>50</td>
<td>462</td>
</tr>
<tr>
<td>1913</td>
<td>2,623</td>
<td>461</td>
<td>44</td>
<td>505</td>
</tr>
</tbody>
</table>

*Source: Onofre D. Corpuz, The Bureaucracy in the Philippines (Quezon City, Phil.: Institute of Public Administration, University of the Philippines, 1957), p. 178.*

In undertaking these reforms, however, Wright clashed with high-ranking Filipino collaborators, such as Trinidad Pardo de Tavera and Benito Legarda, both of whom served on the Philippine Commission alongside Wright. The increasing American presence in the bureaucracy, as well as the general strengthening of the bureaucratic arm of the state, were perceived by Filipino elites as measures meant to slow progress toward Filipino self-government. The new tax law placed a greater financial burden on the provincial and municipal authorities by instituting a system of land taxes, as well as on leading *ilustrados*, who possessed business interests that were hurt by taxes on tobacco and alcohol. Their greatest source of dissatisfaction, however, was the aggressiveness of the Constabulary in combating the insurgency. In particular, Pardo de Tavera and Legarda were outraged by the fact that the Constabulary had arrested their dear friend and fellow *ilustrado*, Pedro Roxas, who was suspected of aiding the rebellion in Batangas. They thus

lost no time in complaining to Taft regarding the new policies instituted by Wright, as well as in making the general case that Wright was deviating from Root and Taft’s policy of “benevolence.” In one letter, Pardo de Tavera even taunted, “Dont [sic] you believe that with this precedent another governor could suppose himself free to follow whatever policy he might choose, supposing that he would be supported in Washington…?” These letters ultimately proved effective. In August 1905, Taft returned to the Philippines for a month-long tour to evaluate the situation himself, and concluded that Wright had indeed strayed from the path laid down by Root. Soon thereafter, Wright was forced to tender his resignation and to accept the humiliation of demotion to an ambassadorship in Tokyo. The dismissal of Wright sent a clear message to all Americans in the Philippines that anyone suspected of abandoning the administration’s state-building policy would be dismissed mercilessly.

Finally, it was not just the Governor-Generals who were compelled to constantly worry about pleasing their superiors at home. Since Americans were employed in the Philippine Civil Service (and not the U.S. Federal Service), and since their employment in the Philippines was seen as temporary (that is, until the Filipinos were ready for self-government), there was little job

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141 Legarda to Taft, 29 November 1904, Folder 16, Box 4, Edwards Papers; Pardo de Tavera and Legarda to Taft, 22 December 1904, Folder 17, Box 4, Edwards Papers; Pardo de Tavera to Taft, 17 April 1905, Folder 17, Box 5, Edwards Papers; Pardo de Tavera to Taft, 1 July 1905, Folder 17, Box 5, Edwards Papers; Legarda to Taft, 28 February 1905, Reel 48, Taft, Papers.
142 Pardo de Tavera to Taft, 4 September 1905, Reel 52, Taft, Papers.
143 For an account of this inspection trip by Taft, see LeRoy, “Manuscripts of Travelogue Account of Trip to the Philippine Islands,” 1905, Box 1, James A. LeRoy Papers, Bentley Historical Library, University of Michigan, Ann Arbor.
144 Upon hearing of Wright’s dismissal, Ide wrote to Taft, “The remark in one of your cablegrams that you were greatly delighted in the changed sentiment and to know that I agreed with your policy is very satisfactory to me, except so far as it implies that you had had some doubts as to whether I had agreed with your policy. There are no reasons, Mr. Secretary, why you ever should have had such a doubt. I never have had any other view and have always regarded your large and wise method as the only practicable and finally successful one of dealing with the Philippine problem and the Filipino people [emphasis mine]. The policy of attraction must be pursued if we are to be successful… But while I was in a subordinate position, it was an unfitting thing for me to be declaring policies and undertaking to take the lead in entertainments and methods of administration. It was the duty of my chief [Wright] to perform those functions, and mine loyally to support him, as I have always done…” Ide to Taft, 4 February 1906, Reel 55, Taft, Papers, p. 17. Ide, however, seemed to be in sincere agreement with Wright prior to Taft’s intervention.
security for Americans at all levels in the Insular Government. In addition, Americans working in the Philippine Service did not receive pensions upon their retirement and were not assured reemployment in the U.S. Federal Service after returning from the islands.\(^{145}\) As such, American colonial agents faced the grim reality that they could be forced to return to the United States at any moment and find themselves jobless and without pension in the middle of their careers. For this reason, most colonial officials stayed in close contact with their patrons in the United States, as is apparent from the correspondences of David Barrows (Director of Education), Victor Heiser (Director of Health), and Frank Lamson-Scribner (Director of Agriculture) with, respectively, Benjamin Wheeler (President of University of California, Berkeley), Walter Wyman (U.S. Surgeon General), and James Wilson (U.S. Secretary of Agriculture).\(^{146}\) Colonial agents were thus always on the lookout for opportunities at home and did not hesitate to end their service in the Philippines the moment that something more permanent arose in the United States.\(^{147}\) Hence, as Table 3 (above) displays, the turnover of American officials in the Philippine Service was high. This not only weakened the cohesiveness of the colonial bureaucracy, but also led to a

\(^{145}\) Corpuz, *The Bureaucracy in the Philippines*, pp. 177-81. This was the constant source of complaint by Executive Secretary Arthur W. Fergusson in his annual reports. See, for example, *Fourth Annual Report of the Executive Secretary of the Philippine Islands to the Honorable Governor-General* (Manila: Bureau of Printing, 1906), pp. 25-28.

\(^{146}\) These correspondences can be found in the collected papers of Barrows (at University of California, Berkeley), Heiser (at the American Philosophical Society), and Lamson-Scribner (at the Library of Congress). Correspondences between Lamson-Scribner and Wilson are particularly illuminating. In once instance, Wilson wrote, “I think attention should be given [in the Philippines] to things we can not grow [in the United States]. The people are likely to run off in the direction of producing sugar. We can do that here, and will eventually produce all we require. Fibers, coffee, rubber, spices, and such things we can not produce, should really have most attention.” Wilson to Lamson-Scribner, 17 October 1903, Box 3, Frank Lamson-Scribner Papers, Manuscript Division, Library of Congress, Washington, D.C.

\(^{147}\) See, for example, Morgan Shuster (the Insular Collector of Customs) to Taft: “The recent press notices of the expected passage of the bill for the reorganization of our Consular Service have decided my course. I am very desirous of obtaining, if possible, a suitable appointment in that branch of the Government … The fact that I am not so young as I was eight years since [coming to the Philippines], coupled with the apparent uncertainty attending the situation and future of those in the Insular Service here, leads me to believe that one having my family responsibilities should endeavor to enter some more permanent line of work, wherein certain special conditions are fulfilled. These I take to be the following: - permancy [sic] of the work; the entire elimination of what is commonly known as ‘politics’; the establishment of the merit system; adequate compensation; and above all, a chance to rise in that or into some other service.” Shuster to Taft, 28 April 1906, Reel 57, Taft, *Papers*, pp. 1-2.
constant inflow of individuals with little knowledge of the Philippines, not to mention the frequent departure of those that had finally obtained some understanding of the situation.\textsuperscript{148}

5. Conclusion

Ultimately, to have a state-making \textit{agenda} in the Philippine Islands was much more important to the McKinley and succeeding administrations than to have tangibly succeeded in this mission. With the Filipino revolution defeated and the islands under firm U.S. control, the actual progress of the reform effort was inconsequential to U.S. domestic politics or diplomatic relations. What would have been detrimental to U.S. interests was not the failure to remake the archipelago into a prosperous democracy, but the abandonment of the \textit{promise} to Congress and the American people that the reason for the occupation was the transformation of the Filipinos in the American image. What the administration in Washington wished to prevent was the raising of any questions about U.S. “benevolent” intentions in the Philippines, or the deprival of the \textit{raison d’être} for a large American civilian and military presence in the islands.

Yet, this fact alone cannot explain the failure to establish a functional governance structure in the Philippine Islands. As institution-building under foreign occupations is conducted through delegation, how a reform effort unfolds is dependent upon the nature of the relationship between the home government that initiated the reforms and the occupational administration tasked with their implementation. Ironically, state-building in the Philippines failed because the pursuit of democratization and liberalization there became an important issue in U.S. domestic politics, and because Washington was highly effective in keeping its agents focused on this goal.

Consequently, the fundamental incongruence of pursuing democratizing and liberalizing reforms by empowering undemocratic and illiberal native elites remained unresolved, for agents did not have the flexibility to deviate from the initial institution-building strategy as devised by Secretary Root and sanctioned by Congress. New laws granting considerable local autonomy to provincial and municipal governments were promulgated without taking into account how they would fit into the prevailing system of clientelism.

In this way, state-building fails when reform agents are constrained from above. What remains to be discussed, however, is the way by which native elites may also affect the process of establishing new institutions in an occupied territory. Although the system of local government in the Philippine Islands was largely dysfunctional—that is, local governments failed to perform according to the expectations of colonial agents—laws pertaining to provincial and municipal organizations were themselves popular among Filipino elites. Indeed, it is likely that the passage of these acts contributed to pacification efforts, as it assured local elites considerable autonomy in managing their affairs. It was in fact quite remarkable that local elections were held in an orderly fashion as early as 1902 (a year after municipal and provincial governments were organized, while resistance continued in various parts of the archipelago) and, moreover, that elected officials displayed loyalty to the United States.

This outcome did not occur by chance. Maj. Gen. Otis was quite aware that the only way the United States was going to pacify the islands was to gain the cooperation of local and provincial elites. Hence, G.O. 40 was written with the assistance of the Filipino elites to ensure that it would be widely supported. Similarly, Taft’s provincial and municipal organization acts were vetted against Filipino members of the Commission and subjected to public hearings. The realization of Root’s democratization and decentralization plan proceeded quickly and smoothly.
(at least on the surface) largely because native elite demands for local autonomy coincided with America’s federal tradition, and the importance placed on local governmental units as a “school” for democracy.

The coincidence in the goals of American policymakers and the demands of Filipino elites did not pertain to other key institutional areas, however. In reforming the police and education institutions, for instance, the initial model proposed by colonial agents threatened to undermine the existing power structure of the Philippine Islands. As I argue in the following chapters, when the agenda of the occupiers and the interests of native elites conflict (which is most often the case), effective and durable institutions are more likely to arise when native elites possess the will and capacity to resist the reform effort. Paradoxically, when institutional reform is undertaken within the context of a foreign occupation, conflict between the local population and foreign reformers during the initial period contributes to the establishment of successful institutions in the long-run.
Chapter 4: Police Reform in Colonial Taiwan versus the Philippines
Institutional Hybridity and the Effectiveness of Institutions

1. Introduction

The U.S. institution-building effort in colonial Philippines (1898-1935)\(^1\) is commonly depicted as a resounding failure, and for good reasons.\(^2\) As a result of America’s aggressive education campaign there, postwar Philippines was littered with publically funded primary schools, but they were largely of poor quality and did little to improve the lot of those unable to afford private education. Democratic institutions had been introduced as early as 1902 at the municipal and provincial levels (and in 1907 at the national level), but after four decades of democratic “tutelage,” elections remained hopelessly corrupt, as rival families vied for political office through bribery and intimidation. Instead of producing a more equitable distribution of land ownership, U.S. land reform efforts contributed to the growth of large plantations and a corresponding outburst of peasant discontent, culminating in the 1946 Hukbalahap (Huk) Rebellion. Last but not least, the legacy of U.S. institution-building in the area of policing was to give rise to a multitude of private militias that have since carved up parts of the archipelago into personal fiefdoms. The Philippines now boasts the worst score in the area of internal security among all East Asian countries in a comprehensive 2008 study on state weakness.\(^3\)

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\(^1\) The U.S. occupation of the Philippines lasted from 1898 to 1946, with a brief interlude between 1942 and 1945 (when the Philippines was under Japanese wartime occupation). Yet, after the establishment of the Philippine Commonwealth in November 1935, U.S. colonial officials no longer took an active role in shaping domestic policy. Thereafter, only actions that directly challenged U.S. interests in the Philippines were subject to a veto of the Philippine High Commissioner.


\(^3\) Susan E. Rice and Stewart Patrick, *Index of State Weakness in the Developing World* (Washington, D.C.: The Brookings Institution, 2008). In this study, the degree of state weakness was measured by four indicators of economy, politics, security, and social welfare, each of which was further comprised of five elements. Specifically,
Notwithstanding the overall adverse legacy of U.S. colonization in the Philippine Islands, some American institution-building efforts were more successful than others. Indeed, as shown in the pages below, the new police institution created by American officials functioned with much effectiveness during the period of U.S. occupation. The colonial police not only suppressed a widely-supported insurrection in the first decade of U.S. rule, but it later became the political linchpin that held together the entire governance system. Importantly, the police fulfilled this role by functioning as the colonial regime’s primary instrument for promoting inter-elite collaboration between Americans and Filipinos, rather than through the excessive use of physical violence. We are thus presented with a puzzle: Why did an institution that was so thoroughly successful under colonial conditions fail so markedly in the postcolonial period?

A possible answer is that an institution designed to function effectively under an illegitimate and oppressive form of government is naturally unsuited for an independent and democratic nation-state. Such an explanation is most convincing when the Philippines is studied in isolation. Excessive politicization, often regarded as a chief shortcoming of the police in postcolonial Philippines, can be traced directly to the colonial police’s role as the facilitator of collaboration. Yet, things look different when compared to other post-colonial territories, such as Taiwan. In Taiwan, as in the Philippines, the Japanese police were instrumental in defeating a vigorous resistance; the colonial police in Taiwan also functioned as a political institution. Involved in nearly every aspect of local administration, the police made collaboration between the Japanese state and Taiwanese elites possible. Unlike in the Philippines, however, the postcolonial legacy of the police institution in Taiwan was the bolstering of a strong bureaucratic

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the “security basket,” included measures of conflict intensity; gross human rights abuses; territory affected by conflict; incidence of coups; and political stability and absence of violence. In all of these categories, except for “incidence of coups,” the Philippines was at the bottom 25 percentile of weak states.
state, such that contemporary Taiwan now ranks among the safest and most stable territories in all of Asia.

I argue that this variation in postcolonial legacies of Taiwanese and Philippine police institutions can be explained by the specific ways in which existing and new institutions were combined in the forging of colonial governance. First, local ownership bolsters the effectiveness of new institutions: When a new institution is supported by elites possessing grass-root ties with the local population, it is more likely enforced than institutions lacking such a foundation. Specifically, in both Taiwan and the Philippines, the effectiveness of the police came to depend on the assistance of landed elites, given their socioeconomic prominence within these agrarian societies. This, however, was not something that was planned, or even desired, by respective colonial administrators in Taiwan and the Philippines; rather, it was forced upon them as a result of the strength of the insurrection. Reliance on local militias in a counter-insurgency campaign is not without risk; it was only when all other options were exhausted that Japanese and American administrators decided to integrate landed elites into the colonial police institution as partners.

Local ownership explains why police institutions in Taiwan and the Philippines were similarly successful under colonial rule; it does not explain their contrasting postcolonial legacies. For this, I turn to the concept of hybridity. In addition to being supported by local powerholders, the police institution in Taiwan was a hybrid of a Japanese-style modern police organization and a traditional Taiwanese system of coercion and surveillance called *baojia*. In

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4 For example, the following passage can be found in *The United States Army and Marine Corps, The U.S. Army/Marine Corps Counterinsurgency Field Manual* (Chicago: University of Chicago Press, 2007): “If militias are outside the HN [host-nation] government’s control, they can often be obstacles to ending an insurgency. Militias may become more powerful than the HN government, particularly at the local level. They may also fuel the insurgency and precipitate a downward spiral into full-scale civil war (113).” By substituting the term “HN government” with “colonial administration,” we have the exact dilemma Japanese and American colonial forces faced in Taiwan and the Philippines, respectively. Indeed, when Japanese and U.S. officials first organized local militias as an auxiliary force to the colonial army, they found that such militias cooperated with both government forces and rebel groups.
contrast, U.S. colonial officials reorganized the Spanish-era system of village-level militias (cuerpo de cuadrilleros) as the municipal police, but then placed this local police organization outside the Philippine Constabulary-centered national police structure. Unlike in Taiwan, the police structure in colonial Philippines was dualistic. Consequently, while all legitimate forms of coercion were integrated into a single institutional order in colonial Taiwan, the incoherence of the Philippines police institution contributed to its weakness.

This outcome, however, was not a result of a lack of foresight on the part of American colonial administrators, but was caused by their inability to undertake hybridizing reforms in the face of constraints from above. From Washington’s political calculus, the incorporation of the municipal police into the national police structure contradicted America’s ideal of local autonomy, and endangered the carefully constructed myth of “benevolent rule.” Japanese politicians in Tokyo also held strong views on how institutions ought to be constructed in Taiwan, but what they lacked (at least for the first two decades) was the ability to impose their unrealistic vision onto their highly autonomous colonial agents. In the following pages, I contrast these two tales of police reform in detail, concluding with further discussion on the role of agent discretion and local resistance in the forging of effective institutions under foreign occupation.

2. Hybridic and with Local Ownership: Japanese Police Institution in Taiwan

Taiwan was Qing China’s wild, wild east. It was a settler society, where Hokkienese migrants from Fujian and Hakka from Guangdong fought one another as well as the aboriginal headhunting tribes for control over agricultural land, which had become increasingly scarce and valuable since the 1780s. Revolts against the Qing government and inter-ethnic “armed affrays” (xiedou) were so frequent that a common saying in Taiwan held that at least one small rebellion
occurred every three years and a major disturbance every five.\(^5\) Between 1840 and 1860, at least four major outbreaks were recorded in the Hsinchu plain (roughly corresponding to current-day Hsinchu City), which in fact was a relatively peaceful region within Taiwan. Contributing to this frequent eruption of violence was the complexity of inter-ethnic relations combined with the density of ties in each village community. Although the Hakka remained a cohesive group, the Hokkienese were divided between those from Quanzhou and Zhangzhou, and Quanzhou migrants were further sub-divided into ethnic categories of Anxi, Tongan, and Sanyi. Different alliance combinations could be found among these groups, but in-group solidarity within these ethnic communities was robustly enforced throughout the Qing era and even into the Japanese colonial period. It wasn’t until the 1920s, for example, that a marriage took place for the first time between a woman from a Zhangzhou village in Hsinchu and a man from a neighboring Anxi community, a mere fifteen minutes by foot.\(^6\)

In this settler society, the state was weak and security scarce. The ranking Qing official in Taiwan was a military commander, who maintained nominal government control over the island through a professional army comprised almost entirely of men from the mainland. Although this force was deployed during large-scale rebellions, day-to-day security was the responsibility (as in mainland China) of a community-based self-defense unit called baojia, which typically comprised around one thousand households. In addition to keeping local population records, baojia (at least theoretically) was tasked with raising a local militia to protect rural settlements against bandits and to keep city districts safe from organized crime. Yet, this system largely

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\(^5\) Inō Yoshinori, *Taiwan bunka shi* [Cultural history of Taiwan], vol. 1 (Tokyo: Tōkō Shoin, 1928), p. 751.

failed to function as intended, and interethnic conflict was endemic. To the chagrin of Qing officials, local militias often went beyond self-defense to attack neighboring communities, and would occasionally rebel against the state, if the state was found to be “excessively” intrusive in local affairs or levy taxes that were “unreasonably” high.\(^7\)

Hence, when Japanese conquerors landed in Taiwan in 1895, it was little surprise that they struggled mightily to pacify the island. For some three-hundred years, the Taiwanese people had resisted the state, and they were not about to change their ways without a fight. Yet, by 1902, the western half of Taiwan, where the majority of the Taiwanese lived, was subjugated. Although pacification of aboriginal tribes in the east took longer, by 1915, they too had been incorporated into the colonial governance structure. Moreover, the colonial state succeeded in penetrating Taiwanese society to an unprecedented degree, both in comparison to Taiwan’s own historical record as a Chinese frontier province, as well as to other colonized societies around the globe. Perhaps as surprising as this outcome was the way in which the Japanese achieved this end: Rather than transplanting Japanese governance institutions to Taiwan, colonial officials built from the bottom up. The very institution that failed to provide security under Qing China—i.e., the baojia system—underpinned the entire governance structure under Japanese rule. In the following pages, I explain how this was possible.

Central to my account is the concept of hybridity. Japanese success did not lie in simply resurrecting an old institution, but in reinventing it. This reinvention, moreover, took a specific, and what I call hybridic, form. Borrowing pieces from Taiwan’s own past, from Japan itself, and

even from eighteenth-century Prussia, Japanese administrators succeeding in constructing a modern and effective police institution that continues to characterize contemporary Taiwan.

2.1. Initial Failures in Pacification and Institution-building

Governor-General Kabayama Sukenori encountered greater than expected resistance when his expeditionary force landed in Taiwan in summer of 1895. Much of the resistance, moreover, came not from the regular army of the newly declared Republic of Formosa (comprised largely of mainland Chinese troops), but from local (irregular) forces led by Taiwanese elites—elites who had but a few decades ago been fighting each other in a series of interethnic feuds, but had now come together to repel the invaders. Consequently, opposing forces hardly engaged in large-scale battles in open fields or over large cities, but rather, they clashed in skirmishes alongside narrow roads surrounded by thick bamboo groves, or in towns and villages that had been converted into small fortresses. Subjected to guerrilla warfare, the Japanese struggled to distinguish between “insurgents,” or villagers who actively aided the resistance, and civilians that were simply caught between the warning forces.

Two contradictory depictions of Taiwanese villagers by James Davidson (who, as the U.S. Consul in Taiwan, had accompanied the Japanese forces) illustrate the military situation the Japanese encountered, as well as provide the growing sense of their frustration. On one hand, Davidson acknowledges that many Taiwanese simply desire to stay out of harms way: “[T]hree Japanese scouts entered Aulang [on August 11, 1895] without meeting any opposition. The villagers informed the new arrivals that they had no desire of resisting the Japanese, and would

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be very grateful if they would take quick possession of the place, as it was feared the insurgents would return." Yet, this image of peace-seeking Taiwanese peasants lies in stark contrast to Davidson’s more unsympathetic depiction of the local population—a characterization that likely reflected the viewpoint of the Japanese army:

The greatest obstacle that the Japanese encountered was the smiling villagers who stood in their doorways, over which they had flown a white flag, watching the troops pass by. For these natives the Japanese had at first a kind word and a smile. But scarcely were the troops out of sight before guns were brought out through the same doorways and shots fired at the first unfortunate party whose numbers were sufficiently small to make it appear safe to the treacherous occupants. Troops now return and find the mutilated bodies of their companions in the streets; while at the doors and windows of the houses near, are the same grinning friends and the same little white flag, an emblem of peace, still floating over their guilty heads.

This inability of the Japanese to distinguish between friend and foe, combined with the constant ambushes, the heavy rain, the heat, and the rising death toll from infectious diseases, brought out the worst in the invaders. Rather than attempting to win the “hearts and minds” of the local population, or to secure key towns along the main corridors linking Taiwan’s northern and southern regions with garrisons (which would have required a larger occupational force), the Japanese decided to burn to the ground those villages that had given them trouble. Perhaps the Imperial Army also calculated that such acts of excessive violence would impress upon villagers the consequences of aiding the resistance and compel them to assist the conquerors. The most notorious of such acts of indiscriminate retaliation took place between June 16 and 22, 1896, when thirty villages were destroyed by fire in response to an insurrection that broke out in the
Yunlin Sub-district (in central Taiwan). As one classified Japanese document reported, “During the punitive campaign, the number of bandits, implicated persons and suspected persons killed was considerable, and private houses destroyed by fire actually exceeded three thousand.”

However, rather than aiding the pacification effort, such acts of violence by the Japanese, combined with their cruel treatment of the local population, simply drove many Taiwanese elites who had initially taken an ambivalent stance toward the Japanese to resist the occupation. Indeed, indiscriminate killing in the Yunlin Sub-district in June 1896 led to the capture of virtually all urban centers in the area by rebel forces in early July. In another incident, the killing of an influential leader in the town of Ilan (current day Yilan City) by Japanese military officials—merely for his failure to pay a mining license fee—led to an insurrection in the region. Indeed, such barbarous actions only aided the propaganda of rebel leaders, who (according to Davidson) spread word that under the Governor-General’s orders “all must pay tribute to the Japanese, that not even the pig, dog, cat, goose, or chicken would be exempt from taxation; and that the Chinese should not close their doors against the Japanese, but give freely to the conquerors of all they had, even to the women [sic], who should be placed at the disposal of the soldiers.”

Lt. Gen. Katsura Tarō, who replaced Admiral Kabayama Sukenori as Governor-General of Taiwan on June 2, 1896, immediately recognized that abusive rule by the Imperial Army was fueling further resistance. Particularly problematic was the fact that Army officers acted as local administrators in pacified territories, and directed all hatred, resentment, and prejudice that they had acquired during the counter-insurgency campaign toward the local population. Despite his

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14 Quotation found in ibid., p. 35.
15 Ibid., pp. 30-31, 35-36.
military background, establishment of civil administration thus became a priority of Katsura. He also recognized that a hard line policy alone would not lead to a successful pacification effort; friendly ties needed to be cultivated between local elites and the colonial administration, and the establishment of a mechanism for the peaceful reintegration of former rebel leaders was a prerequisite if they were to be convinced to surrender. Before Katsura had a chance to implement these reforms, however, he was recalled to Tokyo a mere two months into his tenure to help resolve a political crisis back at home.\textsuperscript{17}

His successor, Lt. Gen. Nogi Maresuke, sought to follow the policy laid down by Katsura in some areas (such as the introduction of civil administration in the locality), but not in others (such as the display of clemency toward insurgents who were willing to surrender). Nonetheless, Nogi was convinced of the overall need to replace military rule with civil administration, and undertook large-scale recruitment of Japanese police officers to serve in Taiwan. Under Nogi’s direction, police officers stationed in the localities were increased from a meager force of 726 in 1895 to 3,270 by the end of 1897, distributed among 84 police stations and numerous more police branch stations.\textsuperscript{18} Nogi also sought to strengthen the local administration by replacing the existing sub-districts (of which there were twelve) with 78 “management offices” (bemusho), and by organizing “natural” Taiwanese towns and villages into official administrative units headed by a Taiwanese town/village chief. Each management office, which was placed under the jurisdiction of either a province (in the more developed western half of the island) or a district (in the less developed areas) was further divided into three administrative sections: general affairs, police affairs, and tax affairs. Of these three sections, the police affairs section was most important, and in addition to its assigned tasks of maintaining security and public sanitation, it

\textsuperscript{17} Chen, “Japanese Socio-political Control in Taiwan, 1895-1945,” pp. 37-41.
\textsuperscript{18} Taiwan Sotokufu Keimukyoku, \textit{Taiwan Sotokufu keisatsu enkakushi} [A history of the Taiwan Government-General police], vol. 1 (Taipei: Taiwan Sotokufu Keimukyoku, 1933), p. 810.
assisted the other two sections in performing their functions. In order to reduce military involvement in civil administration, a final reform initiated by Nogi was the “triple-guard system” (sandan keibi sei). Accordingly, Taiwan was divided into three security regions: the mountain and forest zone, which was assigned to the military and gendarmerie; cities, towns, and villages, which came under the jurisdiction of the civil police; and intermediate areas, where police and gendarmerie were jointly responsible.¹⁹

These reforms, however, achieved none of the objectives of the colonial government. In fact, the security situation slowly deteriorated under Nogi, even as the cost of administration inched upward. Responsibilities of the police section within management offices and the local police station overlapped, leading to confusion and redundancy. Management offices also proved both expensive to maintain (as they were staffed by highly-paid Japanese bureaucrats) and ineffective (as they were too small to undertake their assigned functions). The triple-guard system did little to keep gendarmes out of civil administration, given ambiguities regarding the category of the “intermediate” zone. Friction between the army and local civil administration was thus common. The civil police also failed in their effort to obtain the trust of the local population. Rapid expansion of the police force resulted in its ranks being filled by unqualified Japanese individuals, who not only lacked general training in policing, but also knew neither the dialects nor the customs of the Taiwanese people. Yet, little effort was made to rectify this situation by providing Japanese policemen with rigorous language training or by recruiting Taiwanese into the force. Finally, Nogi’s uncompromising stance toward the insurgents—in

particular, his refusal to grant clemency to surrendered rebels—strengthened the resolve of the regime’s opponents, who increased in number as the island’s population continued to be subjected to abuse by the various security forces.\textsuperscript{20}

At the heart of the Nogi administration’s failures was the belief that the Taiwanese could be coerced into submission. Little energy was spent, therefore, on engaging Taiwanese elites and incorporating them into the colonial governance structure.\textsuperscript{21} In turn, this had two adverse effects on the development of effective institutions. First, Taiwanese elites were politically excluded. Instead of partnering with town and village leaders to jointly govern Taiwan, Nogi attempted to micromanage local administration through management offices, which were staffed by high-paid Japanese bureaucrats with little knowledge of the local language, culture, and political networks. Second, this reliance on the management office also led to the de facto segregation of traditional Taiwanese institutions at the local level. Taiwanese towns and villages were officially recognized as local administrative units, but were not linked to the management offices. Town and village heads were simply expected to assist Japanese officials whenever their services were called for. Self-defense associations (\textit{jiei kumiai})—inspired by the Qing-era \textit{baojia} system—were organized in towns and villages throughout Taiwan; however, while they received instruction from the local police station, they remained outside the police hierarchy.\textsuperscript{22}

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\textsuperscript{21} Nogi’s attempt at appeasing the Taiwanese elites took the form of awarding them titles of shinshô (“gentlemen”) in recognition of their wealth, social status, or community service. Yet, such titles did little to endear the Japanese colonial administration to the Taiwanese elites, as they did not involve any tangible economic or political benefits. Harry J. Lamley, \textit{The Taiwan Literati and Early Japanese Rule, 1895-1915: A Study of Their Reactions to the Japanese Occupation and Subsequent Responses to Colonial Rule and Modernization}, Diss., University of Washington, 1964 (Ann Arbor: UMI, 1965), p. 215.
\textsuperscript{22} Hiyama, “Taiwan tōchi no kikō kaikaku to kanki shinshuku mondai,” pp. 326-31; Mukōyama, \textit{Nihon tōchika ni okeru Taiwan minzoku undō shi}, pp. 123-25; Suzuki Masuhito, “Taiwan no hokō seido [Taiwan’s hokō system],” \textit{Toshi mondai} 39.5 (1944), pt. 1, pp. 4-5.
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In sum, the institutional order that emerged during the first three years of Japanese rule was one that was both dualistic (in terms of the relationship between new and old institutions) and lacking in local ownership. The cause of this was the incompetency of Nogi and his team. By the start of Nogi’s administration in August 1896, the Government-General of Taiwan (GGT) had come to enjoy considerable autonomy from Tokyo, as a result of the passage of Law 63 and the establishment of the military governor-general system (discussed in Ch. 2). Nogi thus had a free hand to shape Taiwan’s institutional order as he wished. Yet, lacking in both vision and talent, his administration failed to make use of its autonomy to design institutions that were appropriate for Taiwan. Nogi and his associates also failed to recognize that without active cooperation from local elites, not only would the Japanese fail to prevail in the counter-insurgency campaign, but any new institutions created by the Japanese would rest on a fragile foundation. Nonetheless, the two preconditions for institution-building success under foreign occupation—i.e., agent discretion and effective local resistance—were present. Indeed, with the arrival of the talented Kodama Gentarō and Gōtō Shimpei in early 1898, Taiwan would soon be transformed into the symbol of Japan’s success in colonial administration.

2.11. Police Reform and Pacification under Kodama and Gōtō

By late 1897, the lack of any improvement in Taiwan’s security condition, coupled with high-profile corruption scandals within the GGT led to a collapse in Tokyo’s confidence in the Nogi administration. The situation in Taiwan was so dire that there were even calls to cut Japan’s losses by selling Taiwan to France. One-hundred million yen (or fifty million dollars) was proposed as an appropriate price for the disease-infested and insurgent-ridden island.23 Taiwan, however, had now become an integral component of the military’s strategy of “northern defense

and southern advance” (*hokushu nanshin*), and to lose Taiwan was out of the question for Japanese leaders.\(^{24}\) In fact, rather than giving up on Taiwan, the Imperial Army leadership redoubled its commitment by nominating Lt. Gen. Kodama Gentarō (a rising star within the Army leadership and widely recognized as the military’s top intellect and strategist) as Governor-General in February 1898. Handpicked as Kodama’s civilian counterpart was Gotō Shimpei, who was then a bureau chief within the Home Ministry, but had attracted the attention of Katsura (now Army Minister), for his highly original and perceptive analysis of the opium problem in Taiwan.\(^{25}\)

Kodama and Gotō’s pacification and governance policy stood on two key pillars. First, as Gotō wrote in “Taiwan Tōchi Kyūkyū An” (Rehabilitation of the Taiwan Administration), past administrations failed because they disregarded native Taiwanese institutions of “self-rule” (*jichi*), and overburdened Taiwan with a complex governance structure that followed Japanese models. Second, Gotō argued that the police—that is, the formal bureaucratic police organization staffed predominantly by Japanese officials—should be placed at the center of the colonial administration. Furthermore, the type of police institution most appropriate for Taiwan was not the kind found in modern nation-states, but rather, one modeled on the “police prior to the eighteenth century; that is, a police organization whose duties are wide-ranging.”\(^{27}\)

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\(^{27}\) “Taiwan tōchi kyūkyū an [Rehabilitation of the Taiwan administration],” in *Gotō Shimpei monjo* [Documents related to Gotō Shimpei], Reel 12, No. 4.33 (Tokyo: Yūshōdō Furumu Shuppan, 1979). The entire document can also be found in Tsurumi Y., *Seiden Gotō Shimpei*, vol. 2, pp. 650-55.
Gotô does not specify in this policy proposal the exact precedent he had in mind, given his study-abroad experience in Germany, he was likely influenced by the notion of *Polizeistaat* (police-state)—a concept that emerged in seventeenth-century German states and was later developed by Frederick William I of Prussia. Under this model, the purpose of the police was to assist the government in mobilizing society for the realization of a nation’s full potential. The police were responsible not only for maintaining peace and security, but also for advancing the population’s general welfare, both spiritual and material. Under this framework, the police institution was to become synonymous with the state.²⁸

The first step in transforming Taiwan into a *Polizeistaat* supported by native Taiwanese institutions was the strengthening of the police organization itself. To this end, Japanese patrolmen stationed in local police stations were gradually increased at a pace that would not sacrifice the quality of the force: from 3,020 men in 1897 to 3,291 by the end of 1898, and 4,061 by the end of 1899.²⁹ The Japanese police institution was also strengthened by subtraction—that is, by limiting the use of the army and gendarmerie in everyday policing. Accordingly, the reduction in the size of the gendarmerie was dramatic. In early 1898, the total number of gendarmes, at 3,400 men, was greater than that of the civil police force. By 1900, however, this force had been reduced by half, and in 1905, only one company of gendarmerie (comprise of 230 men) still remained in Taiwan.³⁰

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²⁹ *Taiwan Sōtokufu keisatsu enkakushi*, p. 810.

³⁰ Chen, “Japanese Socio-political Control in Taiwan, 1895-1945,” pp. 197-98. The size of the Japanese Army presence in Taiwan was also drastically cut. During the summer months of 1895, the Japanese occupational force came to be comprised of two and a half divisions, or approximately 50,000 men. In late 1895, this force was reduced to four brigades (roughly 20,000) men and remained at this level throughout the Nogi administration. In 1898, one
Gotō also improved the quality of the civil police force by dramatically expanding the meager training facility created under the Nogi administration into a full-fledged police academy in June 1898. The academy offered two types of courses. In the elite track, cadets were trained to become police inspectors and assistant police inspectors; upon graduation, they were to be stationed in one of many police stations and sub-stations as local administrators. Reflecting their wide-ranging duties, they took courses in administrative law, criminal procedure, and accounting, as well as in opium policy, household registration system, and hokō code (to be discussed shortly) during a one-year program. Those at the rank of patrolmen (junsa) had the option to enroll in a twenty-week program on the art of jailing. An important component of both programs was Taiwanese language instruction. To further incentivize patrolmen to learn the local language, the GGT gave bonuses to those who learned to speak one of the various Taiwanese dialects.  

Meanwhile, Kodama and Gotō ended the previous policy of relying almost exclusively on the Japanese to serve as policemen, when Taiwanese were recruited for the first time as assistant patrolmen (junsaho). Police records show that the number of Taiwanese policemen was 1,254 (or 23.2 percent of the total number of patrolmen and assistant patrolmen) in 1900, and was maintained at a level between 20 to 30 percent of the police force at least until 1932 (the end of the period for which data is available). Typically one Taiwanese and two Japanese policemen of the four brigades was withdrawn, and sometime thereafter, two more brigades were recalled. The Japanese military force in Taiwan, until the 1931 Manchurian Incident, thus consisted of a single mixed brigade (approximately 5,000 men).

were stationed in a police branch station (hashutsujo).\textsuperscript{32} Given that only one out of every ten town and village heads understood Japanese prior to 1920 (when the colonial state began the practice of appointing Japanese or Japanese-speaking Taiwanese as town and village chiefs), the stationing of at least one Taiwanese policemen in every police branch station greatly enhanced the police’s effectiveness in maintaining peace, and in assisting the local administration to undertake various non-policing duties.\textsuperscript{33}

Judicial reforms also buttressed police powers. In 1896, the GGT authorized the police to hand out summary judgments in cases where statutory punishments were either detention or fines, in a manner not too different from how local officials handled judicial affairs during the Qing period. The 1904 Summary Judgment Law further strengthened the police’s judicial role by allowing officers to settle two additional types of crimes by discretion: (i) offenses of gambling and of assault; and (ii) violations of administrative regulations punishable by not more than three months of detention and/or a fine of not more than 100 yen. Consequently, summary judgments were used to decide the vast majority of criminal cases in colonial Taiwan. In 1905, the first full year under the new law’s provisions, 37,965 criminal cases were settled by summary judgment as opposed to 5,892 by the court of first instance. Even during the 1920s (when liberalizing trends in Japan proper affected the conduct of the GGT), the ratio of summary judgment to trial by court was still no less than four to one. Meanwhile, it was possible for a defendant to appeal summary judgments to trial by court, but such acts were rare. Between May (when the Summary Judgment Law was passed) and December 1904, for example, a request for trial by court was made for only 12 out of the 28,770 cases decided by summary judgment. As one might expect,


decisions handed down by the police tended to be more severe than those by the courts: Among those who appealed their summary judgment convictions between 1904 and 1934, 588 (38.4 percent) received the same punishment, 118 (7.7 percent) were handed heavier punishments, 581 (37.9 percent) were given lighter punishments, and 244 (15.9 percent) were acquitted.34

Figure 1: Local Administration and Police Organization in Taiwan, 1901-1903

The final measure taken to strengthen the police institution was local administrative reform, as illustrated in Figure 1. Problems of the previous system were twofold: first, the size of a typical management office district was too small, thus producing a system that was both costly and inefficient; second, given the various administrative duties assigned to policemen (such as

enforcement of sanitary codes, collection of taxes, supervision of road construction, and promotion of scientific agriculture), the existence of police stations separate from management offices led to jurisdictional ambiguities and overlap in tasks. To address these issues, Gotō collapsed and reshuffled the existing system of provinces and management offices into 20 mid-sized districts and 87 sub-districts through two rounds of reforms (in 1898 and 1901). Meanwhile, towns and villages headed by a Taiwanese headman remained the lowest level of the colonial governance structure. These entities were not fully incorporated into the local administration, however, and the Taiwanese town and village chiefs, chosen among existing leaders within each locality, were without official bureaucratic rank.35

Gotō also overhauled the police organization in 1901—a reform that was initially rejected as too extreme by Tokyo, but implemented after strong insistence by Kodama and Gotō.36 Under the previous system, provincial governors were primarily responsible for overseeing the conduct of the police within their districts; Kodama and Gotō found that this system made it difficult to coordinate police activities between provinces. Given the continued strength of the insurgency, Gotō decided that a more centralized police structure was needed. A powerful Police Headquarters (Keisatsu Honsho) was formed within the Department of Civil Administration (which oversaw all non-military functions of the GGT), and Taiwan was divided into two police divisions, one in the north and the other in the south. A police superintendent headed each division, and supervised the ten district police bureaus under his jurisdiction. Yet, despite

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35 Chen, “Japanese Socio-political Control in Taiwan, 1895-1945,” pp. 159-64; Taiwan Sōtokufu keisatsu enkakushi, pp. 468-73; Ts’ai, One Kind of Control, pp. 39-43; Yoshihara, Nihon tōchika Taiwan keisatsu seido oyobi hokō seido nōto, pp. 15-17.

36 As discussed in Ch. 2, this 1901 police reform was initially rejected by the government in Tokyo, especially by the Home Minister, who found this system to be contrary to what he saw as the proper relationship between police and local administration in a modern state. After further negotiations with Tokyo, and with Kodama’s full support, Gotō’s was granted permission to undertake his sweeping reform for the most part, but was compelled to abandon his original plan of appointing police inspectors as district chiefs. He nonetheless obtained the desired effect by appointing police inspectors as sub-district heads. See Chen, “Japanese Socio-political Control in Taiwan, 1895-1945,” pp. 211-16.
centralization of the police organization under the Police Superintendent-General, police and local administration remained closely integrated as each of the twenty police bureaus became a branch of the local administration. Furthermore, to ensure smooth coordination between sub-district administration and police stations, Gotō appointed police officers as sub-district heads. In this way, the police became more than just a powerful branch of the local administration, but the local administration itself.  

The second set of reforms initiated by Kodama and Gotō concerned the treatment of rebel leaders, estimated to number thirty in 1898 and with a following of 20,000 men. The Kodama-Gotō administration’s strategy concerning the insurgents, which they called dohi (bandits), was part carrot (or perhaps more accurately handcuffs disguised as a carrot) and part stick (a very powerful one for that matter). The “stick” used by the colonial regime to defeat the insurgency was the enhanced police force (described above), as well as the Bandit Punishment Law (Hito Keibatsu Rei), passed on November 17, 1898, as Ritsurei (GGT Ordinance) No. 24.  

The most notable characteristic of this law was that it made most instances of “banditry” punishable by death. Accordingly, while in 1897 the regular court applied capital punishment to 54 of 526 cases of “banditry,” 247 out of 935 cases tried by the Temporary Court in 1898 resulted in death (see Table 1). In 1899, the number of death sentences handed to those guilty of “banditry” increased to 60 percent, reaching a peak of 74.3 percent in 1902.  

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38 The text of this law can be found in Mukōyama Hiroo, “Shokuminchi Taiwan no chian hosei [Peace preservation laws in colonial Taiwan],” *Kokugakuin hōgaku* 5.2 (1967), pp. 107-08. An English translation of the law can be found in Wang, *Legal Reform in Taiwan under Japanese Colonial Rule*, pp. 196-97. 


40 It should be noted that although the ordinary court was more lenient than the Temporary Court, it was not the case that Kabayama or Nogi showed more leniency towards insurgents than Kodama did. Many “bandits” prior to 1898
Table 1: Disposition of Accused Bandits in the District Courts in Taiwan, 1895-1906

<table>
<thead>
<tr>
<th>Year</th>
<th>No. of Defendants</th>
<th>No.</th>
<th>Death Penalty</th>
<th>No.</th>
<th>Life Sentence</th>
<th>No.</th>
<th>Other Sentences</th>
<th>No.</th>
<th>Not Guilty</th>
<th>No.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1895</td>
<td>89</td>
<td>100</td>
<td>35</td>
<td>39.3</td>
<td>3</td>
<td>3.4</td>
<td>20</td>
<td>22.5</td>
<td>31</td>
<td>34.8</td>
</tr>
<tr>
<td>1896</td>
<td>298</td>
<td>100</td>
<td>71</td>
<td>23.8</td>
<td>29</td>
<td>9.7</td>
<td>135</td>
<td>45.3</td>
<td>63</td>
<td>21.1</td>
</tr>
<tr>
<td>1897</td>
<td>526</td>
<td>100</td>
<td>54</td>
<td>10.3</td>
<td>99</td>
<td>18.8</td>
<td>331</td>
<td>62.9</td>
<td>42</td>
<td>8.0</td>
</tr>
<tr>
<td>1898</td>
<td>935</td>
<td>100</td>
<td>247</td>
<td>26.4</td>
<td>162</td>
<td>17.3</td>
<td>447</td>
<td>47.8</td>
<td>79</td>
<td>8.4</td>
</tr>
<tr>
<td>1899</td>
<td>1,436</td>
<td>100</td>
<td>863</td>
<td>60.0</td>
<td>142</td>
<td>9.9</td>
<td>303</td>
<td>21.1</td>
<td>128</td>
<td>8.9</td>
</tr>
<tr>
<td>1900</td>
<td>1,336</td>
<td>100</td>
<td>582</td>
<td>43.6</td>
<td>259</td>
<td>19.4</td>
<td>344</td>
<td>25.7</td>
<td>151</td>
<td>11.3</td>
</tr>
<tr>
<td>1901</td>
<td>1,325</td>
<td>100</td>
<td>910</td>
<td>68.7</td>
<td>87</td>
<td>6.6</td>
<td>236</td>
<td>17.8</td>
<td>92</td>
<td>6.9</td>
</tr>
<tr>
<td>1902</td>
<td>686</td>
<td>100</td>
<td>510</td>
<td>74.3</td>
<td>38</td>
<td>5.5</td>
<td>75</td>
<td>10.9</td>
<td>63</td>
<td>9.2</td>
</tr>
<tr>
<td>1903</td>
<td>133</td>
<td>100</td>
<td>82</td>
<td>61.7</td>
<td>13</td>
<td>9.8</td>
<td>27</td>
<td>20.3</td>
<td>11</td>
<td>8.3</td>
</tr>
<tr>
<td>1904</td>
<td>25</td>
<td>100</td>
<td>13</td>
<td>52.0</td>
<td>1</td>
<td>4.0</td>
<td>5</td>
<td>20.0</td>
<td>6</td>
<td>24.0</td>
</tr>
<tr>
<td>1905</td>
<td>17</td>
<td>100</td>
<td>6</td>
<td>35.3</td>
<td>1</td>
<td>5.9</td>
<td>1</td>
<td>5.9</td>
<td>9</td>
<td>52.9</td>
</tr>
<tr>
<td>1906</td>
<td>6</td>
<td>100</td>
<td>0</td>
<td>0.0</td>
<td>1</td>
<td>16.7</td>
<td>2</td>
<td>33.3</td>
<td>3</td>
<td>50.0</td>
</tr>
</tbody>
</table>


On the “carrot” side, Japanese officials reached out to known relatives of rebel leaders to convince their rebellious kin to surrender. Kodama expressed regret that abuse by past administrations had driven good Taiwanese into “banditry,” and that his policy was to reintegrate such “good bandits” back into Taiwanese society. To accomplish this, Kodama authorized (at least superficially) generous surrender terms to insurgents willing to accept Japanese authority. For example, in the surrender of Lin Huowang in the Ilan District, terms of surrender included complete amnesty, as well as provision of jobs (or unemployment benefits if none were to be found) to Lin Huowang and his associates. An even more generous offer was made in May 1899 to Lin Shaomao of southern Taiwan, who was the last major insurgent leader to surrender. The rebel leader was permitted to keep his men armed (despite the anti-gun and anti-ammunition law that was in effect), and local authorities even promised not to apprehend any of Lin Shaomao’s men for criminal charges unless first consulting him. Officials also agreed to seek Lin Shaomao’s permission before the government’s security forces entered his sphere of influence.

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were simply executed on the spot by soldiers or gendarmes before their cases reached the courts. Wang, *Legal Reform in Taiwan under Japanese Colonial Rule*, pp. 105-07.
Finally, the GGT promised to compensate him for any property damages caused by the military campaign, as well as a ¥2,000 stipend to distribute as he pleased among his men.\footnote{Chen, "Japanese Socio-political Control in Taiwan, 1895-1945," pp. 42-63.}

Such overly generous terms were handed out because the colonial government had little intention of honoring them once the rebel forces were placed under police surveillance. Even the surrender ceremonies, attended by the Governor-General himself at times (and perceived by insurgent leaders as a gesture of good will on the part of the colonial government), were a means of enhancing police control over the dohi. The taking of a commemorative photograph was always a part of such occasions; photographs were then filed away in the local police station as a means of identifying past troublemakers. Also included within the surrender process was the rebels’ obligatory reporting of name, age, and household information, surely to be used to hand out the promised unemployment checks, but also useful for the police to keep close watch of ex-insurgents. Systematic abrogation of the surrender terms by the colonial state began in late 1901, when pacification of the island had largely been completed. In May 1902, for example, Japanese police fired upon and killed all 275 surrendered rebels in the Yunlin region during a surrender ceremony when rebels allegedly refused to hand in their weapons. Meanwhile, during the final 1902 offensive against insurgents in southern Taiwan, among those eliminated were individuals who had already surrendered (under generous terms), such as Lin Shaomao and his relatives. In all, 11,950 dohi (or approximately half of the estimated 20,000 insurgents in 1898) were killed between 1898 and 1902 according to official reports: 3,279 (27.4 percent) during pacification campaigns, 5,673 (47.5 percent) after they were apprehended, and another 2,999 (25.1 percent) through the application of the Bandit Punishment Law.\footnote{Chen, "Japanese Socio-political Control in Taiwan, 1895-1945," pp. 65-67; Wang, Legal Reform in Taiwan under Japanese Colonial Rule, p. 111.}
Yet, despite such treacherous acts by the colonial government, genuine efforts to obtain the support of local Taiwanese elites were also made by Kodama and Gotō. In addition to the practice of appointing local notables to positions of counselor (sangi) in local governments (initiated by Nogi in 1897), Kodama and Gotō pursued a vigorous policy of appeasement toward the gentry class (which numbered only 810 known individuals in 1900 from a pre-1895 size of approximately 5,000). In particular, Kodama (who was well versed in Chinese poetry) held poetry recitals in his official residence and invited Taiwanese scholars to demonstrate their talent. Kodama made it a habit to mingle with the local literati whenever he inspected towns and villages. He also organized inspection tours of modern buildings, factories, and other “improvements” in urban space in an attempt to convince the literati of the benefits of Japanese colonization. Extending his outreach program beyond the small gentry circle, Kodama also “revived” the custom of grand feasts honoring the elderly—a tradition observed at times in the Chinese mainland, but never actually recorded to have occurred in Taiwan. Other programs initiated by the colonial government to win local elite support included: government assistance in the restoration of temples (which had been devastated by the counter-insurgency campaign);

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43 In 1895, it is estimated that Taiwan had about 350 upper gentry members, who held higher academic titles and degrees (which were prerequisites for membership in the Qing bureaucracy). In addition, those who possessed lower gentry grades and titles (which did not afford the privilege for official service) may have numbered as many as 5,000. Below this was a non-gentry literati group, which consisted of scholars who had never sought a formal academic degree, individuals who failed the state-administered exams, and young scholars who had not yet gained entry into the state-sponsored academies. This non-gentry portion of the literati group is estimated to have number five or six times the number of the gentry class. Hence, a rough estimate of the literati class in Taiwan in 1895 comes to between 30,000 and 40,000, or 1.5 percent of the population. Meanwhile, roughly 6,400 individuals are estimated to have left Taiwan between 1895 and 1897 by taking advantage of the provision within the Treaty of Shimonoseki (which ended the Sino-Japanese War) that residents of Taiwan had two years to choose Japanese citizenship and stay in Taiwan or reject Japanese citizenship and “return” to China. The majority of these “returnees” were from the gentry class. Hence, when the GGT forged an island-wide literary association comprised of higher and lower Taiwanese gentry in 1900, the colonial state could only identify 845 individuals as qualifying for membership. See Chen, “Japanese Socio-political Control in Taiwan, 1895-1945,” pp. 276-77; Lamley, *The Taiwan Literati and Early Japanese Rule, 1895-1915*, pp. 234-52; idem., “The Yobunkai of 1900: An Episode in the Transformation of the Taiwan Elite during the Early Japanese Period,” in *Ri-ju shi-qi Taiwan shi guo-ji xue-shu yan-tao-hui lun-wenji* [International conference on Taiwan history under Japanese colonization], ed. Department of History, National Taiwan University (Taipei: National Taiwan University, 1993), p. 140; idem., “Taiwan under Japanese Rule, 1895-1945,” p. 208; Myers, “Taiwan under Ch’ing Imperial Rule, 1684-1895: The Traditional Order,” pp. 507-10.
creation of a fund for helping those in need due to sickness, old age, or natural disasters; and the building of hospitals, homeless shelters, and orphanages.\(^{44}\)

Most importantly, the GGT took several measures specifically intended to appease the landowning and merchant classes, which comprised the bulk of the local elite stratum following the post-1895 exodus of the gentry. Although the Kodama-Gotō regime ended the practice of allowing local communities to select their own town or village heads, the colonial government took care to appoint locally influential individuals to these posts. Other positions available to town and village elders were representatives of a *hokō* organization, which was the lowest-level administrative unit comprised of between 50 and 300 households. By taking up these positions, not only were local elites integrated into the colonial governance structure, but they were also made dependent upon the state for their political power and social prestige. Yet, there were certainly benefits to collaboration for Taiwanese elites. In exchange of their support, the Japanese made Taiwanese township and village officials the sole point of contact between the local population and the colonial state. Given that the GGT taxed the population heavily, while spending a large portion of government revenue on agricultural and infrastructure development projects, Taiwanese elites thus gained tremendous influence within their local communities by serving as intermediaries. Moreover, they were given ample opportunities to personally profit from Japanese colonization through the awarding of sale permits of monopolistic goods (such as opium, salt, camphor, and tobacco), as well as through access to insider information regarding the government’s development projects.\(^{45}\)


\(^{45}\) For examples of Japanese efforts to appease the Taiwanese elite, as well as ways in which collaborate ties were structured, see Chen, “Japanese Socio-political Control in Taiwan, 1895-1945,” pp. 282-84; Chih-ming Ka, *Japanese Colonialism in Taiwan: Land Tenure, Development, and Dependency, 1895-1945* (Boulder: Westview Press, 1995), pp. 49-87; Ts'ai, *One Kind of Control*, pp. 125, 214-15, 267-69. For a discussion of local Taiwanese
Such policies of elite inclusion were born out of Kodama and Gotō’s acknowledgement that the only way to effectively govern Taiwan was by collaborating with local powerholders. No matter how hard the Japanese tried to penetrate Taiwanese localities through bureaucratic means, the problem of structuring the interface between Taiwanese society and the colonial state could not be resolved if local elites remained excluded from the governance system. Recruitment and incorporation of town and village elders into the colonial state, along with appeasement of the urban gentry class, thus became a priority of Kodama and Gotō. Yet, elite incorporation was not enough in the building of strong colonial institutions. As long as collaborative relationships were constituted only at an inter-personal level, and institutional sources of elite power remained outside the formal structure of the state, native support for colonial authority—and the institutions undergirding this authority—was inherently unstable. In other words, in order to prevent native Taiwanese institutions from competing with newly established Japanese ones as a source of elite empowerment, it was necessary to thoroughly integrate the former with the latter. Gotō certainly understood this, and in light of his successful counter-insurgency campaign, he initiated the process of hybridizing the existing dualistic institutional order of colonial Taiwan. At this center of this transformation was the institution of *hokō.*

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politics and socioeconomic relations more broadly, see Chiukun Chen, “From Landlords to Local Strongmen: The transformation of Local Elites in Mid-Ch'ing Taiwan 1780-1862,” in *Taiwan: A New History*, ed. Murray A. Rubenstein (New York: M.E. Sharpe, 1999): 133-63; Lawrence W. Crissman, “The Structure of Local and Regional Systems,” in *The Anthropology of Taiwanese Society*, ed. Emily Martin Ahern and Hill Gates (Stanford: Stanford University Press, 1981): 89-124; Bernard Gallin, *Hsin Hsing, Taiwan: A Chinese Village in Change* (Berkeley: University of California Press, 1966), pp. 114-17. As Gallin writes, “Traditionally, the village landlord has played a major role in the leadership of his village and its immediate vicinity. During the Japanese period, such leadership roles were greatly reinforced by the Japanese, who preferred to handle village problems through the wealthy landlord class rather than by dealing directly with the ‘peasants.’ ... Consequently, if the villagers were to get along successfully with the Japanese, they had to work through their landlords. They usually elected a landlord to handle local village affairs and to represent village interests in dealing with the Japanese authorities. The arrangement was also to the landlord’s advantage. As the official leader, he wielded greater power by which he could more easily manipulate the villagers, and even the tax collector, to his own advantage. His recognition as a leader by his fellow villagers and by the authorities also increased his prestige (114-15).”
2.III. Hokō and the Hybridization of Taiwanese Local Governance

The baojia system dates back to the eleventh century, but it was not until the first half of the eighteenth century that this institution of local rule was extended across the Qing Empire, reaching Taiwan in 1733. In an ideal-typical baojia unit, ten households (except for those headed by a gentry member) constituted a pai, ten pai formed a jia, and ten jia were group together into a bao. The primary tasks assigned to a baojia unit was recruitment of peasants into self-defense militias and the reporting of census data to the state. This system, however, was a failure in Qing-era Taiwan both as a security organization and as an instrument for collecting necessary household information for tax assessment. In the nineteenth century, various reforms were proposed to remedy baojia's defects, including those by the activist governor Liu Minchuan (1885-1891), but the failed system remained largely unchanged. As such, when Taiwan came under Japanese rule in 1895, baojia was hardly an obvious solution to the establishment of Japanese colonial rule in Taiwan.

In discussing the reestablishment and evolution of hokō—as baojia is pronounced in the Japanese language—since 1898, it is important to note that it developed in three distinct phases. The first period was between the initial passage of the Hokō Bylaw (Hokō Jorei) in August 1898 to the standardization of the hoko system in May 1903 with the adoption of the Working Rules for the Implementation of the Hokō Bylaw (Hokō Jorei Shikō Kisoku). During this period, hokō served predominantly as an auxiliary force of the police and was not yet fully integrated into the local administrative structure. It was not until next phase of hokō’s development, between 1903 (when the new Hokō Working Rules were applied throughout Taiwan) and 1936 (when the

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policy of kōminka—imperialization—was initiated) that the hybridization of hokō with the
system of local administration was attained. Finally, during the final phase from 1936 to 1945,
the centrality of hokō in the maintenance of colonial governance rapidly declined. The very
success of hokō in integrating Taiwanese society into the colonial state, as well as the
establishment of parallel organizations of wartime mobilization (such as the Kōmin Kōkōkai, or
the Association of Imperial Subjects for Patriotic Service), made its existence increasingly
superfluous, until hokō was abolished in June 1945, two months prior to the end of World War II.

In short, as the following discussion will demonstrate, the creation of hybridic institutions
of policing and local rule in colonial Taiwan was hardly a result of a deliberate plan formulated
by Goto Shimpei in 1898, but emerged through an institution-building process characterized by
pragmatism and trial and error. After all, the stated policy of Goto in 1898 was one of “no
policy.” The greatest virtue of Goto and his successors was not that they had all of the answers to
begin with, but that, freed from demands by Tokyo to assimilate the colonial governance
structure to institutions found in Japan proper (as discussed in Ch. 2), they were inclined to
flexibly solve problems as they arose. Charged with the unprecedented task of building a
Weberian bureaucratic state within a war-torn and traditional society, they were unafraid to
experiment with unconventional solutions.

Phase 1 (1898-1903): As Goto acknowledged later, he learned of the existence of baojia
from Qing magistrate Huang Liuhong’s seventeenth-century treatise on governance, titled A
Complete Book Concerning Happiness and Benevolence (Fuhui Quanshu). Particularly appealing
to Goto was hokō’s potential to serve as the focal point of his policy of jichi (“self-rule”). 47 Yet,
Goto was not the only Japanese administrator to notice the potential of hokō as an instrument for

47 Yui-yu Caroline Ts’ai, Taiwan in Japan’s Empire Building: An Institutional Approach to Colonial Engineering
both the pacification campaign and the colonial state-building effort. It was Furushō Kamon, the Chief of the Bureau of Internal Affairs, who first attempted to reintroduce hokō in 1897 after learning of its existence from a village elder in central Taiwan, and consulting its establishment with members of the local gentry. However, Furushō’s experiment with hokō, which was used primarily as a means of recruiting pro-Japanese militias, produced mixed results. It succeeded in stabilizing the troubled Yunlin region (perhaps due to the backing of the Lin clan), but in both the north and the south, hokō-based “self-defense associations” (jieit kumiai) assisted Japanese and rebel forces alike, rendering them useless as an auxiliary force to the police.48

Gotō was undeterred from these early setbacks with hokō, perceiving Nogi’s troubles to have been caused more by his administration’s general incompetence. As reconstituted by Gotō in the Hokō Bylaw of August 1898, the original three-tier baojia structure was simplified, so that ten households comprised one kō, and ten kō formed a ho.49 Nonetheless, due to the fact that actual communities came in different sizes, a hokō unit varied anywhere from 50 households (in towns and villages) to 300 (in large cities). Both non-Chinese foreigners and Japanese were excluded from participation in hokō, while membership was required of all native Taiwanese inhabitants as well as Chinese nationals from mainland China, regardless of social status. As an auxiliary force of the police, hokō units were characterized by a strict hierarchical structure where a kō was led by an individual with the title of kōchō, and a ho was led by a hosei. A hosei

48 After the declaration of victory against Taiwanese insurgents by Gov-Gen Kabayama in early 1896, Yunlin region in central Taiwan came to be particularly famous for producing the most ferocious insurgents. The fame of Yunlin’s insurgents even reached the ears of Emperor Meiji, who ordered newly appointed Gov-Gen Katsura to look into the matter. In turn, Katsura appointed Furushō Kamon, who was head of the GGT Bureau of Internal Affairs, to lead a pacification campaign in the region. During his inspection trip in Yunlin, Furushō was informed by a village elder about the baojia system, and after consulting its revival with leaders of the Lin clan of central Taiwan, he proceeded to organize self-defense associations (jieit kumiai) through the use of baojia. Due to its success in the Yunlin region, Furushō then ordered the formation of self-defense associations throughout Taiwan. However, in most places, leaders of baojia units simultaneously cooperated with both the Japanese forces and the insurgents, thus making self-defense associations utterly useless as a weapon against the insurgency. See Suzuki, “Taiwan no Hokō Seido,” pt. 1, pp. 4-5; Washinosu Atsuya, Taiwan hokō kōmin ka dokuhon [A reader on hokō and imperialization in Taiwan] (Tokyo: Ryokuin Shobo, 2000[1941]), pp. 61-75.

was then placed under the supervision of the local Japanese police officer. Each hokō unit was responsible for recruiting men to serve within militia organizations known as sōteidan (able-bodied corps), which were led by a Taiwanese corps chief, who in turn received direction from a Japanese policemen. In all, approximately 45,000 Taiwanese individuals within the rural elite stratum (out of a population of approximately three million) served in leadership positions within hokō units or sōteidan in 1903 (when the earliest data of this kind is available), helping to forge collaborative ties between the colonial state and local Taiwanese communities.\(^{50}\)

Thus organized, hokō played three primary duties in the maintenance of security and “welfare”: (i) assigning collective responsibility (renza) among the Taiwanese; (ii) recruiting men to serve as sōteidan members and as coolies; and (iii) assisting police officers in peacetime policing duties, such as eradicating infectious diseases and monitoring population movements.

First, hokō was a means of administering the practice of collective responsibility (renza). Renza came in two forms: criminal and non-criminal. Criminal violations typically involved the failure of a Taiwanese subject to prevent insurgent attacks or riots from taking place. For example, the village of Puzijiao in southern Taiwan was fined 2,400 yen in 1901 for “not keeping the unrest from developing into a riot.”\(^{51}\) In another instance (also in 1901), the town of Puzi was fined 1,200 yen for its failure to report information regarding an insurgent attack that led to the death

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50 Mochiji, *Taiwan shokumin seisaku*, pp. 75-76; Suzuki, “Taiwan no hokō seido,” pt. 1, pp. 7-9; Ts’ai, *One Kind of Control*, pp. 66-70; Yoshihara, *Nihon tōchika Taiwan heisatsu seido oyobi hokō seido nōto*, pp. 62-73. For yearly data from 1903 to 1942 concerning the total number of individuals who held leadership positions within hokō units and sōteidan, as well as the total size of the sōteidan, see Ts’ai, *One Kind of Control*, pp. 67-68. Here, it should be noted that while individuals selected to leadership positions within hokō units came predominantly from the rural landowning class for most of the Japanese period, this began to change in the late 1930s, as members of the “new” elite—that is, those educated in Japanese colonial schools and employed in corporations and professional associations—began to serve as intermediaries between the colonial state and Taiwanese society. In part, this reflects a change in Japanese colonial strategy from one focusing on preserving existing social relations to one seeking to radically transform Taiwan in the Japanese (wartime) image. For more on the social transformation of hokō elites, see Ts’ai, *One Kind of Control*, pp. 523-35.

51 Quotation found in Ts’ai, *Taiwan in Japan’s Empire Building*, p. 101. On this point, see also Washinosu, *Taiwan hokō kōmin kōdōkōhō*, p. 107. To put this fine of 2,400 yen in perspective, the total revenue of the GGT in 1901 was only slightly over 10 million yen. Ka, *Japanese Colonialism in Taiwan*, p. 53.
of a sub-district head and other Japanese officials.\(^5\) Non-criminal violations concerned one of various regulations specified in the local *hokō* code, such as failure to report population movements or violation of sanitation laws.\(^5\) Data concerning the use of *renza* during the insurgency’s height is lost. However, its wide-scale use can be guessed from the fact that as late as 1919—that is, more than fifteen years after the end of the insurgency in the western half of Taiwan—eighteen cases of *renza* were reported for criminal cases and another 532 for non-criminal ones.\(^5\)

The second function of *hokō* was to assist in the recruitment of men to serve within local pro-government militias (*sōteidan*); to work as laborers in the building of roads, bridges, railroads, and other public works projects; and to act as coolies for Japanese forces in their campaigns against insurgents. Of these tasks, *sōteidan* recruitment was *hokō*’s primary labor-related assignment, and indeed the reason why *hokō* was organized in the first place. However, as Washinosu Atsuya (a former Japanese police officer in Taiwan) writes in his memoir, *sōteidan* were not particularly effective in fighting insurgents (at times even cooperating with them), and their utility was largely in helping to maintain peace once a rebel presence was eradicated by Japanese forces, or in helping the police in natural disaster relief.\(^5\) Meanwhile, *hokō* provided invaluable assistance to the colonial government in recruiting labor to help with

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\(^5\) Suzuki Masuhito, "Taiwan no hokō seido [Taiwan’s hokō system]," *Toshi mondai* 39.6 (1944), pt. 2, p. 29.

\(^5\) For a full list of issues typically covered in a local *hokō* code, see Yoshihara, *Nihon tōchika Taiwan keisatsu seido oyobi hokō seido nōto*, pp. 74-76.

\(^5\) See Chen, "Japanese Socio-political Control in Taiwan, 1895-1945," p. 398, for data concerning *renza* between 1919 and 1940. After 18 cases of criminal *renza* was recorded in 1919, there were only eight more instances, seven of which were in 1920 and one in 1924 before criminal *renza* was discontinued in 1925. As for non-criminal *renza*, the number of cases gradually declined over the years from 542 in 1919, 243 in 1920, 164 in 1921, 153 in 1922, 139 in 1923, and so on, until it reached single digits in 1927. 1935 was the last year in which the use of *renza* for non-criminal cases (four instances) was recorded. The ending of criminal *renza* was a part of Gov-Gen Den Kenjirō’s policy of “assimilation,” whereby he sought to bring the Taiwanese criminal justice system as close as possible to one found in Japan. Also discontinued under Den’s administration was the use of flogging as means of punishing minor offenses. For the evolution of the criminal justice system in Taiwan under Japanese rule, see Wang, *Legal Reform in Taiwan under Japanese Colonial Rule*, pp. 105-39.

public works projects (especially road-building) and to serve as military coolies. For example, during Gov-Gen Sakuma Samata’s final campaign against aboriginal tribes in April 1914, it was through the assistance of hokō units that 55,600 Taiwanese were mobilized as military porters.56

The everyday assistance of police in maintenance of colonial governance—the third and final set of functions assigned to hokō during the initial 1898-1903 period—was perhaps its most important. It was precisely due to hokō’s effectiveness in collecting population data that the colonial government was able to keep a close eye on the movement of people, as well as have the necessary information to undertake a series of land and tax reforms between 1903 and 1905.57

Furthermore, of their various peacetime policing activities, the importance of hokō in campaigns against infectious diseases was particularly notable. In the island-wide effort to eradicate the plague by capturing rats, hokō units all over Taiwan were mobilized through the use of both fines and rewards. In the city of Tainan, a policy was initiated in November 1901 where each household was rewarded 5 sen (100 sen = 1 yen) for every rat caught, and households that turned in 1000 rats earned a ticket in a lottery with a top prize of 10 yen. In a town in central Taiwan, households were given a quota of 10 rats a month and were fined 5 sen for failure to meet this quota. In all, four to five million rats were caught island-wide by 1904 as a result of this policy.58

56 Suzuki, “Taiwan no hokō seido,” pt. 2, pp. 30 and 33; Ts’ai, Taiwan in Japan’s Empire Building, pp. 107-08.
57 Chiang Ping-k’un, Taiwan chiso kaisei no kenkyū: Nihon ryōyū shoki tochi chōsa no honsōtsu [Study of Taiwanese land-tax reform: The true nature of Japan’s early colonial land investigation] (Tokyo: Tokyo Daigaku Shuppankai, 1974), pp. 161-62; Mochiji, Taiwan shokumin seisaku, p. 77; Ts’ai, One Kind of Control, pp. 90-93.
58 Rat extermination was not the only area hokō was used in the government’s various health and sanitation policies. Hokō officials were also responsible for notifying to the police all deaths, especially those in areas infected by infectious diseases, so that the infectious diseases could be contained. See Joseph C. Wicentowski, Policing Health in Modern Taiwan, 1898-1949, Diss., Harvard University, 2007 (Ann Arbor: UMI, 2007), pp. 60-66, 69-74. For a discussion of health and medical practices more broadly in colonial Taiwan, see Hsien-yu Chin, “Colonial Medical Police and Postcolonial Medical Surveillance Systems in Taiwan, 1898-1950s,” Osiris 13 (1998): 326-38; Michael Shiyung Liu, Prescribing Colonialism: The Role of Medical Practices and Policies in Japan-ruled Taiwan, 1895-1945 (Ann Arbor: Association for Asian Studies, 2009).
Phase 2 (1903-1936): As reconstituted by Gotō in 1898, the organization of hokō was unsystematic. The 1898 Hokō Bylaw was a simple seven-clause document lacking in specificity, thus providing communities some degree of freedom in structuring their local hokō unit. Given the confusion of the initial years, and the need for the colonial administration to rely on local elites to defeat the insurgency, this loose arrangement was perhaps unavoidable. One outcome of this freedom was the unplanned emergence of multi-village hokō bureaus (diagramed in Figure 1, above), as quasi-governmental organizations led by an all-Taiwanese leadership.\(^{59}\) Without a doubt, the hokō bureau received firm guidance from the Japanese police. However, the fact that hokō bureaus remained outside the formal structures of the colonial state meant that a certain degree of autonomy was preserved within hokō units, as was the case during the Qing period. This was a development that certainly did not escape Gotō’s watchful eyes. Indeed, a common theme that characterizes the period between 1903 and 1936 is the gradual removal of hokō’s autonomy, as hokō was made an integral component of both the police institution and the local administration. In particular, this latter development transformed hokō from a predominantly security organization into the cornerstone of Japanese governance more broadly, thus extending its reach into cultural and economic realms of colonial rule.

It was not a coincidence that the colonial government tightened its grip on hokō units through the passage of the Working Rules for the Implementation of the Hokō Bylaw (Hokō Jōrei Shikō Kisoku) in 1903, after the insurgency was thoroughly defeated in the western half of Taiwan. With the local population subdued, time was ripe for the colonial government to consolidate its rule. Accordingly, the structure of hokō was standardized throughout Taiwan and individual hokō units were officially placed under the police hierarchy. The responsibilities of

kōchō and hosei were specified, and their election methods determined. The Hokō Working Rules made no mention of the semi-autonomous hokō bureau, and created the allied hokō association (hokō rengōkai), as hokō’s official decision-making body. Importantly, allied hokō meetings were held inside local police stations (or sub-stations), thus advancing the hybridization of hokō with the formal police organization. Consequently, the relative autonomy hokō units enjoyed under the 1898 system came to an end.

After the passage of the Hokō Working Rules in 1903, the structure of hokō remained unchanged until 1943 when söteidan was abolished. Nonetheless, periodic reforms to the system of local administration were to have profound effects on the role of hokō within the colonial governance structure. The first major reform came in 1909 when the number of province-like districts were reduced from 20 to 12, and wards (ku) were created under sub-district governments, thus producing a three-tier system of local government (12 districts, 86 sub-districts, and 454 wards). Furthermore, the 1909 reform transformed hokō units into an auxiliary arm of wards by officially sanctioning local authorities to assign the following non-policing duties to hokō units: (i) dissemination of information regarding laws and regulations; (ii) collection of information on local industries and economic activity; and (iii) assistance in the collection of taxes. Yet, a kuchō (ward chief) did not have the authority to directly command a hokō unit in undertaking these duties.

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60 Suzuki, “Taiwan no hokō seido,” pt. 1, pp. 6-7; Yoshihara, Nihon tōchika Taiwān keisatsu seido oyobi Hokō seido nōto, pp. 79.
61 Ts’ai, One Kind of Control, pp. 85-86; Yoshihara, Nihon tōchika Taiwān keisatsu seido oyobi hokō seido nōto, pp. 74-76.
62 Wards (ku), which were led by appointed Taiwanese officials with the title of kuchō, were for the most part created out of existing “natural” towns and villages. In some cases, however, several communities were combined to create a ward. Within this structure, a kuchō was treated as though he possessed a hannin rank (i.e., the lowest grade within the Japanese bureaucracy). This treatment, however, was unofficial, and a ward was technically not a formal organ of local government. For the 1909 local government structure, see Ts’ai, One Kind of Control, pp. 134-137.
tasks. Instead, he was required to obtain the permission of Japanese police officials, who gave consent to such requests during allied hokō meetings.63

Figure 2: Local Administration and Police Organization in Taiwan, 1911-1920

This trend toward the transformation of hokō into a branch of the local government was further advanced in 1920, as part of a comprehensive reform program initiated by Gov-Gen Den Kenjirō. As discussed in Ch. 2, Den was the first civilian to be appointed as Governor-General by Prime Minister Hara Kei in 1919 with the explicit purpose of advancing Taiwan’s assimilation into Japan. Local administrative reform, along with legal and educational reforms,

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63 Suzuki, “Taiwan no hokō seido,” pt. 1, p. 9; Ts'ai, One Kind of Control, pp. 150-52.
was a key component of this program.64 Indeed, faithfully executing Hara’s agenda, Den reorganized western Taiwan into five provinces (shū), which were largely equivalent in size to a typical prefecture (ken) in Japan proper. (Eastern Taiwan, on the other hand, retained the old district/sub-district/ward system.) Under the five provinces were placed three semi-autonomous municipalities (shi) of Taihoku (Taipei), Taichū (Taichung), and Tainan, along with 47 counties (gun) that administered all areas in western Taiwan outside of these three municipalities. Under the counties were then created two-hundred and some towns (gai) and villages (shō) that served as the lowest tier of local government. Contrasting with the unofficial status of wards (ku) under the previous system, these administrative towns and villages were made into official corporate bodies with powers to levy taxes and determine their own budgets.65 Consequently, and also most ironically (given the new regime’s goal of assimilation), the increased importance of township and village governments led to a dramatic rise in the number of Japanese individuals serving as town and village heads from a mere 3 percent in 1920 to 52 percent in 1936, until reaching 82 percent in 1942.66

Within this new administrative system, several notable changes were made to the police and hokō institution that further advanced their integration into the structure of local government. First, as seen in Figure 3, the post-1901 police hierarchy was dismantled and supervision over local policing became primarily the responsibility of the provincial governor. In the three

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65 Chen, “Japanese Socio-political Control in Taiwan, 1895-1945,” pp. 375-81; Edward I-te Chen, “Japanese Colonialism in Korea and Formosa: A Comparison of the Systems of Political Control,” Harvard Journal of Asiatic Studies 30 (1970): 126-58. Another key feature of the new local government system was that consultative councils (kyōgikai) were created at the provincial, municipal, and town/village levels. The number of conferees ranged from 20 to 35 in the provincial councils, 15 to 30 for the municipal councils, and 7 to 20 for the town and village councils. Unlike the previous sangi (counselor) system were individual counselors provided advise on an ad hoc basis, members of newly created consultative councils held official positions and met as a body to provide suggestions to the executive. Members of consultative councils were all initially appointed, but elections were introduced to distribute half of the council seats in the 1935 reform.
66 Detailed data concerning the ethnic composition of town and village heads from 1920 to 1942 is found in Ts’ai, Taiwan in Japan’s Empire Building, p. 157. Although the size of the Japanese settler community had gradually increased over the years, it was a mere 5 percent of total population by the end of Japanese rule.
municipal governments, the previous dominance of police thus ended with the subordination of the municipal police chief to the mayor’s office. The fusion of police with local administration, however, was maintained at the county level (which was the equivalent of a sub-district in the old system). Unlike the other organs of local rule, counties were not corporate bodies comprised of an executive branch and a consultative assembly, but rather, strictly administrative entities dominated by the police. Moreover, this police-state structure was extended further down under the 1920 system with the creation of zones (ku) within towns and villages. Typically appointed to serve as zone heads were incumbent hosei, thus uniting the police and local administrative hierarchy at the hoko level for the first time.

Figure 3: Local Administration and Police Organization in Taiwan, 1920-1945

Note: This structure of local government persisted until the abolition of hoko in June 1945, but three key reforms during this period should be noted. First, elections for members of provincial, municipal, and town/village council were introduced in 1935. Second, the Association of Imperial Subjects for Patriotic Services was established in 1941, as a parallel structure for maintaining colonial governance during the wartime years. Third, sosteidan was abolished as a police auxiliary force in 1943. This diagram applies only to the western (non-aboriginal) region of Taiwan.
As a result of these successive reforms between 1903 and 1920, responsibilities of hoko expanded dramatically to involve virtually every aspect of Taiwanese life.\(^67\) Hoko's participation in land reform, infrastructure development, and sanitation campaigns at the turn of the twentieth century has already been discussed. Continuing this trend of hoko's importance in promoting Taiwan's economic development, those serving as hosei were now invited by local Japanese authorities to attend meetings of production cooperatives (which were essentially agrarian credit unions) with the aim of using their political connections and social prestige to recruit landowners and farmers into these organizations. Although the role of hosei in popularizing production cooperatives is hard to measure, the cooperatives were indeed a resounding success, increasing precipitously from a total of 16 in 1913 to 500 by 1940, while expanding their functions from provision of credit to purchasing, marketing, utilization, warehousing, and rice milling. Other agro-development tasks assigned to hosei included soliciting contributions for the maintenance of irrigation systems, as well as organizing efforts to clear fields of weeds and rid farms of pests and locusts. Allied hoko meetings were made into forums for disseminating information regarding new (and scientific) planting and husbandry techniques.\(^68\)

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\(^67\) Indeed, the police and local administration had become so intertwined in the 1920s that police officers themselves began to call for reforms separating the two. From their perspective, non-policing duties were distracting them from executing their primary duties as police officers. Top GGT administrators in the late 1920s agreed, and several reforms meant to disentangle the police-state structure was proposed in late 1929 by Gov-Gen Ishizuka Eizō (who had served previously as Kodama’s chief legal counsel in the GGT Secretariat). However, just as these reforms were about to be implemented, a large-scale revolt broke out in the aboriginal town of Wushe (Musha) in Taichung province on October 2, 1930, leading to the death of 134 government officials and civilians (all but two who were Japanese). An expeditionary force of 1,163 police officers and more than 800 troops (assisted by air power) was mobilized to restore order, resulting in approximately 600 deaths among the revolting aboriginal tribes (along with 49 deaths on the government side). Subsequently, Ishizuka resigned to take responsibility of this incident and efforts to reform the police-state structure were shelved. Chen, “Japanese Socio-political Control in Taiwan, 1895-1945,” pp. 388-94; Taiwan Sōtokufu keisatsu enkakushi, pp. 685-97; Yoshihara, Nihon tōchika Taiwan keisatsu seido oyobi hoko seido nō to, pp. 92-96.

\(^68\) Ts’ai, One Kind of Control, pp. 357-89; idem., “Engineering the Social or Engaging 'Everyday Modernity'? Interwar Taiwan Reconsidered,” in Becoming Taiwan: From Colonialism to Democracy, ed. Ann Heylen and Scott Sommers (Wiesbaden: Harrassowitz Verlag, 2010): 83-100.
Hokō’s involvement in sustaining colonial governance went beyond political and economic realms and into the cultural. As noted above, hokō officials were rewarded for their services to the state through the provision of lucrative opium sale permits. Yet, hokō units were additionally tasked with monitoring and containing the use of opium, as part of the GGT’s policy of eradicating of “evil” Taiwanese customs and habits. Also targeted by the GGT were footbinding and the styling of male hair into a long ponytail (queue), which came under full assault in 1915 when local governments were ordered by the Governor-General to mobilize Taiwanese society—that is, hokō units—to end these practices. Finally, hokō were involved in campaigns to spread the use of the Japanese language. In particular, hosei were encouraged to recruit traditional elites, such as themselves (i.e., those who had either received schooling prior to the Japanese period or attended private Confucian schools post-1895) to form nighttime Japanese language study groups (yagakkai). By 1917, these groups even began recruiting members of the lower classes, such as farmers, rickshaw pullers, and aborigines, as well.69

In sum, by the end of the second period (1903-1936), what was once a semi-autonomous and auxiliary form of village-level security organization had been thoroughly integrated into both the police hierarchy and the local administrative structure. Ironically, however, hokō’s complete hybridization and absorption into the formal state also made it increasingly superfluous. After all, if hosei functioned essentially as local administrators and police assistants, then what was the need for retaining the hokō structure in the first place? Why have hosei serve as both zone representatives and heads of local hokō units, when these two responsibilities completely overlapped? Indeed, these questions became particularly pertinent in the third and final period starting in 1936, as Japan readied Taiwan for wartime mobilization.

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69 Ts’ai, Taiwan in Japan’s Empire Building, pp. 128-40; idem., “Engineering the Social or Engaging ‘Everyday Modernity’? Interwar Taiwan Reconsidered.”
Phase 3 (1936-1945): As Japan was transformed through the course of the 1930s from a dysfunctional democracy to a proto-“fascist” state, Japan’s colonial policy also changed from gradual to forced assimilation, or kōminka (which can be translated as imperialization). The belief by military officers in the need to remake colonized peoples into loyal Japanese subjects for the purpose of wartime mobilization was indeed ubiquitous; as such, Government-Generals in both Korea and Taiwan simultaneously adopted kōminka as their colonial policy in late 1936.

In Taiwan (as well as in Korea) kōminka policy first and foremost sought a cultural transformation of its colonial subjects. To this end, many native Taiwanese temples were demolished and Japanese shrines built in their place; the teaching of classical Chinese was discontinued in schools and various measures promoting Japanese language learning were instituted; and the adoption of Japanese names by Taiwanese subjects was strongly encouraged starting in 1940.  

Such efforts to indoctrinate the Taiwanese people from the inside out were accompanied by the creation of various organizations (some of which predated the 1936 kōminka movement) aiming to strengthen the colonial state’s capacity for societal mobilization. Examples of such organizations were found in all areas of colonial life: Societies for Conforming Customs, Village Arousing Societies, Youth Corps, Health and Sanitation Unions, and Taiwan Federation of Agricultural Cooperatives. Most important of them all was the Kōmin Hökōkai (Association of

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Imperial Subjects for Patriotic Services, or ISPS), which was created in 1941 as the GGT version of Prime Minister Konoe Fumimaro’s Taisei Yokusankai (Imperial Rule Assistance Association, or IRAA). ISPS was structured so as to parallel the local government system. Hence, branches of ISPS were found at the prefectural, county, and township levels. Meanwhile, under the township branch of the ISPS were ward and village alliances, the former for urban neighborhoods and the latter for rural communities. At the very bottom of the pyramid were public service teams, which received direction from the village alliances. Perhaps unsurprisingly, local-level branches of the ISPS were created around the hokō system, and hokō officials, as well as cadres of the sōteidan, came to take up leadership positions in village alliances and public service teams. The result was that hokō units and ISPS organizations almost perfectly overlapped with 5,300 village alliances and 50,512 public service teams compared to 6,167 ho and 58,916 kō units in 1941.\footnote{Ts’ai, \textit{One Kind of Control}, pp. 452-56, 485-91.}

It was precisely because ISPS could be grafted onto the existing hokō structure that it succeeded in subsuming the entire Taiwanese population under its umbrella. (In contrast, branches of IRAA in Japan proper only covered about a third of towns and villages.) However, once hokō was used as a means of subsuming all of Taiwanese society under ISPS, it became instantaneously anachronistic. ISPS covered not only all hokō units but occupational groups, public and private corporations, and Taiwanese and Japanese subjects alike. Having both ISPS and hokō only added administrative burden to local governments and produced confusion in responsibilities among Taiwanese elites, who served simultaneously as zone representatives, hokō leaders, and heads of ISPS village alliances. In addition, the hokō system was in direct contradiction to the spirit of kōminka: If the state desired the complete assimilation of Taiwanese subjects into the Japanese national identity, how then was the existence of hokō, which excluded Japanese subjects, justifiable? By the early 1940s, hokō had therefore become superfluous at best.
and an obstacle to the realization of Japan's wartime goals at worst. On June 17, 1945, two
months prior to the end of World War II, hokō was abolished, and with it disappeared the last
vestiges of what was once an autonomous source of local-level coercion. 73

2. IV. Legacy of Japanese Colonial Policing in Post-WWII Taiwan

The transfer of Taiwan from Japanese to Chinese (Guomindang) control on October 25,
1945 presented an opportunity for a radical institutional break from the colonial past. Indeed,
Taiwanese elites greeted retrocession with much anticipation, believing that after decades of
political subordination, they would be embraced by the incoming Guomindang administration as
partners in building a new Taiwan. Such expectations were quickly dashed, as the new Chen Yi
administration ruled as conquerors of a foreign people. The Taiwanese people, in fact, found
opportunities for government jobs to be even more limited under the Guomindang regime. In the
twilight of Japanese rule, 46,955 of the 84,559 of GGT positions were filled by Taiwanese, albeit
at lower grades. In 1946, one the other hand, of the 44,451 government positions, only 9,951
were filled by those native to Taiwan. The new administration did employ a greater percentage
of Taiwanese in the upper bureaucratic ranks than the Japanese had, but almost all top
government positions, such as district chiefs, city mayors, and township heads, were handed out
to those from the Chinese mainland. 74 As for the police organization, despite the fact that
approximately 5,600 Taiwanese served as police officers (in a force of about 13,000 men) prior
to the end of Japanese colonial rule, very few of them were promoted by the Chen Yi regime to

top positions upon the departure of Japanese officials. As was the case with other bureaucracies of the new regime, the norm was to appoint mainlanders to upper bureaucratic positions.75

Dissatisfaction by the Taiwanese was also fueled by Chen Yi’s decision to retain many of the governance institutions of the previous regime. The 1945 Organic Regulations of Taiwan Provincial Administrative Executive Order was in essence the same as the Organic Regulations of the Government-General of Taiwan. Like the Japanese Governor-Generals of the past, Chen Yi was responsible for managing all administrative affairs in Taiwan, as well as heading the Taiwan Garrison Command. Although without the power to promulgate law-like ordinances as did Japanese Government-Generals, he was still responsible for drafting special laws for Taiwan to be approved by the Chinese central government in Nanjing. As for the structure of local government, the familiar three-tier system of the Japanese period was restored in 1946. In some areas of administration, the Chen Yi administration even backtracked on liberalizing reforms instituted by Japanese officials in the 1920s and early 1930s. The newly established Administrative Council, for example, took the form of the GGT Consultative Council of the 1896 vintage. While the previous system of elected councils was retained at the county (provincial) and municipal levels, the practice of holding township and village council elections was discontinued.76 Frustration mounted and finally turned explosive on February 28, 1947, when Taiwanese took to the streets in a wide-scale rebellion against the Guomindang regime. As the police, now staffed by mainlanders, massacred civilians and executed suspected rebel leaders without trial, the Taiwanese were thus reminded of just how little things had changed with retrocession.77

75 George H. Kerr, Formosa Betrayed (Boston, Houghton Mifflin, 1965), pp. 190-93.
76 Lai, A Tragic Beginning, pp. 64-65; Wang, Legal Reform in Taiwan under Japanese Colonial Rule, pp. 177-78.
77 For a detailed account of the causes, progress, and the aftermath of the February 28 Incident, see Steven E. Phillips, Between Assimilation and Independence: The Taiwanese Encounter Nationalist China, 1945-1950.
In particular, Chen Yi was explicit in his desire to retain the Japanese police structure, as expressed in the inaugural issue of *Taiwan Police*, the official magazine of the new Taiwan Provincial Training Academy. “From now on in Taiwan, although our policies will be completely different from those of the Japanese,” he declared, “the things that the police had to do should continue to be done as before.” Among the most important institutional continuities between the Japanese and Guomindang periods was the use of police summary judgments. The Japanese system of community-level policing and surveillance—the colonial police’s most central feature—was also retained. Through a network of police sub-stations, the police continued to regulate inter-personal relations not just by enforcing laws, but by relying on detailed household records to understand how people were connected and who should be contacted were some incident to occur. In this way, collaborative ties between local elites and the police, rather than “rule of law" per se, remain the source of order and stability within democratic Taiwan, as it did under Japanese colonialism and Guomindang despotism. In the last fifty years, the Taiwanese police organization has indeed undergone considerable change, but the norms and practices of policing innovated during the Japanese period live on.

3. Locally Owned but Dualistic: U.S. Police Institution in the Philippines

From its inception, the Philippine Constabulary was both a politicized and a political institution. It was initially conceived in late 1900 out of Philippine Civil Governor William Howard Taft’s attempt to wrestle control over provincial and municipal administration away from the U.S. Army, and it increasingly turned into a quasi-military organization in the ensuing (Stanford: Stanford University Press, 2003), pp. 64-88. Although the exact number of people killed or wounded during the February 28 Incident and the government crackdown that followed is disputed, a rough estimate among scholars is 10,000 killed and 30,000 wounded.

78 Quotation found in Wicentowski, *Policing Health in Modern Taiwan*, pp. 164-65.


years, as colonial officials sought to avoid the reintroduction of the army in rebellious provinces. Having declared the Philippine War to be over in 1902, return to formal military rule was unacceptable to Taft’s superiors in Washington. In 1905, when militarization of the Constabulary and its terrorization of the local population in central Luzon threatened to destabilize the colonial governance structure, the Constabulary was reconstituted and its officers were ordered to cultivate friendly relations with provincial and municipal elites. Thus marked the beginning of the Constabulary’s transformation into the U.S. colonial government’s main channel of collaboration with local powerholders. The Constabulary would help “friendly” politicians win elections and turn a blind eye toward landlord abuses of tenant farmers in exchange for cooperation in combating insurgents, bandits, and leftist organizations. Provincial governors and municipal presidents sympathetic to U.S. control were allowed to form private militias to reinforce the Constabulary, which was confined (due to budget constraints) to a force of five to six thousand men.

This legacy of placing the police at the center of collaborative arrangements between national and provincial elites was to have lasting, and ultimately adverse, consequences on post-independence Philippines. It allowed the landed elite to oppress peasants, setting the stage for peasant rebellions starting in the 1930s. Meanwhile, private militias became increasingly powerful over time (especially after 1945), leading to the rise of warlordism in the Philippines. However, it was precisely because the Constabulary was steeped in politics that it was able to serve as an effective police institution during the colonial period. The American colonial regime was founded upon collaboration with local elites, and the Constabulary was perfectly positioned to facilitate this arrangement.
Indeed, as observed in the Taiwan case, politicization of a police institution during the colonial period does not necessarily lead to its demise post-independence; nor does an institution that proved effective under colonial conditions necessarily fail in the post-colonial period. The colonial police in Taiwan, similar to that in the Philippines, was first and foremost a political actor, serving as the representative of the colonial state at the local level. Its responsibilities went far beyond maintenance of peace, and pertained to nearly every aspect of Taiwanese life. The primary difference, then, between policing in Taiwan and the Philippines was not degree of politicization, but institutional structure—in particular, the way in which traditional and modern institutions of policing were combined. In the case of Taiwan, the relationship between old and new was hybridic, while in the Philippines it was dualistic.

3.1. The Municipal Police System under the U.S. Army

In Secretary of War Elihu Root’s Instructions to the Philippine Commission (which initially functioned as both the legislative and executive branches of the U.S. colonial regime), not a word is written on the subject of policing.81 Similarly, while the 1902 Philippine Organic Act (which served as the Constitution of the Philippines under U.S. rule) offers detailed instructions on a wide range of topics, from rules regarding mining and franchises to those concerning rights and liberties and political participation, it is silent as to how the archipelago should be policed.82 This omission is perhaps unsurprising: Since the U.S. institution-building strategy in the Philippines largely aimed at reproducing American institutions in the archipelago, the lack of precedent in the United States for a federal police force left Secretary Root without a


concrete model for the Philippines. This did not mean, however, that colonial agents possessed complete freedom in designing a police institution in the archipelago. The McKinley administration had a clear vision of how political institutions were to be structured in the Philippine Islands, and it was imperative that the police institution conform to this ideal, that being one of local autonomy. Just as American states and counties were responsible for fielding their own police force, so too would Philippine municipalities be. A centralized police institution was simply un-American.

At least initially, America's colonial agent—that is, the U.S. Army led by Maj. Gen. Elwell Otis—did not question this ideal that policing should be predominantly a local affair. After all, the desire by the U.S. Army to rapidly conclude its offensive against the revolutionary forces led by Emilio Aguinaldo meant that Filipino municipal officials had to be relied upon to maintain order in "liberated" towns and villages, as U.S. Army columns marched forward to "pacify" more territory. The first municipal police organizations under American rule were thus organized in March 1899 by Maj. William Kobbé in the areas surrounding Malolos, after this "insurgent" capital was captured by American troops. Impressed with Kobbé's accomplishments, Otis tasked Kobbé to draft a general plan for establishing municipal governments throughout the archipelago, with the formation of a police organization among its key components.

Implmented on July 31, 1899 as General Order (G.O.) 43, Kobbé's plan for municipal

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83 The Justice Department's Bureau of Investigation was formed in 1908. The U.S. Marshals system, sometimes with the assistance of deputies, were stationed in judicial districts) was perhaps the closest thing to a federal police system at the turn of the twentieth century. David Prescott Barrows, who was among the staunchest believers in the Americanization of the Filipinos, in fact suggested that the system of policing by Constabulary units be replaced by a system akin to the U.S. Marshal system in a letter sent to an unidentified recipient (likely Governor-General Luke Wright or Secretary of Police and Commerce W. Cameron Forbes). See Barrows, Folder Jan-Dec 1905, Box 1, Outgoing correspondence, David Prescott Papers, The Bancroft Library, University of California, Berkeley. Meanwhile, the primary (and in some ways, only) example of a state-level police force in nineteenth-century United States was the Texas Rangers. Massachusetts also had a small and informal police organization in the nineteenth century, but it was not until the 1920s that this structure was formalized and expanded.

84 On this, see "Instructions of the President to the Taft Commission."
governments largely formalized existing Spanish-era rules and practices, and set the basic tone for all succeeding frameworks of municipal organization.\textsuperscript{85}

Under this scheme, each town would have a municipal council whose president (\textit{presidente}) was responsible for organizing a police force. As was the case with G.O. 43 more broadly, this system of village-level policing followed Spanish-era traditions. In this instance, the precedent was a police organization known as \textit{cuerpo de cuadrilleros}, which was a village-level militia led by a local Filipino official—the \textit{gobernadorcillo}—and comprised entirely of men personally loyal to the municipal mayor.\textsuperscript{86} Also following Spanish colonial methods, the U.S. Army made sure to retain oversight over the activities of the municipal police force. As such, while the police was authorized to “arrest or order the arrest of persons violating a city ordinance,” they could only detain suspects for twenty-four hours before handing them over to the U.S. Army’s provost court.\textsuperscript{87}

Further reforms to the municipal police organization were made in the summer of 1900 by Maj. Gen. Arthur MacArthur, who had replaced Otis as commander of the U.S. forces in May 1899. With the aim of employing the municipal police as an auxiliary unit, MacArthur mobilized a native police force of 6,150 men, arming 2,500 of them with Colt .45 revolvers and the rest with short swords called bolos. Meanwhile, his army, numbering over 70,000 by the end of 1900, was assigned to one of 502 garrisons dispersed throughout the islands so that the actions of


\textsuperscript{87} Quotation found in Alfred W. McCoy, \textit{Policing America's Empire: The United States, the Philippines, and Rise of the Surveillance State} (Madison: The University of Wisconsin Press, 2009), p. 75.
*presidentes* and their police could be closely monitored. However, MacArthur’s police institution, where municipal police forces were backed by the overwhelming firepower of the U.S. Army, was dismantled in early 1901, as criticisms toward “military rule” mounted in Washington. The U.S. public was becoming increasingly concerned over reports of atrocities by the U.S. military against Filipinos, and more generally, by the fact that the Army was engaged in a bloody counter-insurgency campaign when Americans were supposed to have been welcomed as liberators by the Filipino people.

The Army’s strategy of attaining complete pacification through military power prior to the introduction of civilian rule was politically unacceptable to Elihu Root and other members of the McKinley, and later, Roosevelt, cabinets. Continued U.S. military activity in the archipelago strengthened day by day the position of anti-imperialists and Democratic critics of Philippine annexation, thus threatening Republican prospects for the 1902 midterm elections. Forced to reconcile the political priorities of Washington with the actual condition of instability in the Philippines, the establishment of the Philippine Constabulary (the brainchild of Philippine Secretary of Commerce and Police Luke Wright) was an ingenious solution. By replacing the U.S. Army with the Philippine Constabulary (which was under the authority of civilians), Washington could declare that the U.S. military campaign in the Philippines had ended without compromising America’s coercive capability in the islands at a time of continued instability.

Military officers, however, were clearly unhappy with this policy, as it relied on a new and untested force to maintain, and in fact build upon, security gains made with much difficulty.

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by the U.S. Army. They were also alarmed that political considerations were driving decisions
regarding military matters. On February 28, 1902 Maj. Gen. Adna Chaffee (who had taken over
the post of Commander of the Division of the Philippines from MacArthur in July 1901), for
example, wrote to Adjutant General Henry Corbin:

As General [J. Franklin] Bell’s work was about to begin [in Batangas], I foresaw the
probability that [the neighboring province of] Tayabas would be refuge ground for
[Miguel] Malvar’s people … so I dictated a letter to [acting Civil Governor Wright]
requesting the transfer of the Province to Military control during the campaign …. 
[Wright] did not wish to accede to the request for political reasons which you and I
understand readily enough, but willing to assist in other ways as best he could … 90

Indeed, even to top U.S. civilian officials in the Philippines acknowledged that military rule was
prematurely ended in some provinces out of political calculations in Washington that had little to
do with actual conditions on the ground. As Wright explained in a letter to Harry H. Bandholtz
(then the governor of Tayabas province):

I quite understand the difficulties under which you labor with reference to Principe and
Infanta. It is of course not expected that you shall do the impossible, but only the best you
can. These districts were added to your province more for the purpose of putting all the
territory of the islands under civil government preparatory to the issuing of the amnesty
proclamation than for any other reason, and in this matter we were acting under
instructions from the Secretary of War.91

Finally, and ultimately most consequentially, left outside the new security civilian-led
structure was the municipal police. With a total force of roughly 5,000 men, the Constabulary
simply did not possess the manpower (let alone the authority) to maintain a watchful eye over the

90 Chaffee to Henry Corbin, 28 February 1902, Henry C. Corbin Papers, Manuscript Division, Library of Congress,
Washington, D.C. Meanwhile, Allen wrote to Taft (who was away in the United States), “If we bring the Leyte
question to a happy conclusion with the Constabulary there will be no doubt about our ability to deal with almost
any ladrone or insurgent measures that may appear. Of course, General Chaffee feels that he should be authorized
to utilize his soldiers for bringing to terms these ladrones and insurgents that are still out, but the difficulty is that
the military want these provinces returned to their control, or want to adopt such measures as are inconsistent with
Civil Government. In addition to this it is indeed unfortunate that a province, once organized under Civil
Government, should be returned.” Allen to Taft, March 28, 1902, Container 7, Henry T. Allen Papers, Manuscript
Division, Library of Congress, Washington, D.C

91 Wright to Harry H. Bandholtz, 11 August 1902, Section 1907-1908, Reel 7, Harry Hill Bandholtz Papers, Bentley
Historical Library, University of Michigan, Ann Arbor, p. 1.
municipal police as MacArthur’s army (at 70,000-strong) had. Thus, even as the Constabulary was gradually transformed into an effective colonial police force over the ensuing years, the poorly trained and fragmented municipal police was left to evolve on its own. Perpetually a source of embarrassment for U.S. administrators for their incompetence and corruption, they were to eventually become the foundations upon which local bosses would exert their autonomy from Manila in the postcolonial period.

3.11. The Establishment of the Philippine Constabulary as a Paramilitary Force

The Insular Constabulary (later renamed the Philippine Constabulary) was established on July 18, 1901, as a force comprised of approximately 2,500 men, but it was quickly expanded to over 5,000 men in the following year. The model used for the Philippine Constabulary was none other than the guardia civil, a paramilitary force that served as the coercive arm of the Spanish colonial government until its defeat by joint U.S. and Philippine Revolutionary forces in 1898. Created in 1868, The guardia civil was designed to combat bandit organizations—known as ladrones—that roamed the countryside. In addition, it apprehended those suspected of treason against the Spanish crown and detected enemies of the Catholic Church. At its height, this hated symbol of Spanish despotism numbered 3,500 men and was divided into three regiments (two in Luzon and one in Visayas). Adorned in military outfits and living in barracks, the guardia civil was more an army guarding the colonial regime against its own subjects than a police force concerned with protecting the wealth and welfare of Filipinos. Furthermore, not only was the guardia civil a model for the Philippine Constabulary, but also, a large number of Filipinos recruited to serve in the Constabulary were former members of the Guardia Civil, creating direct
continuity between the new American police force and its Spanish-era predecessor. As Taft explained to Root, the Philippine Commission’s plan for policing was “a departure from the ordinary methods pursued in America, but it was a departure rendered necessary only by the difference in condition.”

Mimicking the structure of the guardia civil, the Constabulary’s main organizational unit was the company, comprised of about forty to sixty constables with two or three officers, and assigned to one of five police districts (three in Luzon, one for Visayas, and one for Mindanao). In Mindanao—the Muslim majority southern island—the Constabulary operated alongside the U.S. Army, but in all other police districts, it was the primary source of colonial coercion. The jurisdiction of a constabulary company included several towns, which could range from a few square miles to a few hundred square miles, and from a population of ten thousand to a third of a million. Constables lived in barracks, which were typically located within or in close range of the principal towns of a province. Hence, although it was ostensibly created as a national-level police force, its organization (like the guardia civil) was distinctly military. Each Constabulary company was then supported (in theory) by the municipal police, which in total numbered between seven to eight thousand men during the American colonial period.

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The ethnic composition of the Constabulary followed two principles. First, during the first decade and a half of its existence (that is, prior to the period of “Filipinization” starting in 1913), commissioned officers were generally Americans detailed from the U.S. Army, with Filipinos filling its lower ranks. Second, each province furnished its quota of men, whose assignments were generally confined to their province. It was in this decision to allow Filipinos to police their home regions that the new police force departed most significantly from the structure of the guardia civil. As Wright reasoned, the benefits of recruiting police officers from their home regions seemed to outweigh the potential costs: While those entrusted to police their own communities were more susceptible to treachery than outsiders, their familiarity with local dialects, geography, and political conditions was seen as an important asset in combating outlaws and insurgents. Moreover, by having Filipinos police co-ethnics, the Philippine Commission sought to prevent the brutality exhibited by the guardia civil during the Spanish era, as well as by Filipino soldiers enlisted in the Philippine Scouts (a native military force within the U.S. Army) against those belonging to ethnic groups different from their own.

In addition to its five regional districts, the Philippine Constabulary included within its structure the Information Division, which, along with the system of policing co-ethnics, was among the most notable innovations of American colonial officials in the area of policing. If Wright was responsible for devising the overall structure of the police force, it was Brig. Gen. Henry Allen, the first Chief of the Constabulary, who spearheaded the effort to create an extensive network of intelligence gathering and spying in the archipelago. It was not a

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95 A change in U.S. Army rules in 1913 limited the detailing of commissioned officers of the Army (who constituted approximately 70 percent of officers prior to 1917) to the Constabulary. Furthermore, American officers remaining in the Constabulary in 1917 resigned with America’s participation in World War I, and were replaced by Filipinos. By 1933, only three percent of the Constabulary commissioned service were Americans. Bajj, Philippine Police System and Its Problems, p. 70.

coincidence that Allen, formally an officer in the Information Division of the U.S. Army and a military attaché in czarist Russia, excelled in his new role as the spy-in-chief.\footnote{Jenks, “The Philippine Constabulary and Its Chief,” pp. 436-38.} He was critical of the Army’s practice of obtaining information through torture, and instead cultivated hundreds of both paid and “volunteer” Filipino agents. In 1904, the last year this statistic was released by the Constabulary, there were 118 paid informants and an undisclosed number of volunteer ones. Their presence was felt throughout the archipelago, as agents infiltrated dissident groups, and kept detailed (and unflattering) information on the private lives of prominent politicians.\footnote{In 1905, the activities of the Information Division was represented by a single table in the annual report of the Constabulary Chief, which indicated that a total of 1,589 cases had been investigated. In subsequent years, despite the fact that the Information Division was among the most important branches of the Constabulary, it completely disappeared from the annual reports.} Indeed, it was precisely because of the effectiveness of the Information Division that the Constabulary was able to maintain U.S. colonial governance over a population of ten million (in 1918) with a force numbering merely five to six thousand men.\footnote{Baja, \textit{Philippine Police System and Its Problems}, pp. 98-100, 533-39; McCoy, \textit{Policing America’s Empire}, pp. 104-06, 175-205. As Forbes, in his memoirs, \textit{The Philippine Islands}, vol. 1 (Boston: Houghton Mifflin, 1928), recalls, “On one occasion, when General Harbord was acting chief, an organization which had been working for months planned an insurrection. The night before the outbreak was to occur, six Filipinos were invited to assemble in General Harbord’s office, where they found six chairs placed in a row and upon which they were told to sit. He then informed them that an insurrection was planned to break out at ten-thirty the following morning, and that it would be the duty of the Constabulary to put it down; that there would be some loss of life attached to the process, and that probably a good many innocent lives would be lost because the real culprits in these movements usually acted under cover. He informed them that in this case, however, the real instigators of the insurrection were known to the police, and that they would be the first men shot. With this information he opened the door and told them they could go out and start their insurrection if they wished. Six badly frightened conspirators spent the next ten and a half hours in suppressing a movement they had spent as many months in fomenting. No blood was spilt, no arrests made, no harm ensued (220-21).”} Such was the basic structure of the Constabulary—a structure that borrowed heavily from Spanish precedent, as well as from Allen’s own experience in military intelligence. There was little about the Constabulary that resembled the police forces found in American cities and towns, or that of the U.S. Marshal service in the more rural regions of the United States. If anything, the Constabulary was similar in structure to the U.S. Army, leading American military
officials in the archipelago to suspect (correctly) that the force was created with the purpose of
supplanting the Army. Hence, when Maj. Gen. Chaffee learned of Wright’s Constabulary plan,
he bitterly stated, “I am opposed to the whole business… It seems to me … that you are trying to
introduce something to take the place of my army.” In response, Wright did not hesitate to
inform Chaffee that “that was exactly the purpose of the bill.” It was no secret that the
Constabulary was created precisely to realize Secretary Root’s policy “to get the Army out of the
governing business and get its officers back to the performance of their proper function as
soldiers.”

Both MacArthur and Chaffee were indeed rightfully concerned that this scheme, which
relied on a new and untested force composed largely of Filipinos, could undermine whatever
 gains the U.S. Army had made in establishing U.S. colonial authority over the past year and a
half. After all, when the idea for a new colonial police was first proposed to MacArthur in
November 1900, most of the archipelago was under de facto insurgent control, and the situation
was only marginally better at the time of Chaffee’s appointment in summer 1901. If municipal
elites throughout the Philippines secretly aided the revolutionary army while superficially
kowtowing to U.S. military commanders, what would stop insurrectos from defeating the
counter-insurgency campaign from within by infiltrating the Constabulary? The constabulary
proposal therefore remained unrealized as long as MacArthur served simultaneously as
commander of the U.S. Army in the Philippines and as the Governor-General, with the power to
veto the legislative proposals of the Philippine Commission. Nonetheless, he was willing to give
civil administration itself a chance to succeed. He could see that civilians were better suited to
form collaborative ties with Filipino elites, and dispersing his army into small garrisons was

100 This conversation, which took place between Wright and Chaffee in private is retold by Taft in his biweekly
report to Secretary Root. See Taft to Root, 2 August 1901, Reel 463, Taft, Papers, pp. 2-3. 
101 Root to Chaffee, 26 February 1901, Reel 640, Taft, Papers.
clearly taking a toll on military discipline. Therefore, as soon as a province was deemed free of insurgent activity, MacArthur transferred it to civilian control—that is, to an American or a Filipino provincial governor appointed by the Philippine Commission—and placed the municipal police in charge of local security. The U.S. Army, nonetheless, maintained a large presence in the archipelago and was ready to reestablish its control over any province if insurgent activities resumed.102

Although Chaffee was equally suspicious of the constabulary proposal, he did not possess the authority to block its creation, as all legislative and executive authority had been transferred to Civil Governor William Howard Taft (who served as Secretary Root’s representative in the archipelago) and his Philippine Commission on July 4, 1901.103 Hence, the Commission’s nearly yearlong plan to replace the U.S. Army in the conduct of police duties with its own paramilitary force finally came to fruition. It did not take long, however, before the concerns of military officers were in part realized. In several provinces in central and southern Luzon, as well as in the Visayan islands, insurgency resumed shortly after civilian rule was established. Yet, to the surprise (and annoyance) of skeptics within the U.S. Army, the Constabulary was able to suppress small-scale rebellions (in provinces such as Sorsogon, Tayabas, Albay, Leyte, Negros, Cebu, and Panay), while desertions and other acts of insubordination by Filipino constables rarely became a problem. Even in Batangas and Cavite, where insurgents initially overwhelmed the Constabulary, Allen’s forces ultimately prevailed and restored stability. It was only in Samar,

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103 See, for example, Chaffee to Corbin, 2 September 1901, Container 1, Corbin Papers; Chaffee to Taft, 16 October 1901, Container 164, Elihu Root Papers, Manuscript Division, Library of Congress, Washington, D.C. He did, nonetheless, succeed in delaying the organization of the Constabulary until August 8 by initially refusing to detail his officers to lead the Constabulary (until he was convinced otherwise by Adjutant General Henry Corbin, who happened to be visiting the Philippines at this time). Taft to Root, 2 August 1901, Reel 464, Taft, Papers.
where the Constabulary became embroiled in an ethnic struggle between highland tribes (known as the *Pulajanes*) and lowland farmers that civil authorities was compelled to relinquish control to the U.S. Army.  

In these campaigns, the Constabulary succeeded in establishing order by behaving as a colonial army. With its newly obtained authority (granted by the U.S. Congress in January 1903) to command companies of U.S. Army Philippine Scouts (along with local volunteer units), Constabulary deployments at times numbered over a thousand men. It was not only in organization that the Constabulary began to increasingly resemble a military, but also in its counter-insurgency tactics. In Cavite and Batangas, where resistance was especially fierce, Constabulary officers adopted the controversial policy of reconcentration (whereby Filipinos were ordered to relocate to one of several designated “safe zones” for the purpose of isolating insurgents from their source of food, supplies, and shelter). Travel within Cavite and Batangas was strictly limited and all ports were closed. Local elites (many of then suspected of aiding the insurgents) were subjected to monitoring and harassment by agents of the Information Division, and Filipino papers reported widespread abuse by the Constabulary against townspeople and villagers. The use of torture (such as the “water cure,” where gallons of water was forced into the victim’s stomach) to extract information from suspected rebels was now common. Finally, the

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105 As Chaffee confided to Corbin in mid 1902, “[It is observed that in nearly all localities vacated by the Army the Civil Government is required to install a considerable force of constabulary, usually materially stronger than contemplated by the Act of the Commission organizing this force. It is this manifest necessity for military surveillance that unsettles my mind with regard to the necessity for the presence of the moral influence exerted by the Army of the United States.” Chaffee to Corbin, 9 June 1902, Container 1, Corbin Papers, p. 3.
writ of habeas corpus was suspended on January 31, 1905, making both Cavite and Batangas under civil administration in name only.\footnote{106}

With increasing brutality of the Constabulary, even ardent Americanistas (pro-U.S. Filipinos) began to voice concern. Relations between American colonial authorities and Filipino collaborators finally reached a breaking point when Pedro A. Roxas, a prominent plantation owner in Batangas and a close associate of Trinidad Pardo de Tavera and Benito Legarda (who, as Filipino members of the Philippine Commission, were among America’s most prominent collaborators), was arrested on sedition charges in early 1905. It also did not help that the Constabulary’s heavy-handed campaign in Cavite and Batangas was taking place as Governor-General Wright (who had succeeded Taft as chief executive of the Insular Government in 1904) sought the implementation of various bureaucratic and taxation reforms that seemed to favor the American civilian community (in Manila) over Filipino landed elites. Filipino-American relations finally reached a nadir when the Federal Party—originally conceived as an all-Filipino and pro-American counter-revolutionary organization—renounced its founding goal of seeking statehood in the United States and instead embraced eventual Philippine independence.\footnote{107}

What followed was a war of letters, where Pardo de Tavera and Legarda wrote voluminously to officials in Washington, especially Taft (now Secretary of War), complaining of Wright’s leadership and the Constabulary’s conduct, going so far as to suggest that military rule

\footnote{106} This was the first time the writ of habeas corpus was suspended in a province under civil rule, and U.S. military as well as Filipino critics of the colonial administration argued that this undermined Filipino confidence in U.S. government more than if a province was returned outright to U.S. military rule. The Constabulary campaigns in Cavite and Batangas are described in Coats, The Philippine Constabulary, pp. 139-89; McCoy, Policing America’s Empire, pp. 132-38. Coats’s account is defensive of the actions of the Constabulary, while McCoy provides a more evenhanded treatment of the subject. Specific data regarding the Cavite/Batangas campaign can be found in the Annual Report of the Philippine Commission for years 1903 to 1905. See, in particular, reports by the Chief of the Constabulary and the commanding officer of the First District.

was preferable to that by the Constabulary. With the political situation in the archipelago spiraling out of control, Taft was compelled to return to the Philippines in order to inspect conditions firsthand, and most importantly, to repair the strained relationship between Americanistas and the colonial administration.

Yet, this political drama should not obscure the fact that the Constabulary had succeeded in suppressing the insurgency in Cavite and Batangas by the summer of 1905, as well as in most other provinces under its jurisdiction. Given that the Constabulary had only been in existence for a few years, and given that the loyalty of Filipino soldiers (precisely in this kind of a brutal campaign) had been a cause of concern, this was a major achievement. Ironically, however, it was precisely because the Constabulary was so successful in militarily defeating the insurgency that its raison d'être came to be questioned, not just by Filipino elites, but also by American officials (both military and civilian). In other words, while the Constabulary had succeeded as a

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108 For example, Legarda forwarded to Clarence Edwards (the Chief of the Bureau of Insular Affairs), the following letter he had written to Wright in April 1905: “In the first place, I am very far from believing that the situation in Cavite and Batangas, however grave it may be, can in any way affect the complete success of Civil Government in these Islands, nor can I agree that, on account of one of the branches of this Government, let us call it the Constabulary, having been unfortunate in its action, can it be said that the Civil Government is in any way a failure. These two provinces, if events should make it necessary, could be, as is the Island of Mindanao, under military control, and if the Constabulary force has not been successful in controlling ladronism in them, the same cannot be said with regard to the rest of the Archipelago (1).” Legarda to Wright, 15 April 1905, Folder 9, Box 5, Clarence Ransom Edwards Papers, Massachusetts Historical Society, Boston. For examples of Pardo de Tavera and Legarda’s complaints of Constabulary abuses, see Pardo de Tavera to Taft, 7 February 1905, Reel 48 Taft, Papers; Legarda to Taft, 28 February 1905, Reel 48, Taft, Papers; Pardo de Tavera to Theodore Roosevelt, 10 March 1905, Reel 49, Taft, Papers; Legarda to Taft, 14 April 1905, Reel 49, Taft, Papers; Pardo de Tavera to Taft, 17 April 1905, Folder 10, Box 5, Edwards Papers; Legarda to Taft, 27 April 1905, Folder 12, Box 5, Edwards Papers; Pardo de Tavera to Taft, 19 May 1905, Reel 50, Taft, Papers.

109 For a detailed account of Taft’s 1905 trip, see LeRoy, “Manuscripts of Travelogue Account of Trip to the Philippine Islands,” 1905, Box 1, James A. LeRoy Papers, Bentley Historical Library, University of Michigan, Ann Arbor.

110 As Taft wrote to Allen in November 1906, “You have rendered excellent services in the Islands and had a lot of hard work, and have constructed a good force. As you know, there have been times when General Wright and I were disposed to criticize your methods and course, but no one can be familiar with the entire history of your command and not acknowledge the efficiency of the service which you have rendered.” Taft to Allen, 21 November 1906, Allen Papers.
police organization, it was contributing to the failure of the institution of policing. As James A. LeRoy (who returned to the archipelago as Taft’s private security in 1905) wrote in 1906:

My Criticism of the Constabulary is because its form is increasingly military. Banditry will not end by the Constabulary taking a military form, and more Filipino cooperation should be secured and more responsibility put upon the governors of the provinces. Also it is a great waste to have both the Constabulary and the useless municipal police. I would abolish the Constabulary as an organized force, keeping its good officers, and placing local governments in charge of local police.112

As LeRoy clearly recognized, by coercing Filipinos into submission, the Constabulary had acquired a reputation of ruthlessness—a reputation that threatened to undermine its effectiveness in obtaining local cooperation in law enforcement at times of peace. As a highly coercive force, the Constabulary was able to defeat insurrections as they arose, but its actions prevented cooperative ties from forming between the local population and the colonial regime that would have helped prevent an insurrection from developing in the first place.113 Moreover, the United States already had a powerful military force in the Philippines—the U.S. Army—and despite the successes of the Constabulary in several counter-insurgency campaigns, the Army was ultimately far better equipped at defeating rebel and bandit groups. In fact, by entrusting military operations to the Constabulary, conflict was often unnecessarily prolonged. This was

111 This observation also demonstrates the conceptual importance of distinguishing between an organization and an institution. As discussed in Ch. 1, the perspective taken here is that an organization is a component of an institution, along with formal rules, norms, and beliefs.
112 LeRoy to Worcester, 3 August 1906, Philippine Islands Folder: Correspondence 1904-1909, LeRoy Papers, p. 14. Worcester responds indirectly to LeRoy’s letter in his 1914 memoir by noting that there were certainly some abuses, and it was undoubtedly true that the U.S. Army was better at fighting insurgents. However, “[e]ven if it were true that the army could have rendered more effective service to this end than could have been expected at the outset from a newly organized body of Filipino soldiers, the argument against the organization and use of the constabulary would in my opinion have been by no means conclusive. It is our declared policy to prepare the Filipinos to establish and maintain a stable government of their own. The proper exercise of police powers is obviously necessary to such an end.” Dean C. Worcester, Philippines Past and Present, ed. Joseph Ralston Hayden (New York: Macmillan, 1930), p. 311. He then lists on page 314 the various ways Constabulary officers are preferable to U.S. Army officers in providing peace and security in the Philippines. For a defense of the Constabulary along similar lines, see also, Lebbeus Redman Willfley, Peace Problems of the Philippines (Manila: E. C. McCullough & Co., 1905).
113 For a rendering of the various abuses by the Constabulary, see Henry Parker Willis, Our Philippine Problem: A Study of American Colonial Policy (New York: H. Holt and Company, 1905), pp. 120-49.
made abundantly clear in 1905, as the Army suppressed the Samar insurrection in a matter of months after it took over the campaign from the Constabulary, which had been operating unsuccessfully against the Pulajanes for several years. 114

Nonetheless, while the colonial administration certainly did not require two military organizations—one more efficient than the other—to secure U.S. governance in the archipelago, it did need an effective police institution. Defenders of the Constabulary were correct in pointing out that the Constabulary was tasked with duties—such as disaster relief, regular patrolling of the countryside, and enforcement of quarantines against cholera and rinderpest—that were outside the jurisdiction of Philippine municipal police organizations or inappropriate for the U.S. Army. 115 In order to solidify U.S. rule in the archipelago, what was demanded was not the abolition of the Constabulary but its transformation from a pseudo-military organization into a full-fledged colonial police force. Indeed, this was precisely the course taken under sound leadership, and the Constabulary reinvented itself as a cornerstone of the U.S. colonial administration in the aftermath of the 1904-05 campaigns. From then on, it would refocus its energy on police duties, and (with its presence throughout the islands) even come to serve as the primary channel of collaboration between Filipino provincial elites and U.S. officials in Manila.

Importantly, this radical institutional transformation was possible because an alternative model of maintaining peace and order—one that depended heavily on partnerships with local

114 Even Adjutant General Corbin, who initially supported the creation of the Constabulary, had come to advocate its abolition by the end of 1905. Specifically, he presented a proposal to Taft whereby the Constabulary and the Scouts would be merged into one force and placed under the control of the U.S. Army. Under this plan, the commander of the U.S. military’s Philippine Division would then be made a member of the Philippine Commission. Corbin to Taft, 11 January 1906, Reel 54, Taft, Papers. See also Corbin to Taft, April 15, Reel 49, Taft, Papers. For a description of the Samar campaign, see Coats, The Philippine Constabulary, pp. 310-51; McCoy, Policing America’s Empire, pp. 130-32.
115 For examples of the various civil duties of the Constabulary, see Worcester, Philippines Past and Present, pp. 312-15, 320-21. In particular, the Constabulary played a crucial role in enforcing quarantines against cholera and rinderpest, and in eradicating the plague. See Folders 3.3 and 3.5 in Vol. 3, Worcester Philippine Collection, Special Collections Library, University of Michigan, Ann Arbor.
powerholders—had already been developed by regional Constabulary commanders, such as Col. Harry Bandholtz and Capt. James Harbord. The Constabulary, while borrowing heavily from Spanish precedent, was not necessarily forged out of a pre-conceived model, nor was there ever a clear vision as to how it ought to be organized. Consequently, unlike in other institutional areas (such as education), a certain level of flexibility was afforded to colonial agents in the matter of policing. However, there were clear limits as to what colonial agents could do in establishing a Philippine police institution. Police reform was permissible only so far as it followed Root’s original script of “local autonomy,” which had been faithfully followed by his successors in the War Department. In turn, this prevented America’s colonial agents from undertaking hybridizing reforms and had the effect of reifying the dualistic structure of the Philippine police institution.

3.11 Politicization of the Constabulary and Its Attainment of Local Ownership

From the very beginning of his thirteen-year career in the archipelago, Harry Bandholtz demonstrated his capability as a liaison between the American colonial regime and Filipino elites. A West Point graduate and veteran of the Cuba campaign, he was first assigned to the province of Tayabas in Central Luzon when he arrived in the Philippines in July 1900. Critical of fellow Army officers for their insensitivity toward the local population and brutality against revolutionary leaders, he sought an end to the military campaign in Tayabas by cultivating alliances with local powerholders and by negotiating with insurgent generals for their surrender. By the time Tayabas was pacified, Bandholtz had become a trusted figure in the province: a person who could be relied upon by local elites to maintain the balance of power among the prominent families of Tayabas, while attracting patronage to the province from the colonial government in Manila. When Tayabas held its first provincial governor’s election in February
1902, Bandholtz was the surprising victor. Bandholtz was seen as one of them—an American *cacique* (boss)—and he certainly did not disappoint.116

With his military background and his ability to work closely with Filipino elites, he was ideally suited to become a constable. In April 1903, he resigned his post as governor of Tayabas and joined the Constabulary as the commanding officer of the Second District in Southern Luzon. As a Constabulary officer, Bandholtz was the anti-Allen. While Allen believed that the duty of the Constabulary was to eliminate corrupt elites and enlighten the masses (through force if need be), Bandholtz happily mingled with Filipino powerholders and even encouraged their corrupt behavior by showering his Filipino protégés with gifts, lucrative government contracts, and political appointments.117 They both believed in the importance of intelligence, but while Allen relied upon intelligence to weed out and capture insurgents, Bandholtz used it to turn Filipinos into informants and collaborators, and to stymie the political advancement of those regarded as unsupportive of American rule.118 Allen was an ambitious military man, dreaming of becoming a field general in the regular U.S. Army; Bandholtz was a consummate politician, who sought a position in the Department of War, perhaps en route to even higher political office.119

These differences between the two men were clearly manifested in their approaches to policing, which in turn reflected two paradigmatic models of maintaining security within an occupied territory. On one hand was a model that saw effective policing as a function of the size

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117 See, for example, correspondences between Don Anicento Medel (of Legaspi), Bandholtz, and Horace L. Higgins (General Manager of Manila and Dagupan Railway) from 25 February 1907 to 5 March 1907, Reel 1, Bandholtz Papers. Here, Bandholtz recommends the appointment of Don Anicento Medel as a railroad construction inspector to Higgins, who Bandholtz met during his service in Albay. See also, Cullinane, *Iliustrado Politics*, pp. 282-85; McCoy, *Policing America's Empire*, p. 145.


119 For a brief biography and personality of Allen, see McCoy, *Policing America's Empire*, pp. 88-90.
and quality of an autonomous and modern police force; on the other was the notion that policing is best undertaken through collaboration between the colonial state and existing traditional power structures. If the campaigns in Cavite and Batangas were quintessential Allen, representing the former model, Bandholtz’s “policing through collaboration” method was displayed in Albay, against a rebellion led by Simeon Ola. Instead of relying exclusively on military force in hunting down Ola, Bandholtz enlisted the support of Filipino elites to convince the rebel leader to surrender. On September 25, 1903, Bandholtz’s strategy paid off, and a province that seemed to be at the brink of complete meltdown (a la Cavite and Batangas) was largely pacified just a few months after Bandholtz’s arrival.\(^\text{120}\)

Bandholtz’s success in Albay boosted his reputation as both a seasoned counter-insurgency tactician and a diplomat. It was therefore hardly surprising that he was reassigned from the Second District to the First (which included Cavite and Batangas, as well as Manila) in late 1905 in the aftermath of the Cavite/Batangas fiasco. As commander of the First District, his mission was to round up remaining insurgents in the two troubled provinces and, most critically, to restore cooperative relations between the colonial administration and local elites.\(^\text{121}\) Moreover, his transfer to the First District, with its headquarters in Manila, did not simply concern Cavite and Batangas: In light of Taft’s instructions to regain the confidence of Filipino elites, Bandholtz emerged as the ideal candidate to lead a comprehensive reform of the Constabulary and to replace Allen as its chief.

When Secretary of War Taft returned to the Philippines in mid-1905, he was shocked to find that the political situation was much worse than what he had imagined. Pardo de Tavera and Legarda had not exaggerated when they reported that the collaborative arrangement between

\(^{120}\) Coats, *The Philippine Constabulary*, pp. 93-99; McCoy, *Policing America’s Empire*, p. 144.

Filipino elites and American colonial officials was heading toward collapse. The Constabulary had succeeded in restoring peace for the time being, but it had also sown the seeds for future insurrections. Friendly relations between the colonial government and Filipino elites had to be immediately restored, and it was evident to Taft that this was to begin with a reform of the Constabulary. In Taft’s assessment of the political crisis, the primary culprit was Governor-General Wright. In addition to allowing the Constabulary to harass Filipino elites, Wright had initiated a series of centralizing reforms meant to decrease the autonomy of provincial and municipal governments. Such reforms were in clear contradiction to Secretary Root’s original Instructions, which Taft had so faithfully followed when he was Civil Governor of the Philippines, and now as War Secretary himself. The dismissal of Wright as Governor-General thus soon followed Taft’s inspection trip, and sent a clear message to Wright’s successors that any departure from Washington’s desired policy of “benevolence” was not to be tolerated.

Specifically on the issue of policing, Taft instructed Allen to purge the Constabulary of its military mentality and refocus its attention on police (civil) duties. Constables were to show courtesy to provincial governors and other Filipino elites, and accomplish their duty through cooperation with local powerholders. Interference of constables in responsibilities properly belonging to presidentes should be minimized, if not eliminated. Humbled, and with his reputation and position as Constabulary Chief on the line, Allen relayed the Constabulary’s new policy to his officers in a series of circulars and orders:

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123 On this point, see a revealing letter written by Henry C. Ide to Taft on February 4, 1906. The letter, which can be found in Reel 55 of the Taft papers is reproduced in Ch. 3, footnote 144.
It is necessary that district chiefs be personally well acquainted with the governors and the other members of the provincial boards in their districts as well as with the officials of the towns and the principal citizens thereof, and that they require their officers to keep in close touch with them. In order to accomplish this important end, district chiefs will visit the different provinces in their districts as often as possible. It is through this that this is one of the most necessary means of securing the cooperation of the officials and people of the provinces, without which the Constabulary work cannot be considered successful. … Constabulary officers must not forget that they are civil employees of a Bureau of the Civil Government … [emphasis mine].

Nonetheless, the September 15 Constabulary Circular (from which the above passage is quoted) was careful to warn against “undue interest” in local politics by constables: “Officers should be very particular to render proper courtesy to governors of provinces and to all local officials and to be on friendly terms with them, but they should keep their balance and not take such undue interest in any one party as to damage their reputation for impartiality.” Yet, this theoretical distinction between cultivating friendly ties between the Constabulary and local elites and the participation of constables in politics was blurred in practice. Under Bandholtz’s leadership, the Constabulary came to serve a function that went far beyond what Taft had initially planned for it in 1900, and reemphasized in 1905. In addition to chasing bandits and enforcing quarantines with the help of Filipino elites, Constabulary officers would also directly participate in Philippine politics to ensure that those most sympathetic to U.S. colonial rule would be elected as municipal presidents and provincial governors. In fact, the man who

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124 Bureau of Constabulary, Circular No. 33, 15 September 1905, Reel 52, Taft, Papers, p. 1. See also Headquarters Philippine Constabulary, General Orders No. 66, 22 July 1905, Reel 52, Taft, Papers; Allen to James Harbord (The Chief of the Fifth Constabulary District), 1 September 1905, Reel 52, Taft, Papers.

125 Bureau of Constabulary, Circular No. 33, p. 1.

126 For example, a detailed account of John W. Swann’s (Senior Inspector of Sorsogon) role in the 1906 reelection of Governor Monreal of Sorsogon is found in Swann to Bandholtz, 6 February 1906, Reel 1, Bandholtz Papers. Meanwhile, in clear violation of the principle of impartiality in Filipino politics, Bandholtz recommends the appointment of Juan Nieva (presidente of Santa Cruz) as a member of the provincial board of Tayabas. See Bandholtz to Ide, 17 March 1906, Reel 1, Bandholtz Papers.
eventually became the most important Filipino politician during the American colonial period—Manuel Quezon of Tayabas—was an early Bandholtz protégé.127

Furthermore, the Constabulary officers did not merely promote the careers of a few promising Filipino politicians, but they also helped to forge close ties between U.S. officials in Manila with provincial elites. Originally, U.S. rule in the archipelago rested upon collaborative ties with members of the Manila intelligentsia class—the *ilustrados*—who in turn used their influence to handpick individuals to serve as provincial governors and municipal presidents.128 However, after two rounds of municipal and provincial elections between 1902 and 1905, the original crop of appointed provincial and municipal leaders (belonging to the Federal Party) had been largely replaced by individuals who relied on their local base, rather than on patronage from Manila *ilustrados*, to obtain political power and prestige. Correspondingly, the influence of the *ilustrado*-led Federal Party was increasingly confined to Manila and a few adjoining towns and villages by the time of the Cavite/Batangas crisis. If the U.S. colonial government was to maintain its authority in the archipelago, a new collaborative arrangement had to be established.129 Constabulary officers, with their knowledge of local politics and intimate ties with provincial and municipal elites, were ideally positioned to contribute to this end, and under Bandholtz’s leadership, they were more than willing.130

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127 For an account of Bandholtz’s intervention on behalf of Quezon during the 1906 provincial governor’s election in Tayabas, see Cullinane, *Ilustrado Politics*, pp. 189-92. Bandholtz’s role in the matter can also be pieced together in a series of correspondences between Bandholtz, Harbord, Wardall, Muerman, and Balch between 3 December 1905 and 11 January 1906, found in Reel 1, Bandholtz Papers. A discussion of Quezon’s ties with Bandholtz is also discussed in Cullinane, *Ilustrado Politics*, pp. 184-93. McCoy finds that not only did Quezon serve the colonial regime in his capacity as a politician, but was also a key informant—i.e., a “voluntary” secret service agent. See McCoy, *Policing America’s Empire*, pp. 187-88.

128 On this point, see Ch. 3.


130 Indeed, when provincial governors convened their first governors’ meeting in Manila in October 1906, Bandholtz hosted a banquet on their behalf to impress upon them the Constabulary’s desire to work closely with the provincial governors. As Bandholtz correctly predicted, it was from this group of young governors that the next generation of Filipino leaders, such as Quezon (governor of Tayabas), Sergio Osmeña (Cebu), and Jaime Carlos de Veyra (Leyte), emerged. Cullinane, *Ilustrado Politics*, p. 274-81.
With Bandholtz as its helm, the Constabulary was therefore transformed from the most hated organization in the Philippines to a close ally of Filipino elites, and the institution of policing was changed from one based on coercion to one relying on diplomacy and steeped in politics. In 1912, Dean C. Worcester (the Secretary of Interior and a member of the original Philippine Commission) wrote the following account of Bandholtz’s police institution to Taft:

Mr. Forbes feels grateful to General Bandholtz for making the Constabulary a *popular* organization. In so far as its present popularity is due, and it is in no small degree, to improved discipline and the resulting cessation of abuses, [Bandholtz] is entitled to a very great credit for what he has done, but I have always been suspicious of a police force which was too *generally* popular, and General Bandholtz has carried politics into the work of his Bureau until the public service has been seriously prejudiced.  

Worcester wrote the above as a critique of Bandholtz. Ironically, however, the above passage succinctly captures why the Constabulary was so successful as the organizational arm of the police institution in colonial Philippines. By 1911, all of the remaining insurgencies led by revolutionary leaders had been defeated and the islands were largely at peace (except for the administratively separate Muslim-majority island of Mindanao). “Ladronism,” which had inflicted the Philippines since Spanish times, ceased to be a concern. Starting in the 1920s, with rising inequality and land tenancy, rural unrest became the new source of potential instability in the Philippines. Yet, the Constabulary was quick to detect discontent (aided by its wide network of spies and informants), and with the cooperation of local elites, suppressed most armed uprisings within a few hours of outbreak. It was not until 1946, when the islands were in a state of chaos and disarray following World War II, that the Philippines became embroiled in its first

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131 Emphasis by Worcester. Worcester to Taft, 2 May 1912, Dean C. Worcester Papers, Bentley Historical Library, University of Michigan, Ann Arbor, p. 3.
major uprising—the Huk Rebellion—since those in Cavite, Batangas, and Samar in the early 1900s.\textsuperscript{132}

Figure 4: Local Administration and Police Organization of the Philippines, 1901-1935

![Local Administration and Police Organization Diagram]

Note: Here (as in previous diagrams) the dotted lines represent nominal oversight, while the solid lines represent effective control. This diagram does not apply to the “non-Christian” tribal regions of central Luzon, nor to the Muslim-majority islands of Mindanao and Sulu.

Despite the Constabulary’s effectiveness in maintaining U.S. rule in the Philippine Islands, post-1905 police reforms remained incomplete in one key aspect: While Filipino landed elites were successfully integrated into the colonial state via the Constabulary, their source of coercive capability—that is, the all-Filipino municipal police force—remained outside the U.S. colonial police organization’s chain of commands, as depicted in Figure 4. The problem of exerting control over the municipal police was further exacerbated by the fact that the authority to appoint or dismiss municipal police officers rested with the presidente (except between 1912

\textsuperscript{132} For an account of the peasant uprisings from 1923 to the end of the American period, see David R. Sturtevant, \textit{Popular Uprisings in the Philippines, 1840-1940} (Ithaca: Cornell University Press, 1976), pp. 141-255.
and 1924, when this authority belonged to the provincial governor). Moreover, regulations regarding who could be appointed to the municipal police force, as well as the circumstances under which one could be dismissed, existed on paper, but were hardly enforced in practice. It was all too easy for a presidente to cow qualified individuals into declining appointment to the municipal police, or to accuse incumbent police officers belonging to a rival clique of some misconduct to make room for his own cronies. Consequently, as described by Captain J. W. Swann (Senior Inspector of Albay), the municipal police largely functioned as body-guards and personal servants of the presidente, rather than as an instrument of law enforcement:

They are almost without exception from the lowest and least respected class, are ignorant, undisciplined, and practically servants for the presidente and other municipal officials. If a representative presidente buys a fighting cock in the nearest town he sends a municipal policemen after it. If his wife and children go on a trip they are attended by two policemen, who generally play the part of nurse and maid of all work. When the presidente comes to the provincial capital he rides a horse and is frequently followed by three or four policemen on foot, who bring his lunch, hand bag, and other baggage, and if he writes a note to a friend in a neighboring town a policeman delivers it.

As seen from his annual reports, Bandholtz was certainly aware of these shortcomings and expressed year after year the need to fundamentally restructure the existing system of policing. In particular, his recommendation was to merge the municipal police force and the Philippine Constabulary into a single organizational structure. In other words, he proposed the hybridization of the centuries-old system of semi-privatized local policing with the new national police system. Bandholtz recognized that “the most effective remedy might be to abolish the

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134 J. Warren Swann, “Report of the Officer Commanding the Second District,” RPC 1905, p. 74. This unflattering depiction of municipal police organizations clearly reflected prejudices held by U.S. police officers, but racist attitudes notwithstanding, an effective municipal police force was likely the exception rather than the rule. Indeed, it was not just the Americans who complained about the performance of the municipal police. According to Bandholtz’s 1905 report, fourteen of sixteen prominent Filipino officials within the Second Constabulary District, including all provincial governors, reported that the “municipal police are at present utterly incapable of maintenance of order.” W. Cameron Forbes, “Report of the department of Commerce and Police,” RPC 1905, p. 10.
municipal police and increase the strength and enlarge the scope of the constabulary sufficiently to enable it to handle the municipalities in addition to its other duties.” Nonetheless, he was aware that displacing the existing system of local policing would thoroughly antagonize Filipino elites, undermining the Constabulary’s ability to serve as an intermediary between the colonial state and local powerholders. Therefore, his recommendation was simply to organize the municipal police into “a provincial corps under the immediate orders of the senior inspector of the constabulary, who, subject to approval of the provincial board, should have authority to appoint, promote, dismiss, and assign to stations any of its members.” Under this scheme, the police would remain under the authority of the presidente “to the extent of enforcing local ordinances, keeping the peace, and making arrests, and likewise under the general supervision of the provincial governor as executive officer of the province.” Nonetheless, the Constabulary would obtain effective control over the municipal police by making frequent inspections and transferring police officers from one town to another.135

This plan was never to be implemented, however, despite Bandholtz’s (or his deputy Harbord’s) repeated calls for such reforms from 1905 to 1913 (when Bandholtz’s tenure as Chief of Constabulary was terminated by the War Department).136 When Act 2169 was finally passed by the Philippine Assembly in 1912 to modify the existing municipal organization law, the Constabulary was assigned the long-sought responsibility of inspecting the municipal police; yet, it was not given the authority to directly discipline them, and only to make general recommendations to the Secretary of Commerce and Police. Following the guidelines originally

136 Bandholtz’s reports between 1905 and 1908 are contained within PRC. For his reports between 1909 and 1912, see Philippine Constabulary, Annual Report of the Director of Constabulary (Manila: Bureau of Printing). Note that the 1908 and 1912 reports are written by Harbord, who served as acting director of the Constabulary during Bandholtz’s absence.
set forth by Secretary Root in 1900 and reaffirmed by Taft during his 1905 trip, it was imperative (for the now disciplined colonial administration) that municipal and provincial autonomy be maintained to uphold the façade of benevolent rule. Hence, the only meaningful change to come out of the 1912 reform was that examinations were now required for those seeking to serve as police officers. (However, it was permissible to appoint unqualified individuals to the municipal police when those qualified could not be found, which, incidentally, was frequent.) Another “change” found within the 1912 Act was that the municipal chief of police was no longer to be appointed by the *presidente*, but instead, by the provincial governor—as long as, of course, the candidate first obtained the *presidente’s* recommendation. 137

Finally, and most importantly, by allowing the municipal police to operate separately from the Constabulary, the police structure prevented the state from monopolizing coercive power. Stated differently, with their control over the municipal police, local powerholders possessed the *legitimate* authority to field a largely autonomous security force. Yet, instead of remedying this defect by strengthening the Constabulary and integrating the two legs of the colonial police system into a coherent whole (along the lines recommended by Bandholtz), the U.S. colonial administration made matters worse by sanctioning the existence of a third type of police organization known as the “rural police”—a private force fielded by provincial governors to guard rural roads against highway robbers and haciendas against angry peasants. Examples of these so-called “rural police” included: the private militia maintained by the governor of Pangasinan from 1918 to 1926; a force known as the National Volunteers, which operated in Cavite during the 1930s; and the Knights of Peace, a self-proclaimed “conservative labor union”

137 On this point Baja’s (who was a former Filipino Constabulary officer) discussion of the relationship between the municipal police and the Constabulary is particularly informative. See Baja, *Philippine Police System and Its Problems*, pp. 182-83. For the paragraphs pertaining to the issue of municipal policing within Act 2169 (enacted on February 6, 1912), see Philippines Legislature, *Acts of the Second Philippine Legislature* (Washington, D.C.: GPO, 1912), pp. 155-59.
led by Governor Sotero Baluyot (of Pampanga) with the mission to promote "understanding"

In this way, the legacy of U.S. institution-building efforts in the area of policing was the establishment of two sets of legitimate security forces in the Philippines. The first was the Constabulary, which combined the organizational structure of the guardia civil with a U.S. Army ethos, and innovations in intelligence gathering techniques. The other was a multitude of private ("rural police") and semi-private (municipal police) security organizations, which continued the Spanish-era tradition of gobernadorcillo directly fielding units of cuerpo de cuadrilleros. Attempts by Bandholtz and his associates to reform this system went nowhere, as members of the Philippine Commission redoubled their commitment to local autonomy in the aftermath of Taft's 1905 inspection trip and the dismissal of Gov-Gen Wright. Nonetheless, despite obvious shortcomings, the American police institution functioned well enough during the colonial period. U.S. authority was never to be seriously challenged by armed uprisings after its first decade of colonial rule, and the partnership between the Constabulary and local powerholders (with their private police forces) kept leftist movements at bay in the 1920s and beyond. Yet, the success of the U.S. colonial police system rested on unstable institutional foundations, which were exposed upon Philippine independence in 1946.

\textit{3.IV. Legacy of U.S. Colonial Policing in Post-WWII Philippines}

As long as interests of the state and of local elites coincided, the adverse consequences of a dualistic police institution were not immediately apparent. Moreover, since the Constabulary was ultimately backed by the powerful U.S. military, it was certainly unwise for Filipino elites to openly defy the U.S. colonial regime. Local powerholders understood that their relative freedom
under the U.S. regime would be immediately suspended if American officials detected any hint of disloyalty toward the regime. However, the weakness of the Philippine police institution became evident once Filipinos achieved independence in 1946. In early 1951, for example, Philippine internal security forces, including the Constabulary, were ordered to be on high alert in Negros Occidental, as the province prepared for its local and legislative campaigns. The governor of the province, Rafael Lacson controlled a private militia with a history of violence against anybody who dared challenge him. As expected, the 1951 local and legislative election turned into a brutal affair, resulting in the death of Moises Padilla (a candidate for mayor in the town of Magallon) and in the injury of many others. 139

Yet, what made this incident particularly controversial was that the local Constabulary officer, Cpt. Marcial Enriquez, was under Lacson’s influence, and had betrayed public interest by ordering his men to stand by as Lacson’s private militia terrorized the population. As a provincial governor, Lacson should not have had any power over appointments within the Constabulary. Yet, Philippine President Elpidio Quirino was indebted to Lacson for ensuring that Negros Occidental voted overwhelmingly for him during the 1949 presidential election, and in return, had allowed Lacson to determine who was assigned to the local Constabulary unit. As a result, the loyalty of Constabulary officers in Negros Occidental was to Governor Lacson rather than to the Filipino people. 140 Moreover, this was not an isolated or unique incident, as witnessed by similar acts of violence perpetrated by private militias in Cavite, Cebu, and elsewhere. 141

The use of violence during elections was something rarely seen when the Philippines was under U.S. colonial rule, but the collusive relationship between Constabulary officers and

139 McCoy, Policing America’s Empire, pp. 379-83.
140 Ibid.
provincial governors that permitted the rise of political violence in postcolonial Philippines was an unmistakable legacy of the American period. What foreshadowed the 1951 Negros Occidental incident was when, in 1906, Bandholtz received complaints from Sergio Osmeña (governor of Cebu) and Jaime Carlos de Veyra (governor of Leyte) regarding the performance of Col. Wallace Taylor (commander of the Third District in the Visayas). Bandholtz promptly requested to have Taylor removed, and lobbied for the appointment of Harbord (who, as commander of the Second District in Southern Luzon, had helped Quezon win reelection as governor of Tayabas the previous year) in his place.¹⁴² In fact, Bandholtz even went so far as to criticize other branches of the Insular Government when they failed to follow the lead of the Constabulary: “While the Constabulary, whenever it finds one of its senior inspectors does not get along well with the provincial governor, always changes such an officer,” wrote Bandholtz to Harbord in 1906, “the Bureau of Education will do nothing of the kind.”¹⁴³ Giving provincial governors a say in the Constabulary’s personnel decisions was commonplace during the American period, as it was an effective method of cultivating collaborative ties between the Constabulary and local Filipino elites.

In this way, the interests of the Constabulary had already become indistinguishable from those of the provincial ruling class during the U.S. colonial period. By protecting landowners from peasants during harvest season, and preventing tenant and labor groups from seeking social justice through the only means available to them—that is, the threat of violence—constables vigorously defended the selfish interests of landed elites against those of peasants and laborers.

¹⁴² Cullinane, Ilustrado Politics, p. 275.
¹⁴³ Bandholtz to Harbord, 1 September 1906, Reel 1, Bandholtz Papers, p. 3. To Bandholtz, Barrows (the Director of Education) was a fool by refusing to transfer out of Tayabas a school teacher (Wardall) who had made himself an enemy of Quezon by actively campaigned against him in the governor’s election.
long before Filipino politicians gained control over the national police force.\textsuperscript{144} As Lewis Gleeck (a longtime American resident in Manila and scholar of the U.S. occupation) notes, the Constabulary’s approach of earning the support of local officials “soon put an end to brigandage and organized rebellion. But its basic philosophy of cooperation with the local authorities, which was in line with the co-optation strategy at the national level, greatly limited its power to enforce justice against those of influence.”\textsuperscript{145}

Nonetheless, politicization of the Constabulary would not have led to the destabilization of the entire policing system if it were not for the dualistic nature of the police institution that left the municipal police, and later the “rural police,” outside of the Constabulary’s organizational structure. It was due to the existence of private security forces—and their legitimization by the U.S. colonial regime—that local elites could carve out their own sphere of influence. These local power centers placed Constabulary officers in the difficult position of having to choose between personal and professional loyalty, since they tended to served in the province from which they originated, as was the case with Captain Enriquez in Negros Occidental. Insofar as the U.S. remained supreme in the archipelago, they could maintain the loyalty of local powerholders to the colonial state by threat of overwhelming force. In this way, the inherent contradiction associated with the dualistic police institution was contained, and the collusive relationship between local elites and Constabulary officers was employed to the benefit of the colonial regime. However, such was no longer the case in post-independence Philippines, where the state’s security apparatus had been thoroughly weakened through the course of World War II,

\begin{itemize}
  \item Lewis E. Gleeck, \textit{Americans on the Philippine Frontiers} (Manila: Carmelo & Bauermann, 1974), p. 158.
\end{itemize}
and where private militias had grown in strength through their resistance against the Japanese occupation and from the confusion and lawlessness that followed.

4. Conclusion

In comparing the development of police institutions in Taiwan and the Philippines, what is striking is the similarity observed in the conditions under which these institutions were forged, as well as their initial stages of development. As summarized in Figure 5, in both cases, the Qing and Spanish regimes disintegrated upon the arrival of Japanese and U.S. forces in the respective target territories. “Displacement”\textsuperscript{146} became the de facto institution-building strategy of the colonial powers. This in turn led to the emergence of a dualistic police structure, as colonial authorities also failed to utilize pre-existing non-state security organizations. A shift in strategy occurred in Taiwan in 1897 (with Furusho Kamon’s revival of hokō) and in the Philippines in 1905 (with the Cavite/Batangas fiasco): Thereafter, in both Taiwan and the Philippines, local elites were welcomed as partners and their private militias turned into auxiliary forces of the colonial police. This is where the similarities end, however. In 1903, Goto Shimpei initiated the process of integrating hokō units into the official security apparatus, thus producing a hybridic institution in the area of policing. Meanwhile, Harry Bandholtz sought to implement a similar type of reform as early as 1905 in the Philippines, but to no avail. For the entirety of the U.S. colonial period (and beyond), the Philippine police institution remained dualistic.

\textsuperscript{146} Displacement is used by Thelen and Streeck to describe one of five strategies of institutional change. The other four are: layering, drift, conversion, and exhaustion. See Wolfgang Streeck and Kathleen Thelen, “Institutional Change in Advanced Political Economies,” in Beyond Continuity: Institutional Change in Advanced Political Economies, ed. Wolfgang Streeck and Kathleen Thelen (Oxford: Oxford University Press, 2005): 1-39.
As discussed in some detail in the two preceding chapters, this divergence in institution-building trajectories of occupied Taiwan and the Philippines is explained by differences in the degree of discretion enjoyed by Japanese and American colonial agents. In Taiwan and the Philippines, the strength of the insurgency, the disintegration of the previous governance structure, and complexity of inter-ethnic cleavages, all made the building of effective police institutions similarly difficult. Moreover, in both colonial cases, these adverse conditions were overcome by qualified administrators: Kodama and Gotō in Taiwan and Wright and Bandholtz in the Philippines. However, while Kodama and Gotō were able to display their talents to the fullest and engage in institution-building with much creativity and flexibility, such was not the case for Wright and Bandholtz. Attempts by Wright between 1904 and 1905 to integrate local and national governance institutions came to a halt when Taft reprimanded him for deviating from the official U.S. policy of local autonomy. Seeking to avoid the wrath of the War Secretary (and
later President), Wright’s successors displayed little interest in adopting Bandholtz’s hybridizing reform initiatives, which were proposed yearly until Bandholtz’s resignation in 1913.

It must be stressed, however, that while differences in discretionary authority afforded to Japanese and U.S. colonial agents explain variation in institution-building outcome between Taiwan and the Philippines, agent discretion is not a sufficient condition for success. Like Kodama and Gotō, Gov-Gen Nogi was also afforded much discretion in governing Taiwan, but given his, and his administration’s, lack of talent and vision, he only made matters worse. In this sense, agent discretion is a double-edged sword. On one hand, it is a necessary condition for institution-building success under foreign occupation; on the other, it gives colonial officials awesome powers to do great harm. Indeed, it is for this reason that institution-building efforts are more likely to succeed when colonial administrators are constrained from below—that is, by the colonized peoples—even as they may enjoy autonomy from above. In both Taiwan and the Philippines, the strength of the insurgency was the primary variable that compelled Gotō and Bandholtz to incorporate native elites into the governance structure. This, in turn, was to have a moderating effect on the zeal to “civilize,” as colonial administrators were compelled to preserve the norms and practices of the local population, even as new and “enlightened” institutional designs were introduced.

In the case of policing, the relationship between resistance toward the occupation and incorporation of local elites into the institutional order was direct. This, however, was not the case in other areas of institution-building, such as education. Here, neither did the insurgency compel colonial agents to accommodate the educational demands of local elites, nor did these elites take up arms against the state to push their priorities in pedagogy. This does not mean that

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147 For further discussion, see James C. Scott, Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed (New Haven: Yale University Press, 1998).
institutional reform in areas such as education necessarily produces institutions lacking in local ownership. While physical violence is not the only means available to native elites in demanding that their voices are heard, and non-violent forms of resistance do exist, it is certainly the most effective. As I demonstrate in the proceeding chapter on education, native elites can obtain the power to veto institutional designs when colonial governance cannot be maintained without their strong support. Finally, in instances where local opposition takes a non-violent form, the significance of an institutional area to the fulfillment of the occupier’s overall objective determines the extent to which local interests are accommodated. Ironically, strong commitment by foreign reformers to institution-building success crowds out the voices of the colonized, producing the dysfunctional outcome they sought to avoid.
Chapter 5: Education Reform in Colonial Taiwan versus the Philippines
The Advantages and Pitfalls of Local Ownership under Foreign Occupations

1. Introduction

Education was arguably the most important policy area for both Japanese and American empire-builders. The establishment of economic and security institutions was certainly a more immediate concern, as they provided foreign occupiers the revenue and security necessary to maintain colonial governance. Yet, it was only through education that Japan and America’s contrasting visions of empire could be realized to their fullest extent. The annexation of Taiwan in 1895 was intended to turn the island into an integral component of the Japanese nation-state, and the Taiwanese into Japanese nationals. It was within the colonial schools that this transformation would occur, as Taiwanese children would not only learn, but internalize, their new “national language” (kokugo) and the significance of the “national essence” (kokutai). The United States also rejected an imperial system for its emerging empire. The American “empire” was to consist of a network of nominally sovereign states under U.S. leadership, bound together by common beliefs and values in liberty and democracy. Under this model, the Philippines was initially placed under formal U.S. occupation, but was to ultimately gain independence when the Filipinos were “ready.” It was through education that this empire of the willing was to be forged: Schools would instill Filipinos with liberal and democratic values, thus ensuring their perpetual participation within America’s informal empire. Despite the contradictory goals of Japanese and U.S. imperialism, their blueprint for regional domination thus converged in the classrooms.

This commonality in the strategic objectives of Japan and the United States did not lead to similar institutional outcomes in education, however. Taiwan’s new colonial school system, having been carefully adapted and incrementally expanded in light of pre-existing institutional conditions, was highly effective. Although education did not transform the Taiwanese into self-
identifying Japanese nationals (as hoped by the colonizers), they nonetheless made fluent Japanese speakers out of those who attended the colonial schools. The success of Japan’s educational reforms is also reflected in the fact that the new education institution ultimately attained “local ownership.” The intelligentsia gradually abandoned traditional Confucian schools and came to favor the modern curriculum provided by the Japanese. In contrast, the American education institution in the Philippines was ineffective due to its dualistic structure, as well as the ambivalent attitude of Filipino elites toward the new public school system. Given the size of the Philippine population (at approximately seven million in 1898) relative to the number of American teachers serving in the archipelago (a little less than a thousand at its peak), the U.S. plan to replace the existing Catholic, Spanish, and limited school system with a secular, English, and universal one was simply infeasible. However, rather than modifying their ambitions to accommodate local conditions, colonial officials persisted in their quixotic education policy. The result was the emergence of a twin-track system comprised of private Catholic schools on one hand, and public secular ones on the other. This dualistic structure was made worse by the elites’ overwhelming preference for the former, which led the latter—perceived as schools for the lower classes, especially at the primary level—to deteriorate in quality.

The cause of this variation in institution-building outcome is two-fold: First, the extent to which foreign reformers may establish a hybridic institution, which integrates new and old institutional components into a coherent whole, is a function of their discretionary power. It is only when institution-building agents are liberated from the political and ideological concerns and preferences of their home government that they may undertake institutional reforms with flexibility and pragmatism. Second, whether new institutions attain “ownership” by the subject population—or more precisely, those who are in positions of power and influence vis-à-vis the
local community—is determined by the population’s ability effectively resist the occupation. Paradoxically, the more effective the resistance, the more likely new institutions will eventually take root. The priorities of foreign agents, as well as what they imagine to be in the best interests of the subject population, are often different from those held by local elites. Given the inherently undemocratic nature of a foreign occupation, it is through armed resistance that the voices of the colonized are reflected within the institution-building effort. Successful institutions are thus established under foreign occupations when reform agents are constrained from below but not from above.

Although both causal variables—agent discretion and effective resistance—were equally significant in determining institution-building outcomes in the Taiwan and the Philippines cases, the empirical focus of this chapter is on the second. In colonial Taiwan, the initial plan for education reform involved the creation of new primary and secondary schools that employed Confucian classics as textbooks to accommodate the demands of the Taiwanese gentry-scholar elites. They were the recognized leaders of Taiwanese society, and the only ones capable of convincing rebel groups to submit to Japanese colonial rule. Yet, with the restoration of peace and stability on the island, this plan was quickly abandoned in favor of a six-year primary school system focused entirely on instilling Japanese-language proficiency. Significantly, these schools (reflecting Japanese prejudices against the local population) were designed to produce manual laborers and low-ranking bureaucrats. Opportunities for post-primary education were extremely limited, even for children of the wealthy. Education policy was again reversed in the early to mid 1910s in the direction of accommodation and local ownership. Responding to elite demands for improvement in the quality of education, the number of post-primary schools for native children was increased, and Taiwanese children were allowed to enroll in high-quality schools that
previously catered exclusively to the Japanese settler population. As I demonstrate below, this temporal variation was caused by the changing importance of the Taiwanese intelligentsia in the maintenance of colonial governance. The key turning point was the Xinhai Revolution of 1911. Thereafter, colonial officials, fearing that republican and revolutionary ideologies could leapfrog from mainland China to Taiwan, actively co-opted the intellectual elite to help lead Taiwanese nationalism in a “peaceful” direction.

No such exogenous shock rattled the colonial administration in the Philippines, which in turn found little need to accommodate native elite interests by altering their preferred education policy. Filipino elite resistance to the new American educational system, in comparison to the Taiwan case, was also subdued. The intellectual elite (known as the *ilustrado*) was perfectly satisfied with the education provided by holdover Catholic schools from the Spanish colonial era. As long as American officials allowed these schools to co-exist alongside new secular schools, elites could provide their own children with high-quality Catholic education, while public schools were largely patronized by the poor. In fact, in was in the interest of Filipino elites to express support for U.S. education policy, as this helped convince American officials of their loyalty toward the colonial regime at a time when the archipelago was under siege by 70,000 trigger-happy U.S. troops. Such feigned support eventually turned into more genuine enthusiasm for American colonial schools. This, however, was not due to any change of opinion regarding the new public schools (which continued to be viewed in a negative light), but had much to do with the fact that appropriation for education was a way for Filipino legislators (after the creation of the Philippine Assembly in 1907) to bring a slice of the national expenditure back to their home districts. With their own children safely enrolled in Catholic private schools, supporting U.S. colonial education was thus a win-win situation for the Filipino elite.
This final point brings the discussion to an issue that has so far been unexplored in this dissertation: The cost/benefit calculus of native elites can change during the course of an occupation, leading previously unpopular institutional designs to acquire local ownership. Moreover, what is striking is that this shift in the strategic calculus of native elites may not involve a deeper change in their interests, as witnessed in the Philippine case. Filipino elites ultimately supported the new public school system not because they became convinced of its superiority over private Catholic schools, but because the building of these schools helped advance their political position within Philippine society. This observation, which may at first seem cynical, is precisely what gives one hope that institution-building under foreign occupation will succeed given the right formula. If it is not necessary to change deep-rooted interests in order for new institutions to take root, then transformative state-building schemes become strategically viable propositions.

2. Building an Education Institution in Taiwan

The geographic proximity of Taiwan to mainland China led Japan’s military planners to push for its annexation in the aftermath of the Sino-Japanese War (1894-1895), but this very factor also implied that establishing colonial rule over the island would be plagued with difficulties. On one hand, Taiwan served as an effective launching pad for extending Japanese economic influence to the continent by exploiting inter-ethnic ties between Taiwan and southern Chinese provinces. On the other, the Japanese colonial administration, known as the Government-General of Taiwan (GGT), was fully aware that such ties also flowed in the reverse direction. Loyalty of the Taiwanese to the Japanese empire was thus suspect from the very beginning, leading the Japanese government to institute an unprecedented policy of allowing the Taiwanese two years (after annexation) to choose between Japanese and Chinese citizenships.
Moreover, as revolutionary activity began to shake the Qing dynasty in the early twentieth
century, the GGT was faced with the possibility that, given the density of relations between
Taiwan and the mainland, republican or leftist ideologies could leapfrog to Taiwan and
destabilize Japanese rule. Their worst fears were realized in 1912 when the GGT discovered at
least six revolutionary movements within Taiwan directly linked to the Chinese (Xinhai)
Revolution of 1911. Education policy thus took on a particularly important role in the
maintenance of colonial governance. If Taiwan was to remain a permanent component of the
Japanese state, then the Taiwanese would have to be transformed into self-identifying Japanese
subjects. Only through education was this possible.

Japanese education policy in Taiwan proceeded with many twists and turns, rendering a
linear account of its development difficult. In part, this variance in education policy, especially
during the first two decades of Japanese colonial rule, was due to the complete freedom GGT
officials enjoyed from Tokyo. Under the policy of “no policy,” colonial officials experimented
with different educational systems and school curricula, sometimes radically reversing the policy
developed by their predecessors. If the high degree of discretion enjoyed by GGT officials was
what allowed them be experimental in the first place, the directionality and the magnitude of
these shifts fluctuated with changing effectiveness of local resistance to colonial rule. During
periods when the GGT’s ability to establish and/or maintain control over the subject population
depended on support from Taiwanese gentry-intellectual elites (i.e., between 1896 and 1902 and
after 1911), the education institution was structured in such a way as to accommodate their
interests. Meanwhile, when the actions and sentiments of the Taiwanese intelligentsia had little
repercussion on peace and stability of the island colony (i.e., from 1902 to 1911), the GGT
simply ignored their demands.

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Nonetheless, despite the many reversals that characterized the GGT’s colonial education policy, what remained constant throughout was its commitment to institutional hybridization. During each round of education reform, officials sought to maintain coherence between policy toward the preexisting Chinese-style education of Taiwan and the new Japanese schooling system. During the early period, this meant adjusting the curriculum of Japanese colonial schools to reflect those found in traditional Taiwanese schools. Later, the GGT “upgraded” the content of traditional schools to mimic those found in the new colonial schools. The aim from the very beginning was to create an integrated educational structure, where public and private schools jointly advanced the goal of instilling a new national identity into the Taiwanese population. In the end, the Japanese succeed in establishing such an institution. Ironically, however, evidence of their “success” is that the Taiwanese people now consider Mandarin Chinese—a language that was foreign to Taiwan prior to 1945—as their national language. The GGT was never able to fully Japanize the Taiwanese population during its fifty-year rule over the island. Yet, what the Japanese colonizers did accomplish was to leave behind a highly effective education institution that allowed Taiwan’s postwar Chinese rulers, led by Chiang Kai-shek, to make native Mandarin speakers out of the “re-colonized” Taiwanese population.

2.1. Local Ownership and Hybridization of the Education Institution under Political Instability

In Qing-era Taiwan, education and elite status were closely intertwined due to a class system that divided the population into two main categories: “scholar-gentry” (shenshi) and commoner. There were three primary methods through which an individual could become a member of the gentry class. First was by purchase. A commoner in 1831, for example, could obtain a title of jiangsheng for 108 tael of silver. This lower gentry title, however, did not come with the key privilege of consideration for appointment to the Qing bureaucracy. The second
method was through military achievement. Yet, even those with illustrious military careers were required to pass an academic examination in order to join the ranks of the upper (that is, office holding) gentry. This brings the discussion to the third and most important path toward admission to the gentry class: through years of mastering Confucian classics, along with poetry and other texts deemed pertinent for bureaucratic service. Scholarly pursuit began in a private school and continued at a state-sponsored academy upon passage of a district or provincial examination. Further study at these academies culminated in the attainment of the right to take the bureaucratic examination at the sub-provincial, provincial, or metropolitan levels; Successful candidates were awarded the corresponding upper gentry rank of gongsheng, juren, or jinshi.¹ Hence, membership in the ruling class—at least at the highest levels—was closely associated with scholarly achievement. Education policy, therefore, was of utmost concern to precisely those individuals that Japanese colonial officials came to rely upon (at least in the early colonial period) as intermediaries between the colonial state and Taiwanese society.

Education, however, was not a concern of policymakers in Tokyo when they initially planned for Taiwan’s invasion and occupation. In the June 20, 1895 draft proposal of the GGT bureaucratic structure, there is no mention of creating a bureau or section within the colonial administration dedicated to educational affairs. Meanwhile, a report submitted to the Taiwan Affairs Bureau (which served as the highest decision-making body in Tokyo on matters concerning Taiwan from 1895 to 1896) in the same month simply stated that schools in Taiwan should teach the Four Books of Confucianism (Great Learning, Doctrine of the Mean, Analects

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of Confucius, and Analects of Mencius) as they had done before. Absent in this report was a vision regarding what colonial education in Taiwan should achieve.\(^2\) The fact that education policy was not among Tokyo’s priorities can also be gleaned from the fact that the Ministry of Education was unrepresented in high-level discussions on Taiwan led by Prime Minister Itō Hirobumi.\(^3\) As a result, the task of shaping Japan’s colonial education policy fell squarely on the man handpicked by Taiwan Governor-General Kabayama Sukenori to serve as his director of education: Izawa Shūji.\(^4\)

Like many of his contemporaries, Izawa assumed that Taiwan had become an integral part of Japan upon annexation, and that Japanese colonial policy should aim to assimilate the island’s inhabitants into the Japanese national community as quickly as possible. He understood his purpose in Taiwan, as director of education, as one of realizing this goal through a radical restructuring of the existing educational system.\(^5\) His zeal for reform was also shaped by his


\(^3\) The Taiwan Affairs Bureau was composed of eight members (in addition to Prime Minister Ito Hirobumi) who represented key ministries and agencies: Ito Miyöji (Chief Cabinet Clerk), Kawakami Sōoku (Vice Chief of Staff), Kodama Gentarō (Vice Army Minister), Yamamoto Gonnohyōe (Vice Navy Minister), Hara Kei (Vice Foreign Minister), Suematsu Kenchō (Chief of Legislation Bureau), Tajiri Inajirō (Vice Finance Minister), and Den Kenjirō (Chief of Communications Bureau of the Ministry of Communications and Transportation). Edward I-te Chen, “The Attempt to Integrate the Empire: Legal Perspectives,” in The Japanese Colonial Empire, 1895-1945, ed. Ramon H. Myers and Mark R. Peattie (Princeton: Princeton University Press, 1984), p. 250.

\(^4\) Izawa was a protégé of former Minister of Education Mori Arinori, and like his mentor (whose pioneering reforms centralized control over education under the Ministry of Education), he believed in the superiority of the Western educational system, and moreover, that the purpose of education was to serve the state. Yet, unlike his mentor, Izawa advocated that the state should provide free and compulsory education to its population. Izawa’s position proved unpopular within the Ministry, as the Japanese government clearly did not have the financial ability to realize this goal of universal education at the time. With his position within the Ministry further weakened after Mori’s assassination in 1889, Mori left government service and founded the Society for State Education (Kokka Kyoiku Sha) to continue his advocacy of universal education. In February 1895, he was introduced to Admiral Kabayama (through the recommendation of the Vice Education Minister at the time), and was selected to serve as Kabayama’s advisor on educational affairs. For more on Izawa’s background, see E. Patricia Tsurumi, Japanese Colonial Education in Taiwan, 1895-1945 (Cambridge, MA: Harvard University Press, 1977), p. 13.

\(^5\) Izawa, however, did not believe that the Taiwanese could be absorbed into the Japanese ethnic community. Noting that the German policy of imposing its language onto the French-speaking inhabitants of Alsace-Lorraine was failing, Izawa offered an alternative model based on Britain’s experience with the French inhabitants of Quebec: “intermixing” (kongo) and “harmonization” (chōwa). As such, not only were the Taiwanese people encouraged to learn the Japanese language, but the Japanese community in Taiwan should also be able to communicate with the
experience studying abroad. Having spent three years learning modern pedagogical methods in the United States from 1875 to 1878 (at Bridgewater Normal School in Massachusetts and then at Harvard University), he was an enthusiast for Western-style education. At the same time, Izawa understood that a school system had to be carefully adapted to local conditions if it was to achieve its pedagogical goals. In Taiwan, this meant that Confucian texts would have to be incorporated into the curriculum, at least initially, so that students could easily make the transition from the traditional to the new schools.

After experimenting with various curricula and pedagogical methods for a year and a half, Izawa’s plan for education reform finally came together in 1897, and a “public school” system comprised of a six-year elementary and four-year middle course was proposed. Adapting the school system to local conditions, Izawa chose Confucian classics, such as Three Character Classic and the Four Books (minus the Analects of Mencius, which included the idea that subjects possessed the right to overthrow a corrupt sovereign), as primary texts for the elementary level reading (dokusho) class. The Five Classics of Confucianism, meanwhile, made up the core of the middle school curriculum. Under Izawa’s plan, Japanese schools thus taught more or less the same texts as the traditional one-teacher Chinese schools, which the GGT collectively called shobō. Other classes included in Izawa’s “public school” proposal were ethics (shūshin), “national language” (kokugo), writing (shūgaku), arithmetic, geography,

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local population through their languages. Izawa thus envisioned a multiethnic empire in the Far East that was held together by a common language (Japanese) and mutual obligations toward a single sovereign (the Japanese Emperor). Izawa Shūji, “Shin hanto jinmin kyōka no hōshin [Policy for educating subjects of the new territory],” in Izawa Shūji senshū [Selected writings of Izawa Shūji], ed. Shinano Kyōikukai (Nagano: Shinano Kyōikukai, 1958): 632-41. For further discussion of Izawa’s education policy, see Komagome Takeshi, Shokuminchi teikoku Nihon no bunka tōgō [Cultural integration of the Japanese colonial empire] (Tokyo: Iwanami Shoten, 1996), pp. 52-57.


8 For a description of a typical shobō, see Takeuchi Sadayoshi, Taiwan kanshū [Customs of Taiwan] (Taipei: Taiwan Nichinichi Shimpōsha, 1915), pp. 634-40.
history, art, music, and exercise. In short, and in Izawa’s own words, his plan “acknowledged
the existing educational structure, but also infused within it a new spirit; unnecessary literature
was abolished, and necessary scholarship was added.” However, Izawa’s proposal for a ten-
year “public school” school system, to be funded entirely by the colonial state, was rejected by
top GGT officials as being too extravagant at a time when austerity was demanded of them by
Tokyo. Exasperated, Izawa resigned as director of education in July 1897.

It was not until 1898, when leadership over the colonial government was assumed by
Governor-General Kodama Gentarō and Chief Civil Administrator Gotō Shimpei, that the GGT
finally formalized its education policy. The 1898 Common School Regulation (CSR) departed
from the Izawa’s earlier proposal in three ways. First, colonial schools for Taiwanese children,
now called “common schools” (kōgakko), provided only six years of primary education. Middle
school subjects of history, geography, and science, as well as the Five Classics, were therefore
dropped entirely from the school curriculum. A medical school and three normal schools were
established in 1899 as institutions of higher education, but post-primary academic (as opposed to
vocational) education was not to be provided by the state. The second major difference was the
source of funding: While Izawa believed that education should be paid entirely by the state, the
1898 CSR designated local taxes and private donations as the primary source of funding. Third,

10 Ibid., p. 612.
11 E. P. Tsurumi, Japanese Colonial Education in Taiwan, pp. 16-17.
12 For the text of the CSR of August 26, 1898, see Taiwan Kyōikukai, Taiwan kyōiku enkakushi [History of education in Taiwan] (Taipei: Kotei Shooku, 1973[1939]), pp. 229-36.
13 The common school curriculum under the 1898 CSR, as well as the textbooks used in each of the classes, is found in ibid., pp. 232-33.
15 For the text of the July 28, 1898 Taiwan Common School Ordinance (Taiwan Kōgakko Rei) mandating that the source of primary school funding come primarily from local taxation and private donations, see Taiwan Kyōikukai, Taiwan kyōiku enkakushi, pp. 223-24. For figures displaying the shift in source of funding before and after the 1898 reform, see Yoshino Hidekimi, Taiwan kyōiku shi [History of education in Taiwan] (Taipei: Taiwan Nichinichi
Gotō sought to conform the curriculum of shobō-style schools, which at the time was far more popular among Taiwanese elites than the new colonial schools, to that of the common schools. Although regulations pertaining to shobō were not strictly enforced at first (largely due to their unpopularity among Taiwanese elites), Gotō nonetheless laid the foundations for a unified education system to eventually emerge in Taiwan.

The fact that Gotō’s proposal for education reform departed from Izawa’s in significant ways was hardly surprising, as the two men held contradictory views on Taiwan’s current and future relationship to the Japanese nation-state. Whereas Izawa believed that the common bonds uniting the Japanese people were the Emperor and the Japanese language, Gotō adopted a more ethnic view of nationhood, metaphorically arguing that one “cannot suddenly change the eyes of a halibut to look like those of a sea bream.” As such, while Izawa was optimistic of Taiwan’s assimilability to Japan, Gotō was pessimistic. To Izawa, Taiwan constituted the outermost rim of the Japanese nation-state; Gotō perceived Taiwan as the inner layer of Japan’s (to be expanded) colonial empire.

Shinpōsha, 1927), p. 237. This table is also reproduced in E. P. Tsurumi, Japanese Colonial Education in Taiwan, p. 42.

16 From 1898 (when data is first available) to 1903, the number of students officially enrolled in shobō was fairly stable, fluctuating yearly at a range between approximately 25,000 and 30,000 pupils. It was only in 1904 that the number of students (predominantly from middle and upper class families) enrolled in common schools (23,179) exceeded those in shobō (21,661); thereafter, the number of shobō students gradually declined, as those attending common schools increased precipitously. Here, it should be noted that many students attending common schools are likely to have also attended shobō to obtain a better grounding in Confucian texts. Furthermore, enrollment figures were quite different from daily attendance rates. For example, the daily attendance figure for common school in 1904 (when common school enrollment exceeded shobō enrollment for the first time) was 60.66 percent, likely due to the fact that many students who were officially enrolled in common schools spent a large portion of their time attending shobō. As enrollment in shobō declined starting in 1904, both the enrollment number and the daily attendance percentage for common schools increased, reaching the 60,000 mark and 90 percent, respectively. For enrollment figures between 1898 and 1934, see Taiwan Kōyōkai, Taiwan kyōiku enkakushi, pp. 408-10 (for common schools) and pp. 984-86 (for shobō); for daily enrollment percentages for common schools, see Yoshino, Taiwan kyōiku shi, p. 199 (for 1898 to 1906) and pp. 315-16 (for 1907 to 1918).

17 Taiwan Kōyōkai, Taiwan kyōiku enkakushi, pp. 973-80. Regulations concerning shobō were not part of the 1898 CSR but were passed separately in November 1898.


19 Ibid., p. 45.
secondary Japanese language education to the Taiwanese to quicken the pace of assimilation.

Meanwhile, starting from a different set of assumptions, Goto sought to emulate the British practice of creating a clear barrier between foreign rulers and colonial subjects through education. Hence, while Japanese settler children received free public elementary and middle schooling, the Taiwanese had to pay for primary education. Observing that independence movements were typically led by the educated elite, Goto also reasoned that a policy of keeping the Taiwanese uneducated or undereducated was better for maintaining Japanese colonial governance.20

Nonetheless, since Goto and Izawa were both pragmatists who faced the same problem of undertaking school reform in a territory with an entrenched education system, their policies inevitably converged. In particular, Goto adopted Izawa’s signature proposal (albeit for different reasons): the heavy use of Confucian texts in the common school curriculum. As Goto reasoned, this contributed to his policy of accommodating the demands of Taiwanese gentry-scholar elites at a time when the GGT desperately sought their support in defeating the anti-Japanese insurgency. During the initial years of Japan’s occupation of Taiwan, the gentry class was largely marginalized under Governor-General Kabayama’s military rule. When Imperial Army officers occupied a Taiwanese locality, rather than showing deference to the local gentry, they recruited managers of city wards and village chiefs as collaborators. This group of local Taiwanese officials certainly included low ranking gentry members, but the more prominent individuals of the literati class—with their qualification to serve in the Qing bureaucracy—saw themselves as above the pettiness of local politics.21 Kabayama also may have sought to undermine the

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20 Goto’s views on colonial education are most clearly articulated in a November 10, 1903 speech to a gathering of Japanese educators in Taiwan. This speech is reproduced in Mochiji Rokusaburō, Taiwan shokumin seisaku [Colonial policy in Taiwan] (Tokyo: Fuzanbō, 1912), pp. 282-93. For more on Goto’s views on education, see Chen P., “Dōka” no dōshō imu, pp. 75-78.

influence of the gentry within Taiwanese society by placing merchants and commoner landlords in positions of power.\footnote{Perhaps partly as a result of Kabayama’s antagonism toward the gentry, many of its members left Taiwan for mainland China soon after Japanese annexation. According to one estimate, while approximately 350 individuals in Taiwan belonged to the three upper gentry ranks in 1895, by 1900, only 57 of them remained. Furthermore, individuals who possessed the lower gentry grade of jiangsheng numbered as many as 5,000 under Qing rule, but the Japanese colonial administration counted only 845 individuals possessing any gentry rank five years after annexation. Ching-chih Chen, “Japanese Socio-political Control in Taiwan, 1895-1945,” Diss., Harvard University, 1973, pp. 276-77; Lamley, The Taiwan Literati and Early Japanese Rule, 1895-1915, pp. 234-52; idem., “The Yôbunkai of 1900: An Episode in the Transformation of the Taiwan Elite during the Early Japanese Period,” in Ri-ju shi-qi Taiwan shi guo-ji xue-shu yan-hui lun-wen ji [International Conference on Taiwan History under Japanese Colonization], ed. Department of History, National Taiwan University (Taipei: National Taiwan University, 1993), p. 140.}

Kabayama’s strategy of sidelining some of the most respected individuals within Taiwanese society backfired, however, at least in the short run. Village chiefs, ward managers, and recently empowered merchants simply lacked the authority necessary to repel insurgent attacks, or the gravitas to convince rebel leaders to surrender. Nogi Maresuke, who took over as Governor-General in October 1896, realized the shortcoming of Kabayama’s strategy and began to court the favor of influential gentry members by handing out honorary titles and appointing them as counselors to local and provincial governments, based on their rank within the gentry hierarchy. Meanwhile, Japanese provincial governors sponsored banquets and poetry recitals in honor of the local gentry. Yet, it was under the direction of Kodama and Gotô, starting in early 1898, that a more coordinated, and ultimately successful, effort to forge collaborative ties between the colonial administration and the gentry was introduced.\footnote{For Nogi’s appeasement policy, see Lamley, The Taiwan Literati and Early Japanese Rule, 1895-1915, pp. 339-48 and 56-60.}

Central to the GGT’s campaign to win the trust and support of the gentry-literati was Kodama, who, in addition to his renown as a master military strategist and an astute politician, excelled in classical Chinese poetry. Kodama’s effort to mingle with the local gentry during his inspection trips, as well as frequent poetry recitals at his official residence in Taipei, helped ease the literati’s concern over their apparent marginalization. Kodama also spearheaded the
establishment of charitable organizations, and sponsored, according to Chinese custom, grand
banquets honoring the elder. The continuation of Izawa’s education policy, which displayed an
appreciation of Confucian teachings through the incorporation of the Four Books into the
curriculum of publically funded schools, dovetailed these efforts. The literati was highly
impressed by Kodama’s seemingly sincere respect for their customs and values, and increasingly
lent their support to the anti-insurgency campaign. Working with representatives of the GGT,
locally influential gentry members were particularly instrumental in negotiating surrender terms
with rebel leaders across Taiwan. 24

The capstone event of the literati appeasement campaign was the March 1900 Yōbunkai
meeting, a GGT sponsored academic conference for those belonging to the top gentry ranks.
Invited to this event were 151 qualified individuals of which over 70 attended. 25 Yet, this event,
which was ostensibly held to solidify the collaborative relationship between the gentry class and
the colonial administration, also revealed that Gotō’s support of Confucian education was largely
superficial. In his opening remarks, Gotō noted that the purpose of Yōbunkai (initially planned as
a permanent organization) was to serve as a vehicle for the island’s inhabitants to become
“reacquainted with the old and cognizant of the new.” 26 Although Gotō extolled Confucianism
for its respect for learning and ethical teachings, the content of education was to come largely
from the West. Gotō went so far as to criticize Qing-era scholars for focusing too much on
literary embellishments and not enough on practical education. The pedagogical methods and

Literati and Early Japanese Rule, 1895-1915, pp. 349-56 and 360-64.
25 Specifically, those belonging to the jinshì, juren, gongsheng, as well as the linsheng rank among the lower gentry,
were invited. Of the 151 invited, 76 individuals submitted essays to the conference. The commemorative photo,
26 Ibid., p. 134.
curriculum found in *shobō* were attacked as antiquated. The gentry, as intellectual leaders, should join the GGT in pushing for a cultural transformation of Taiwan, Gotō proclaimed.\(^{27}\)

As the first (and last) Yōbunkai meeting vividly displayed, while Japanese colonial officials recognized the importance of the gentry as leaders of Taiwanese society, they were nonetheless dismissive of their traditional values and beliefs. Support of Confucian education by Gotō and the rest of the GGT leadership therefore ensued only so far as appeasement of the literati’s educational demands was necessary for the counter-insurgency campaign. Consequently, with the surrender of leading rebels by 1900, and complete pacification of the western (non-aboriginal) provinces achieved in early 1902, Gotō’s feigned enthusiasm for Confucianism quickly faded. Thereafter, while Gotō and his lieutenants carefully adapted the new and modern education system to local conditions (to ensure its effectiveness), its ownership by the literati elite was no longer a priority and hardly sought. When the 1898 CSR was formally amended in 1904, it was clear that only those who accepted Japan’s intellectual superiority were welcome to participate in the new schools.

2.11. The New Political Order and the Exclusion of the Literati from Educational Reform

The initial impetus for change to the 1898 CSR (Common School Regulation) came from Japanese primary school teachers and principals. Largely handpicked by Izawa to teach in Taiwan, they firmly supported an educational system that focused on the spread of Japanese language proficiency. However, unlike Izawa, who was as much a pragmatist as he was an idealist (given his background as both bureaucrat and educator), many of the more influential Japanese teachers were uncompromising true-believers in the transformative power of language. From their perspective, if Japan’s goal in Taiwan was indeed *dōka* (assimilation)—as officially

maintained by the GGT—then a drastic change to the 1898 CSR, which did more to preserve
traditional Chinese education than to promote “new learning,” was a top priority. Leading this
charge was Kimura Tadashi, who had taken over the educational affairs portfolio in June 1898,
and Hashimoto Takeshi, who was appointed to head a group of reformist Japanese educators in
August 1900 (that is, a few months after the Yōbunkai meeting) to draft a new CSR.28

First, Japanese educators were unanimous in their belief that the number of common
schools should be increased exponentially. (Kodama Kihachi, who briefly served as Chief of
Education Bureau recommended to Gotō in 1898 an increase of common schools from the
existing 74 to 254 in three years.29) The popularity of shōbō among Taiwanese elites was
tolerated for the time being, since the anachronistic and impractical education they provided was
better than no schooling, but the GGT had to do its utmost to replace them with common school,
Kimura argued. For the realization of this goal, the colonial state was to finance the expansion of
primary education through state funds rather than leaving this to local governments and private
donors.30 Second, the existing common school curriculum, which devoted much time to the study
of Chinese language texts, was attacked; in the view of reformist educators, there was little
benefit (practical or otherwise) to teaching the Four Books in common schools.31 Also, by
accommodating the desire of Taiwanese parents to have their children study Confucian texts (as
though they were preparing for the Qing bureaucratic examination), Hashimoto argued that

29 For Kodama Kihachi’s 1898 report, see “Gakumubu sōsetsu ikō jigyō no gairyaku [Outline of the work of the
Bureau of Educational Affairs since its founding],” in Gotō Shimpei monjo [Documents related to Gotō Shimpei],
30 Kimura Tadashi, “Taiwan no futsū kyōiku [General education of Taiwan],” Taiwan Kyōiku kai zasshi 28 (1904):
521-33; Komagome, Shokuminchi teikoku Nihon no bunka tōgō, p. 46. Unsaid by Kimura, but what had become
obvious to Japanese educators by that time, was that Gotō had little intention of promoting Tokyo’s official colonial
policy of dōka. See Ch. 2 for an analysis of Gotō’s colonial policy.
31 Compared to the first point, Japanese educators were more divided on this issue with individuals such as Takaoka
Takeaki and Hirai Matahachi defending the status quo. See Takaoka Takeaki, “Kōgakkō shūshinka ni tsuite [On
ethics education in common schools],” Taiwan Kyōiku kai zasshi 4 (1902): 435-55. For a summary of Hirai’s defense
of the use of Confucian texts, see Komagome, Shokuminchi teikoku Nihon no bunka tōgō, p. 66.
educators were allowing them to cling on to the dangerous hope that one day Taiwan would retrocede to China. It was certainly true that ethics (shaishin) should be a major component of education, but it was hardly the case that this subject was best taught through Confucian texts: The Japanese sense of loyalty to an unbroken line of Emperors was different from the notion of loyalty found in Confucianism. Literature, Hashimoto asserted, was first and foremost an expression of a nation’s fundamental spirit. Anything short of a complete Japanese-language education was thus an obstacle to dōka.32

This belief by Hashimoto, and by Kimura to a lesser extent, in linguistic nationalism was not shared by top GGT officials such as Gotō and Ishizuka Eizō (whose influence within the GGT, as Kodama’s chief legal counselor, rivaled that of Gotō’s). Instead, they adopted a more primordial view of nationhood. Accordingly, in an article published in November 1900, Ishizuka sent a warning to over-ambitious (and idealistic) educators by praising British colonial rule in India for its explicitly anti-assimilatory education policy.33 Meanwhile, just as a new draft of the CSR was nearing completion in late 1903, Gotō reminded Japanese educators that assimilation only occurred through a long and natural process (requiring no less than two to three generations by his estimation). Japanese language education was useful insofar as it trained a cadre of Taiwanese functionaries to serve within the lower ranks of the GGT, but it should not be used as

32 Hashimoto Takeshi, “Kōgakkō ni okeru kanbunka ni tsuite [On Chinese literature education in Taiwan’s common school],” Taiwān Kyōkai kaihō 65/66 (1904): 10-18/13-21. For further discussion of Hashimoto’s arguments, see Komagome, Shokuminchi teikoku Nihon no bunka tōgō, pp. 64-65. It must be noted that a new zeal among Japanese educators to increase Japanese language proficiency was not the only reason for this change in curriculum. It also reflected a radical shift in pedagogical methods. Izawa believed that the best way to teach a new language to children was to start with a text written in the language they already knew and then to provide a translation of the text in the new language—i.e., the “translation method.” Children thus first read the Four Books in Chinese and then reread these books in Japanese. By the turn of the twentieth century, François Gouin’s “direct method,” where children learned a new language by simultaneously observing an object and the associated word in the new language, was accepted as superior to the “translation method.” Instrumental to the popularization of the “direct method” in Taiwan was Hashimoto Takashi. On this point, see Catherine Shu-fen Fewings, “Japanese Colonial Language Education in Taiwan and Assimilation, 1895-1945,” Diss., Curtin University of Technology, 2004, pp. 82-108.

a tool for promoting dōka. Finally, tired of the “kūron” (empty ideas) of Izawa-era holdover educators and administrators, Gotō dismissed Kimura as Educational Affairs Chief, and rather than promote one of Kimura’s deputies, he appointed Mochiji Rokusaburō, who, as a Home Ministry veteran and a recent arrival to Taiwan, had no background in education. In turn, Mochiji dutifully served as Gotō’s henchman, purging experienced teachers and bringing in new recruits from Japan.

What led to this unconventional appointment was a position paper penned by Mochiji in 1902 (when he was a mid-ranking administrator within Tainan province in southern Taiwan) positing that public education’s chief goal was to support economic development. The existing academic curriculum (which used the Four Books as the primary text) should therefore be replaced by one focusing on vocational education, along with Japanese language training. Moreover, in order to place Taiwan on sound financial footing, even public education should be paid for by those who demand it. The current practice of placing local officials responsible for approving the construction of new common schools was also criticized, as it had led to the proliferation of financially unviable schools that then became a burden to the GGT. (By Mochiji’s account, 24 out of 35 common schools in Tainan could not survive without financial assistance from the central administration.) The Education Affairs Section in Taipei (the former Education Bureau) should instead possess the sole authority of approving or rejecting applications for the construction of schools, as central governmental officials were less likely to be subjected to lobbying by local elites. Finally, most Taiwanese did not need six years of schooling, Mochiji reasoned, since they were best employed as laborers, farmers, shopkeepers, and low-ranking colonial officials. He thus proposed to abolish the existing six-year common

34 Gotō Shimpei, “Gotō Chōkan no kunji [Instructions of Chief Civil Administrator Gotō],” *Taiwan Kyōiku* *kai* *zasshi* 27 (1904): 2-3.
35 Chen P., “Dōka” no dōshō imu, pp. 84-85 and 94.
school program (attended primarily by children of middle- and upper-class families), and to adopt a 4-4 system in its place, where most school-attending Taiwanese (merely 3.21 percent of the total school-aged population in 1902) would receive only four years of education, and a few of the most privileged moved on to the four-year higher school curriculum.\textsuperscript{36} In short, Mochiji’s proposal was nothing less than a wholehearted acceptance of Gotō’s preferred policy.

The 1904 CSR ultimately adopted the middle ground between the prevailing view of Japanese teachers in Taiwan (represented by Hashimoto) and Mochiji’s 1902 proposal (favored by Gotō). In terms of the curriculum, the previous separate subjects of reading (dokusho) and writing (shūgaku) were absorbed into the “national language” (kokugo) class. The time spent on kokugo increased from five to twenty hours a week, while the Three Character Classic and the Four Books (minus the Analects of Mencius) were eliminated from the curriculum. A new class on Chinese language (kanbun) was added, but the textbook used was a GGT approved reader of useful words and phrases in everyday life. It was only in this class, which met for a mere five hours a week (compared to the twelve hours previously spent on reading Confucian classics under the 1898 CSR) that the Chinese language was even taught. Reflecting Gotō and Mochiji’s preference for practical education, girls were instructed in sewing starting in the second grade, while boys learned handicraft, farming, and commerce in the fifth and sixth grades. Meanwhile, the authority to approve or reject the construction of new common schools was transferred from the provincial to the central administration. In this way, expansion of the school system was kept

\textsuperscript{36} Mochiji’s 1902 report, titled “Kenchi kanken [My humble opinion on provincial governance],” is found in Gotō Shimpei monjo, Reel 31, No. 7.73. For a discussion of this unpublished paper, see Chen P., “Dōka” no dōshō imu, pp. 85-86 and 92-93. Mochiji later explains the logic underlying his education policy in his 1912 memoir, Taiwan shokumin seisaku. See in particular, pp. 279-320. Also of interest is his analysis of colonial education policy in the Philippines, India, and Java (Indonesia), which is found in pp. 525-94. Here, he is highly critical of U.S. and Dutch education policies in their respective colonies, while praising British policy in India. For data on Taiwan’s common school enrollment and daily attendance from 1898-1906 (that is, during the Kodama-Gotō administration), see Yoshino, Taiwan kyōiku shi, p. 199.
at a rate where a certain level of quality of common schools, as well as their financial viability, could be maintained.\textsuperscript{37}

What thus emerged in 1904 was an education system that thoroughly disregarded the educational demands of all literati elites, whether they were conservatives (who preferred \textit{shobō}-style education) or progressives (who accepted the need for “new learning” and enrolled their children in common schools).\textsuperscript{38} Moreover, with each successive CSR reform—until education policy was again reversed in the mid 1910s—the common school curriculum diverged further and further away from the type of education desired by Taiwanese elites. In 1907, the 4-4 system was introduced, although its implementation in particular localities was left to the discretion of provincial administrators.\textsuperscript{39} However, due to the fact that local Japanese officials were slow to convert 6-year schools to four or eight year ones, amid opposition from Taiwanese elites, the Education Section (of the central government) took over all decisions regarding the school curriculum in 1910. Accordingly, the number of eight-year common schools increased from 1 to 9 and (to the chagrin of Taiwanese elites) four-year schools from 5 to 77. The number of strictly six-year schools was reduced to 84, while 48 schools adopted a split structure, where both the four-year and six-year curriculum were offered. Finally, the 1912 CSR further decreased the more academic content of common schools and placed greater emphasis on vocational training. Specifically, classes on science, handicraft, agriculture, and commerce, previously taught only in the seventh and eighth grades of the eight-year schools, were introduced at the fifth grade level.

To accommodate this, hours allotted to both the Chinese language and \textit{kokugo} were slightly

\textsuperscript{37} The official explanation of the 1904 CSR is found in Taiwan Kyōikukai, \textit{Taiwan kyōiku enkakushi}, pp. 259-61, and the full text of the new regulation is reproduced on pp. 261-70. For the 1898 common school curriculum, see pp. 232-33, and for the 1904 curriculum, see pp. 271-72.

\textsuperscript{38} A summary of these two views can be found in Lamley, \textit{The Taiwan Literati and Early Japanese Rule, 1895-1915}, pp. 379-82.

\textsuperscript{39} Taiwan Kyōikukai, \textit{Taiwan kyōiku enkakushi}, pp. 278-88. The curriculum of the four-year school is found on p. 284, while that of the eight-year school is found on pp. 285-86. This change was part of the 1907 CSR. For a discussion of differences between the 1904 and 1907 CSR, see pp. 278-81.
reduced. The eight-year common schools were abolished (while the four-year ones were retained) and a separate two-year post-primary school specializing in vocational training was created.\(^4^0\)

Ironically, as evidenced by the steep drop in shobō attendance starting in 1904, the transformation of common schools into training grounds for manual laborers occurred just as an increasing number of Taiwanese elites began to accept the value of “new learning.”\(^4^1\) However, for progressive Taiwanese parents desiring high-quality (and modern) academic education for their children, there was very little choice besides the state-run common schools and their second-class curriculum. Starting in 1905, the GGT tightly regulated the establishment of new private schools, thus preventing their proliferation in Taiwan. Between 1895 and January 1919 (when the education system underwent a fundamental reform), the GGT approved licenses for a meager 62 non-shobō-style private schools, and at no time during this period were more than 19 private schools (with an aggregate student body of 1,589) in operation simultaneously.\(^4^2\) Moreover, as was the norm in Japan itself, private schools were compelled to conform to the state’s educational goals and standards.\(^4^3\) For example, when a British missionary (by the name of Runkin) sought permission to establish a school providing post-primary secular education with English as its language of instruction, the GGT refused, noting that since the Taiwanese

\(^{4^0}\) Ibid., pp. 286-324.

\(^{4^1}\) Shobō attendance (which fluctuated yearly between 25,000 and 30,000) was down to the 15,000 to 20,00 range during the years 1904 to 1917, before plummeting thereafter. Meanwhile, the number of students attending common schools had surpassed the 100,000 mark (which equaled over 15 percent of the total school-aged population) for the first time in 1918. Ibid., pp. 408-10 and 984-86.

\(^{4^2}\) Of the 62 approved schools, 34 (including two special education schools), or a little over a majority, were either primary or language training schools, and another eight were vocational schools (either in agriculture or commerce). As for the rest, fifteen were missionary schools (where post-primary education was likely provided) and three were middle schools (which was the equivalent of a high school in the Western educational system). For a full list and brief description of private schools in Taiwan up to 1936 (for which data is available), see ibid., pp. 995-1002. Yearly data on the number of private schools (in operation), as well as the number of students attending these schools is found in Hirotani Takio and Hirokawa Toshiko, “Nihon tōchika no Taiwan, Chōsen ni okeru shokuminchi kyōiku seisaku no hikakushi-teki kenkyū [A comparative historical study of colonial education policy in Taiwan and Korea under Japanese colonial rule],” Hokkaidō Daigaku Kyōiku Kyōkō 22 (1973), p. 37.

\(^{4^3}\) E. P. Tsurumi, Japanese Colonial Education in Taiwan, pp. 34-38.
were Japanese subjects, their education should focus primarily on achieving “national language” proficiency.\(^{44}\)

If options for primary education were severely limited for the Taiwanese, opportunities for post-primary schooling were nearly non-existent. Other than the largely religious secondary education offered by Christian missionary schools, there were only two choices available to Taiwanese students (prior to the opening of the Taichū Middle School in 1915). The first was to enroll in a teacher-training program at the National Language School, where a separate department for training Taiwanese common school teachers was established in 1902.\(^{45}\) The other was to earn a spot in the GGT Medical School, which was established by Gotō Shimpei—a medical doctor by training—in 1899. Starting with 88 pupils in 1900, by the end of 1918, the school had an enrollment of 248 students.\(^{46}\) In both the National Language School and Medical School, Taiwanese students were required to live in Japanese-style dorms, where they were prohibited from speaking in their native language, and where students were required to abide by Japanese customs (such as those pertaining to bathing and eating) in their daily lives.\(^{47}\)

In sum, what emerged under the leadership of Mochiji Rokusaburō was an educational system that lacked local ownership. On one hand, with peaceful conditions prevailing in Taiwan from 1902, Mochiji found no need to accommodate the desire by conservative Taiwanese elites for Confucian-style education; on the other, believing that assimilation could not be socially engineered, he saw no benefit in increasing modern educational opportunities as demanded by the progressive elite. Indeed, as Gotō and Mochiji reasoned, accommodating the literati’s preference for either Qing-style education or modern Western education was more destabilizing

\(^{44}\) Chen P., “Dōka” no dōshō imu, p. 166.
\(^{45}\) This replaced the three existing common schools that had been established in 1899. Taiwan Kyōikukai, Taiwan kyōiku enkakushi, pp. 606-28.
\(^{46}\) Ibid., pp. 917-28. For data on Medical School enrollment, see pp. 961-62.
\(^{47}\) E. P. Tsurumi, Japanese Colonial Education in Taiwan, p. 64.
for colonial governance than not: the former kept alive cultural ties between Taiwan and mainland China, while the latter could give rise to an “over-educated” elite demanding political equality or even independence. Yet, precisely because the GGT’s education policy—unconstrained by political or ideological calculus in Tokyo—reflected pragmatic calculations on the relationship between public education and colonial governance, it was sensitive to underlying shifts in power balances between the colonial state and the native elite. Hence, under new and deteriorating security conditions in the 1910s, the pendulum swung back in the direction of accommodating native elite interests.

2.III. The Xinhai Revolution and GGT’s Reengagement of Literati Elites

When Kumamoto Shigekichi was transferred from Korea to Taiwan in February 1911 to head the Educational Affairs Bureau, there was little indication that a dramatic shift in education policy was to come in succeeding years. Kumamoto was the architect of the 4-4 curriculum in Korea under Japanese rule (similar in content to the one favored by Mochiji for Taiwan). Indeed, upon his arrival in Taiwan, he penned a secret memorandum arguing that while it is necessary to provide some primary education to the Taiwanese—in order to convince Western powers of Japan’s fitness to administer colonies—too much education for the native population, especially at the post-primary level, would destabilize Japanese rule.48 Yet, less than a year after these words were written, the Xinhai Revolution of October 1911 overthrew the Qing dynasty, ushering in a new era of republican government, warlord rule, and communist uprisings in China. The fear that the intellectual and cultural ties of the Taiwanese gentry to Qing China kept

48 Komagome, Shokuminchi teikoku Nihon no bunka tōgō, pp. 131-32. Kumamoto’s 1911 secret memorandum is found within the Kumamoto Shigekichi monjo [Documents related to Kumamoto Shigekichi], which is currently being edited for publication and thus unavailable to the public. It will soon be published under the colossal Nihon shokuminchi kyōiku seisaku shiryō shūsei [Collection of documents pertaining to Japanese colonial education policy] series, which will ultimately include 110 volumes sorted into 12 series. Currently nine of the twelve planned series have been published, with the Kumamoto Shigekichi monjo, comprised of 10 volumes, among the three remaining series awaiting publication.
alive hopes for retrocession was thus replaced overnight with the even greater threat of Chinese revolutionary thought and activity leapfrogging from the continent to Taiwan.

Fears within the GGT that Taiwan might be engulfed by revolutionary fervor were quickly justified. As noted in previous chapters, peaceful conditions had prevailed in the western and Han Chinese region of Taiwan since the conclusion of the anti-insurgent campaign in 1902. Small-scale skirmishes continued in the eastern and aboriginal half of Taiwan, but conflict in this region was contained by a long and fortified line that physically cut off aboriginal lands from the rest of the island. Yet, the decade-long peace was suddenly shaken by the Xinhai Revolution: Between 1912 and 1913, six rebellions were attempted by individuals inspired by events unfolding across the Taiwan Straits. Although five of these six attempted rebellions were foiled through the work of Taiwanese informants—such as village chiefs and hokō officials who feared that their towns would be subjected to collective punishment if a revolt were to break out—GGT officials were nonetheless compelled to reevaluate their governance policy.49 Education received particular scrutiny, as the existing policy of limiting educational opportunities did little to address the problem of Taiwanese students coming into contact with revolutionary ideas in shōbō-style schools (which had so far escaped close GGT regulation), as well as through their study-abroad experience in the imperial metropole, where democratic and socialist ideas were hotly debated in the liberal intellectual environment of early twentieth-century Japan.50

49 After an island-wide round up between October 1913 and January 1914, 921 individuals were executed for conspiracy against Japan, and another 284 were handed varying degrees of prison sentences. For a brief overview of these rebellions, see Wakabayashi Masahiro, “Sōtoku seiji to Taiwan dochaku jishū shisan kaikyū: Kōritsu Taichū Chūgakkō setsuritsu mondai, 1912-1915 nen [The politics of Japanese colonialism and the national bourgeois-landowner class of Taiwan: the problem to set up a middle school for Taiwanese students, 1912-1915],” *Ajia kenkyū* 29.4 (1983), pp. 24-25.

50 On the anti-colonial activities of Taiwanese study-abroad students in Japan, see Taiwan Sotokufu Keimukyoku, *Taiwan shakai undo shi* [A history of social movements in Taiwan] (Taipei: Taiwan Sotokufu Keimukyoku, 1939), pp. 23-27. For informal estimates on Taiwanese study-abroad students by the GGT police, see p. 24. For GGT’s official figures of known study-abroad students, see Yoshino, *Taiwan kyōiku shi*, pp. 247-48. There is considerable
Kumamoto thus implemented a three-pronged offensive against “dangerous” thought. First, he instructed local colonial administrators to crack down on shobō-style schools. In particular, the regulation prohibiting the teaching of certain types of books—especially those recently published in China by reformist thinkers—was to be strictly enforced. Second, he sought to regulate the activities of Taiwanese students studying abroad in Japan; to this end, a GGT-sponsored dormitory for Taiwanese students was constructed in Tokyo in 1912. Finally, he reversed the existing policy of limiting educational opportunities for the Taiwanese. In the aftermath of the Xinhai Revolution, it was no longer possible for the GGT to prevent the local population from coming into contact with “dangerous” thought simply by denying the prospect of higher education to the Taiwanese. If not through their study-abroad experience in Japan, the Taiwanese would gain access to such ideas via business and personal ties to mainland China. The hope was that by expanding the common school system, Taiwanese (or pan-Chinese) nationalism could be tamed through the indoctrination of the elite with pro-Japanese ideology. Moreover, the GGT recognized that the era where colonial governance could be maintained simply through police suppression had ended. If Japan was to keep its empire, it needed to win the battle over national identity and to make the Taiwanese feel that they were stakeholders in Japanese governance structure.

The establishment of a middle school for Taiwanese children became the central issue in the GGT’s larger effort to advance local ownership of colonial institutions. Starting in 1912, Lin

\[\text{Incongruence between these figures, suggesting that the GGT really had no clear idea on how many Taiwanese were actually in Japan.}\]

\[\text{Taiwan Kyōikukai, Taiwan kyōiku enkokushi, pp. 979-80.}\]

\[\text{Kumamoto also sought help from the home government’s Ministry of Education by requesting the prohibition of Taiwanese children’s enrollment into public Japanese schools. This request, however, was denied due to the fact that the Taiwanese had every right, as Japanese citizens, to enroll in Japanese schools, provided that they passed the required entrance exams. Ibid., pp. 147-48.}\]

\[\text{For common school enrollment data from 1898 to 1934, see Ibid., pp. 408-10.}\]

\[\text{Chen P., “Dōka” no dōshō imu, pp. 162-64.}\]

\[\text{Wakabayashi, “Sōtoku seiji to Taiwan dochaku jishu shisan kaikyū,” pp. 23-26.}\]
Xiantang, the head of the prominent Lin family of Wufeng, began soliciting donations for the founding of a public middle school for Taiwanese children. By 1913, he had succeeded in collecting 247,325 yen, which was more than enough for the school to be financially self-sustaining. The list of contributors—204 in all—was impressive, reading as a roster of the most prominent Taiwanese elites. What this group of leading Taiwanese elites demanded was nothing less than an institution of secondary education that was equal in quality as a Japanese middle school both in name (i.e., the designation of “middle school”) and in substance (i.e., a five-year academic curriculum leading up to higher education in Japan). Yet, the prominence of individuals involved did not guarantee the movement’s success. Although colonial officials certainly recognized (in the aftermath of the Xinhai Revolution) the need to appease the literati elite and to advance local ownership of the education institution, they feared that too much schooling would lead to increased demands for political autonomy (which they were unwilling to grant). The dominant perspective among officials was therefore to split the difference: The GGT would consent to the demand for a Taiwanese middle school, but the new school would be made inferior to that for Japanese-settler children. However, this consensus was overturned in favor of fully accepting the petition for a Taiwanese middle school by an unlikely ally of Lin Xiantang and his group of literati elites: Governor-General Sakuma Samata.

At the time, the Governor-General was in the midst of his five year campaign to pacify the aboriginal tribes of eastern Taiwan. However, Sakuma’s war against the aborigines was
immediately stymied by the problem of rising cost and lack of manpower. In order to finance the entire operation without financial assistance from the Japanese treasury, Sakuma had introduced a special tax in 1910, which increased the already heavy tax burden by an average of about 3 million yen per year. (During this period, total yearly tax revenue averaged 16.1 million yen, and taxation from land—the main source of taxation for most tax-paying Taiwanese—was a little over 3 million yen a year.) Even this, however, proved insufficient to finance his campaign. In 1913—that is, the year Lin Xiantang and his fellow literati elites sought GGT approval for a Taiwanese middle school—a combination of bad harvest (which decreased the state’s income from sugar sales) and increasing cost of the offensive (as Japanese forces ventured deeper into the eastern hinterland) left the GGT with a deficit of one million yen short for 1914. Failing to obtain financial aid from Tokyo to fill this budget shortfall, Sakuma thus had little choice but to seek help from wealthy Taiwanese. Literati elites in turn made their support contingent on Sakuma’s cooperation in the middle school affair.

Despite receiving Sakuma’s unconditional support in establishing a five-year academic middle school for Taiwanese children, Taiwanese elites were ultimately forced to settle for an inferior four-year school, however. Although Sakuma (for all of his faults) proved to be a man of his word, since the new middle school was to employ public servants—i.e., school teachers paid for by the state—it required Tokyo’s approval for its establishment. However, the Legislation

59 Ibid.
61 Wakabayashi, “Sōtoku seiji to Taiwan dochaku jishu shisan kaikyū,” pp. 29-30.
62 Taiwanese elite support came in two types. First, leading shinshō elites made private donations to the GGT in support of the campaign. Second, and more importantly, they helped recruit local labor to serve as porters for the military campaign. Due to the fact that Japanese troops operated deep within the eastern hinterland, they required considerable logistical support, particularly in transporting food and camping supplies. However, by 1913, the GGT was running short on funds to recruit local Taiwanese labor. Moreover, this was a dangerous mission where unarmed Taiwanese porters were particularly vulnerable to attack. Even with decent pay, volunteers were therefore hard to come by. Nonetheless, through Taiwanese elite support, the GGT was able to recruit 55,000 coolies for the final 1914 campaign led by Governor-General Sakuma himself. *Ibid.*, pp. 30-33; C. Chen, “Japanese Socio-political Control in Taiwan, 1895-1945,” pp. 238-39.
Bureau of the central government in Tokyo refused to grant this permission, arguing that it was improper for Taiwan to have an educational system that was far superior to the 4-4 system found in Korea. At the end of a year-long negotiation between Tokyo and the GGT, it was decided that the new school would adopt the lower standards demanded by the Legislation Bureau. The curriculum was to focus largely on “national language” (kokugo) instruction and vocational training, and would be four years in length. Furthermore, in order to place this school in line with the 4-4 system found in Korea, students who had finished only four years (rather than the full six years) of the common school curriculum were made eligible to apply. As a face-saving measure, the Legislation Bureau gave permission to officially call the new school a “middle school,” despite its lower standards. \(^{63}\) Yet, even with this reduced quality, the new Taichū (Taichung) Middle School proved highly popular among the Taiwanese elite, with 306 students competing for one of 100 spots when the school opened in April 1915.\(^{64}\)

Moreover, the Taichū Middle School affair proved to be an important break with the past. Through negotiations with Taiwanese elites and with Tokyo, Kumamoto and other GGT officials came to accept, and to even defend, the need to provide higher education to the colonized people. In turn, while Taiwanese elites continued to protest that Japanese residents in Taiwan had access to better educational opportunities, they had largely come to prefer the modern education provided by Japanese colonial schools over that of the traditional shōbō.\(^{65}\) Also, as Gotō-era officials were replaced with new recruits from Japan, the perspective that the Taiwanese could not be assimilated into the Japanese national community was slowly abandoned by the GGT.

Particularly instrumental in bringing about this policy shift was Akashi Motojirō, who became...

\(^{64}\) E. P. Tsurumi, Japanese Colonial Education in Taiwan, p. 69.
\(^{65}\) A 1915 internal report, for example, noted that colonial authorities were able to accommodate only ten percent of those desiring admission into the common schools. Chen P., “Dōka” no dōshō imu, p. 105.
Governor-General in 1918. Formally the head of the police in Korea (from 1907-1914), Akashi had become concerned with the rise of nationalist movements, not only in China, but throughout the colonized world. He was convinced that if Taiwan was to forever be a part of Japan, it was necessary to transform the Taiwanese into loyal Japanese subjects. An effective education system that was also patronized by the local elite thus came to be regarded as the key to Japan’s success as an imperial power in the new era of national self-determination.66

Under Akashi’s leadership, educational opportunities for Taiwanese were thus expanded both at the primary and secondary levels. While 13.14 percent of school-aged children were enrolled in common schools in 1917, this figure reached 20.69 percent in 1919 (when Akashi died in office), as seen in Table 1. Furthermore, in an effort to advance local ownership of the colonial education system, the number of secondary schools that were open to Taiwanese children was increased substantially by Akashi’s Education Ordinance of January 1919. In addition to the Taichū Middle School (which enrolled only boys), a three-year middle school was created for girls. Also established were two four-year normal schools (with a one-year preparatory course), and three technical schools in commerce, agriculture and forestry, and industry (all three years in length). The curriculum of the GGT Medical School was upgraded into an eight-year program (from the previous five) consisting of four years of preparatory education and four years of actual medical school training. Finally, two new institutions of tertiary education were added to the mix: the six-year (including three years of preparatory work) Agriculture College and Forestry College. All of these schools were open only to the Taiwanese, except for the Medical School, where Japanese students were admitted into a separate course.67

66 On Akashi’s overall policy regarding Taiwan, see Komori Tokuji, Akashi Motojirō (Tokyo: Hara Shobō, 1968), pp. 50-66. His education policy is discussed on pp. 131-34.
### Table 1: Common and Shōbō School Enrollment, 1898-1931

<table>
<thead>
<tr>
<th>Year</th>
<th>Total No. of Schools</th>
<th>Total No. of Teachers</th>
<th>Total No. of Students</th>
<th>% of School-aged Children Enrolled</th>
<th>Total No. of Schools</th>
<th>Total No. of Teachers</th>
<th>Total No. of Students</th>
<th>% of School-aged Children Enrolled</th>
</tr>
</thead>
<tbody>
<tr>
<td>1898</td>
<td>76</td>
<td>247</td>
<td>6,136</td>
<td>NA</td>
<td>1,707</td>
<td>1,707</td>
<td>29,941</td>
<td>NA</td>
</tr>
<tr>
<td>1899</td>
<td>94</td>
<td>237</td>
<td>9,817</td>
<td>2.04%</td>
<td>1,421</td>
<td>1,421</td>
<td>25,215</td>
<td>5.24%</td>
</tr>
<tr>
<td>1900</td>
<td>117</td>
<td>453</td>
<td>12,363</td>
<td>2.19%</td>
<td>1,473</td>
<td>1,392</td>
<td>26,186</td>
<td>4.64%</td>
</tr>
<tr>
<td>1901</td>
<td>121</td>
<td>501</td>
<td>16,315</td>
<td>2.85%</td>
<td>1,554</td>
<td>1,543</td>
<td>28,064</td>
<td>4.90%</td>
</tr>
<tr>
<td>1902</td>
<td>139</td>
<td>553</td>
<td>18,845</td>
<td>3.21%</td>
<td>1,623</td>
<td>1,629</td>
<td>29,742</td>
<td>5.07%</td>
</tr>
<tr>
<td>1903</td>
<td>146</td>
<td>652</td>
<td>21,406</td>
<td>3.70%</td>
<td>1,365</td>
<td>1,368</td>
<td>25,710</td>
<td>4.44%</td>
</tr>
<tr>
<td>1904</td>
<td>153</td>
<td>620</td>
<td>23,178</td>
<td>3.82%</td>
<td>1,080</td>
<td>1,083</td>
<td>21,661</td>
<td>3.57%</td>
</tr>
<tr>
<td>1905</td>
<td>165</td>
<td>677</td>
<td>27,464</td>
<td>4.66%</td>
<td>1,055</td>
<td>1,056</td>
<td>19,255</td>
<td>3.27%</td>
</tr>
<tr>
<td>1906</td>
<td>180</td>
<td>738</td>
<td>31,823</td>
<td>5.31%</td>
<td>914</td>
<td>916</td>
<td>19,915</td>
<td>3.32%</td>
</tr>
<tr>
<td>1907</td>
<td>190</td>
<td>765</td>
<td>34,382</td>
<td>4.50%</td>
<td>873</td>
<td>886</td>
<td>18,612</td>
<td>2.44%</td>
</tr>
<tr>
<td>1908</td>
<td>203</td>
<td>895</td>
<td>35,898</td>
<td>4.93%</td>
<td>630</td>
<td>647</td>
<td>14,782</td>
<td>2.03%</td>
</tr>
<tr>
<td>1909</td>
<td>214</td>
<td>966</td>
<td>38,974</td>
<td>5.54%</td>
<td>655</td>
<td>669</td>
<td>17,101</td>
<td>2.43%</td>
</tr>
<tr>
<td>1910</td>
<td>223</td>
<td>1,017</td>
<td>41,400</td>
<td>5.76%</td>
<td>567</td>
<td>576</td>
<td>15,811</td>
<td>2.20%</td>
</tr>
<tr>
<td>1911</td>
<td>236</td>
<td>1,146</td>
<td>44,670</td>
<td>6.06%</td>
<td>548</td>
<td>560</td>
<td>15,759</td>
<td>2.14%</td>
</tr>
<tr>
<td>1912</td>
<td>248</td>
<td>1,282</td>
<td>49,554</td>
<td>6.63%</td>
<td>541</td>
<td>555</td>
<td>16,302</td>
<td>2.18%</td>
</tr>
<tr>
<td>1913</td>
<td>260</td>
<td>1,345</td>
<td>54,712</td>
<td>8.32%</td>
<td>576</td>
<td>589</td>
<td>17,284</td>
<td>2.63%</td>
</tr>
<tr>
<td>1914</td>
<td>270</td>
<td>1,472</td>
<td>60,404</td>
<td>9.09%</td>
<td>638</td>
<td>648</td>
<td>19,257</td>
<td>2.90%</td>
</tr>
<tr>
<td>1915</td>
<td>284</td>
<td>1,616</td>
<td>66,078</td>
<td>9.63%</td>
<td>599</td>
<td>609</td>
<td>18,000</td>
<td>2.62%</td>
</tr>
<tr>
<td>1916</td>
<td>305</td>
<td>1,805</td>
<td>75,545</td>
<td>11.06%</td>
<td>584</td>
<td>660</td>
<td>19,320</td>
<td>2.83%</td>
</tr>
<tr>
<td>1917</td>
<td>327</td>
<td>2,224</td>
<td>88,099</td>
<td>13.14%</td>
<td>533</td>
<td>593</td>
<td>17,641</td>
<td>2.63%</td>
</tr>
<tr>
<td>1918</td>
<td>394</td>
<td>2,710</td>
<td>107,659</td>
<td>15.71%</td>
<td>385</td>
<td>452</td>
<td>13,314</td>
<td>1.94%</td>
</tr>
<tr>
<td>1919</td>
<td>438</td>
<td>3,375</td>
<td>125,135</td>
<td>20.69%</td>
<td>302</td>
<td>350</td>
<td>10,936</td>
<td>1.81%</td>
</tr>
<tr>
<td>1920</td>
<td>495</td>
<td>4,013</td>
<td>151,093</td>
<td>25.11%</td>
<td>225</td>
<td>252</td>
<td>9,639</td>
<td>1.60%</td>
</tr>
<tr>
<td>1921</td>
<td>531</td>
<td>4,673</td>
<td>173,795</td>
<td>27.22%</td>
<td>197</td>
<td>221</td>
<td>6,962</td>
<td>1.09%</td>
</tr>
<tr>
<td>1922</td>
<td>592</td>
<td>4,942</td>
<td>195,783</td>
<td>28.82%</td>
<td>94</td>
<td>118</td>
<td>3,664</td>
<td>0.54%</td>
</tr>
<tr>
<td>1923</td>
<td>715</td>
<td>5,064</td>
<td>209,946</td>
<td>28.60%</td>
<td>122</td>
<td>175</td>
<td>5,283</td>
<td>0.72%</td>
</tr>
<tr>
<td>1924</td>
<td>725</td>
<td>5,095</td>
<td>214,737</td>
<td>28.69%</td>
<td>126</td>
<td>180</td>
<td>5,165</td>
<td>0.69%</td>
</tr>
<tr>
<td>1925</td>
<td>728</td>
<td>4,989</td>
<td>213,948</td>
<td>29.00%</td>
<td>129</td>
<td>190</td>
<td>5,137</td>
<td>0.70%</td>
</tr>
<tr>
<td>1926</td>
<td>735</td>
<td>5,117</td>
<td>210,047</td>
<td>28.42%</td>
<td>136</td>
<td>208</td>
<td>5,486</td>
<td>0.74%</td>
</tr>
<tr>
<td>1927</td>
<td>744</td>
<td>5,109</td>
<td>211,679</td>
<td>29.18%</td>
<td>137</td>
<td>215</td>
<td>5,312</td>
<td>0.73%</td>
</tr>
<tr>
<td>1928</td>
<td>749</td>
<td>5,153</td>
<td>223,679</td>
<td>29.79%</td>
<td>139</td>
<td>218</td>
<td>5,597</td>
<td>0.75%</td>
</tr>
<tr>
<td>1929</td>
<td>754</td>
<td>5,248</td>
<td>231,998</td>
<td>30.68%</td>
<td>160</td>
<td>236</td>
<td>5,700</td>
<td>0.75%</td>
</tr>
<tr>
<td>1930</td>
<td>758</td>
<td>5,358</td>
<td>248,693</td>
<td>32.64%</td>
<td>164</td>
<td>236</td>
<td>5,968</td>
<td>0.78%</td>
</tr>
<tr>
<td>1931</td>
<td>761</td>
<td>5,492</td>
<td>265,788</td>
<td>33.76%</td>
<td>157</td>
<td>219</td>
<td>5,378</td>
<td>0.68%</td>
</tr>
</tbody>
</table>


Note: Data is shown only up to 1931—that is, prior to Japan’s undeclared war against China—as this was the last year the GGT maintained a relatively liberal policy regarding enrollment in *shōbō*-style schools. When *shōbō* was abolished entirely in 1940, the number of schools had dropped to 17, with a total student enrollment at 996. For post-1931 *shōbō* data, see E. Patricia Tsurumi, *Japanese Colonial Education in Taiwan, 1895-1945* (Cambridge, MA: Harvard University Press, 1977), p. 246.
Akashi’s successor, Den Kenjirō, further advanced the accommodation of Taiwanese elite interests on education. Having been appointed Governor-General shortly after the March 1, 1919 Movement in Korea (where a group of students led a large-scale demonstration in Seoul demanding Korean independence), Den was particularly sensitive to the role played by intellectuals in leading struggles against colonization. In his view, Akashi’s policy may indeed lead to the long-term assimilation of Taiwanese through their participation in the colonial education system; however, the creation of new secondary and tertiary schools for the Taiwanese did not address their disdain toward the prevailing segregated system, where schools for Taiwanese children were clearly inferior to those attended by Japanese settler students. Den also took notice of the fact that Taiwanese elites—both the old literati elites and the newer group comprised of doctors, teachers, and other young intellectuals and professionals—did not demand Taiwanese independence from Japan, but simply sought greater equality within the Japanese empire. The desegregation of the colonial education system was therefore seen by Den as an opportunity to not only advance local ownership of the education institution, but also a means of preventing the radicalization of the Taiwanese nationalist movement.

After two years of research and limited trials of co-education (between Taiwanese and Japanese) at the primary level, a new and final Education Ordinance was implemented in 1922 that—at least on paper—accommodated many of the demands of Taiwanese elites. First,

68 The face of this new professional and intellectual elite stratum were physicians. Their rise as the intellectual elite of Taiwan was due to Gotō Shimpei’s initial policy of allowing only the founding of a medical school as a source of tertiary education. For an analysis of the role played by Taiwanese physicians in both protesting and promoting Japanese imperialism, see Ming-cheng M. Lo, *Doctors within Borders: Profession, Ethnicity, and Modernity in Colonial Taiwan* (Berkeley: University of California Press, 2002). For example, among the 52 members of the Taiwan Cultural Association (which was the largest Taiwanese nationalist organization in the 1920s), 14 were physicians. After the 15 landlords—who largely belonged to the traditional gentry elite stratum—physicians were thus the most represented group within this organization.

although separate schools were maintained for Taiwanese and Japanese children at the primary level as before, Taiwanese children were now permitted to attend previously Japanese-only elementary schools, as long as they displayed “national language” proficiency. Second, the quality of the common school curriculum was improved and brought closer to that of a Japanese elementary school. Academic subjects such as history and geography were added, while hours devoted to vocational subjects were substantially lessened. On the other hand, under this logic of conforming the standards of common schools to Japanese ones, the study of classical Chinese, previously required, became an elective. Third, the ban on founding new private schools (which was instituted by Akashi) was lifted. Fourth, and most importantly, all schools at the secondary and tertiary levels became integrated, and now open (at least in principle) to both Taiwanese and Japanese pupils. The quality of education provided in previously Taiwanese-only schools at these levels (such as the Taichū Middle School and the Agriculture and Forestry College) was consequently raised to accommodate Japanese students.70

After 1922, the only major change to the institution of education was the founding of the Taihoku (Taipei) Imperial University (ostensibly open to Japanese and Taiwanese alike) in 1925. Even as school curricula were altered in the mid 1930s, with the placing of education on a wartime footing, the structure of the school system remained unchanged.71 In the final two decades of Japanese colonial rule, Taiwanese elites vociferously protested that discrimination against their children in school admission (especially at the tertiary level) persisted, but the very

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70 For a discussion of these reforms, see E. P. Tsurumi, *Japanese Colonial Education in Taiwan*, pp. 91-106. The text of the Taiwan Public School Regulation (which details the various changes following the promulgation of the 1922 Education Ordinance) is found in Taiwan Kyōiku, *Taiwan kyōiku enkakushi*, pp. 358-79. For the new common school curriculum under the 1922 Education Ordinance, see pp. 379-81.

nature of this grievance affirms that the education system itself was widely accepted. Even as the Taiwanese sought to define their sense of distinct national identity through various cultural movements (such as by establishing poetry societies, importing Mandarin, and creating a written script for the Taiwanese language), the Japanese language was largely accepted by both the old gentry-scholars and the younger professional elite (such as doctors and teachers) as a medium of professional and intellectual discourse. Yet, precisely because Taiwanese ownership of the colonial education institution was contingent upon Taiwan’s incorporation into the Japanese imperial state, it would not outlast the island’s retrocession to China in 1945. The same logic that led Taiwanese elites to embrace Japanese language education resulted in their acceptance of Mandarin’s supremacy in Taiwan under Chinese rule.

2.IV. Epilogue: Mandarin-speaking Taiwan as a Legacy of Japanese Colonial Rule

On October 25, 1945, sovereignty over Taiwan was transferred from Japan to Chiang Kai-shek’s Guomindang regime. Viewing the inhabitants of the former Japanese colony as “enslaved” (bei muhua) people, the new Taiwan provincial government, led by Chen Yi, lost no time in implementing policies to integrate the island into the Chinese state. In doing so, they perpetuated the use of Mandarin, which had become the dominant language in the colonial era.

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72 Hsieh Nan-kuang, *Taiwanjin wa kakumi miru* [The Taiwanese see it this way] (Taipei: Taiwan Minpôsha, 1930), pp. 52-74; Yanaihara Tadao, “Teikokushugika no Taiwan [Taiwan under colonial rule],” in *Yanaihara Tadao zenshū* [Collected works of Yanaihara Tadao] (Tokyo: Iwanami Shoten, 1963[1929]), pp. 342-58.


Even Lin Xiantang, who refused to learn Japanese, made sure his children were educated in Japanese by sending them to Tokyo for their schooling. More generally, despite the fact that Taiwanese elites had the option of sending their children to China for Western-style education after 1911, they still overwhelmingly preferred their children to be educated at top Japanese schools. For example, the GGT police noted that there were approximately 2,400 Taiwanese study-abroad students in Japan in 1922 compared to 273 such students in China in 1923. See, Taiwan Sōtokufu Keimukyoku, *Taiwan shakai undō shi*, pp. 24 and 174.
time in putting forth a policy of cultural reconstruction (wenhua chongjian) and Sinicization (Zhongguohua). Competence in Mandarin became a symbol of an individual’s “Chineseness” and loyalty to the new state. The use of Japanese in official business was forbidden, and publication of periodicals in the former colonial language banned. This transition in official language was sudden and absolute. But the Taiwanese, though certainly resentful of the mistreatment they suffered at the hands of their new occupiers, accepted this change in “national language” from kokugo (Japanese) to guoyu (Mandarin) in stride. Ironically, the relatively positive reception of Mandarin—which was incomprehensible to a Taiwanese speaker—by the island’s inhabitants was a legacy of Japanese colonial education. As a result of GGT’s language policy, educated Taiwanese were bilinguals, who spoke Taiwanese (or one of several native languages) as their mother tongue and Japanese in the public sphere. Taiwanese elites thus simply traded one “foreign” language for another, and one that at least shared some similarities with their native languages.

Furthermore, the school system left behind by the Japanese (and remained largely unchanged by the Chen Yi administration) was not only impressive in its size and quality, but was also most suited to the type of forceful language policy pursued by the Guomindang regime (and the Japanese before them). Between 1937 and 1945, the number of primary schools increased rapidly as part of Japan’s wartime mobilization campaign, with over 70 percent of

75 For a discussion of the various reactions by Taiwanese elites to retrocession, see Phillips, Between Assimilation and Independence, pp. 115-39.
school-aged children enrolled by the war’s end. 8 Given the tight regulation against private schools, almost all of these children attended schools that were directly controlled by the state. It was therefore relatively easy for Guomindang officials to impose an all-Mandarin curriculum following retrocession. The only difficulty was in filling teaching positions formally occupied by Japanese educators (8,793 out of a total of 17,249 at the primary level) with Mandarin-speaking ones. Yet, even this problem was soon resolved with mass migration of mainland Chinese to Taiwan following Guomindang’s defeat by the Communists in 1949. 79 With a less effective pre-existing educational system to work with, it is doubtful that the Guomindang regime could have even contemplated imposing an all-Mandarin language policy, let alone succeed in this large-scale social engineering scheme. 80 Indeed, Guomindang’s policy of making Mandarin the common language of China had been formulated as early as 1929, but it was in Taiwan (among the non-Mandarin speaking areas under its control) that this policy was enforced for the first time in 1946. 81

The legacy of Japanese education policy in Taiwan is often discussed in terms of its linguistic impact. Although reliable estimates for Japanese literacy rate among the Taiwanese population do not exist, 82 it is fair to say that a large portion (if not the majority) of the younger generation was fluent in Japanese by 1945. In 1920, a little over 25 percent of school-aged

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79 Lee, *Educational Development in Taiwan under the Nationalist Government*, pp. 63-64.
82 The GGT declared in 1940 that it had reached its goal of 50 percent Japanese literacy rate, but this figure lacked reliability, as it was simply the aggregate of the number of people who had attended common schools or language training centers for adults. Fewings, “Japanese Colonial Language Education in Taiwan and Assimilation,” pp. 125-26.
children were enrolled in primary school, and by 1939, this had increased to over 50 percent. Nonetheless, more consequential for Taiwan’s postcolonial development was not the content of Japanese colonial education (which was abolished in the aftermath of Japan’s defeat), but its institutional structure. The Japanese colonial education institution, in addition to attaining local ownership, was hybridic: All private schools, including shōbō, were carefully regulated by local authorities, allowing the GGT to achieve coherence in the educational system unseen in other colonial territories (such as the Philippines). With private competitors having been squeezed out or tamed through hybridizing reforms, the public school system the Guomindang inherited was a well-oiled “machine” that was easily retooled to impose the new guoyu (“national language”) throughout Taiwan. Japanese colonial officials thus ultimately succeed in transforming the linguistic composition of the Taiwanese population. Ironically, however, their part was to establish the institutional preconditions for Mandarin to become the national language of the Taiwanese people.

3. Building an Education Institution in the Philippines

Providing free primary education to the Filipino masses was at once the most important symbol of U.S. benevolence and the occupiers’ primary tool for conquering and colonizing the Filipino people. It not only served as effective campaign rhetoric for pro-annexation politicians in 1899, but was also regarded as among the central components of the U.S. military’s pacification strategy in the archipelago during its 1899 to 1902 campaign. In the short run, military and civilian officials, in Washington and Manila alike, hoped that the Army’s strategy of

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83 E. P. Tsurumi, *Japanese Colonial Education in Taiwan*, p. 148. Also, by this time average daily attendance, as well as completion rate of the common school curriculum, was around 90 percent. E. P. Tsurumi, *Japanese Colonial Education in Taiwan*, p. 62; *Taiwan sheng xing zheng chang guan gong shu tong ji shi*, ed., *Taiwan sheng wu shi yi nian lai tong ji ti yao* [A statistical summary of the province of Taiwan for the past fifty-one years] (Taipei, 1946), pp. 1232-33.
immediately opening schools (run by military officers) in towns “liberated” from insurrecto control would simultaneously “attract” Filipino elites and the American electorate to U.S. annexation of the Philippines. In the long run, education would be the method through which Filipinos would be reengineered into becoming English-speaking, democracy-loving, and capitalism-promoting allies of America in the Pacific. With U.S. policymakers hesitant toward the notion of permanently retaining the Philippine Islands as an integral component of the federal union, it was imperative that Filipinos be thoroughly and rapidly Americanized through the course of the occupation.

Hence, while the American effort to provide education was advertised as primarily undertaken for the benefit of the Filipinos themselves, U.S. colonial officials—constrained by Secretary of War Elihu Root’s unequivocal instructions—refused to accommodate local demands. When Filipino elites subverted U.S. efforts to establish a new education institution by withholding their much needed support, the colonial regime hardened its stance and redoubled its effort by centralizing the provision of education and transforming American school teachers into administrators. Yet, rather then escalating the conflict over education, Filipino elites simply folded and sent their own children to private schools. “Exit,” not “voice” (or violence), was thus chosen in light of strong U.S. commitment to education reform and the availability of alternative schooling options for the wealthy.84 The effect of this dynamic, however, was to further entrench the dualistic structure of the education institution, as largely unregulated private schools thrived (especially at the secondary level) outside of the formal public education system. Meanwhile, the new public school system, which was created without any consideration for its feasibility or its compatibility with the educational institution of the previous regime, suffered in quality.

84 Concepts of “exit” and “voice” were borrowed from the work of Albert Hirschman. See Albert O. Hirschman, Exit, Voice, and Loyalty: Responses to Decline in Firms, Organizations, and States (Cambridge, MA: Harvard University Press, 1970).
Despite all of its problems, however, the U.S. education institution nonetheless was to remain fundamentally unchanged for the duration of the colonial period. Constrained from above (i.e., Washington), but not from below (i.e., Filipino landed elites), U.S. colonial agents rigidly persisted in their pre-determined course of rapidly expanding a secular and English public school system. Even as policymaking initiative within the archipelago was rapidly transferred to Filipino elites starting in 1913 (with the initiation of the “Filipinization” policy), education remained firmly in American hands until the declaration of the Philippine Commonwealth in 1935. As David Prescott Barrows (Director of Education, 1903-1909), noted, “[T]he school system of these islands is the most typically American institution which our government here established.” It also turned out to be among the most dysfunctional institutions of the U.S. colonial regime.

3.1. The Unmovable Pillars of American Education Policy

As seen from War Secretary Elihu Root’s Instructions to the Philippine Commission (the body charged with governing the Philippines), the Republican administration’s education policy in the archipelago was comprised of three key pillars. First, “the [Commission] should regard as

85 The Philippine Autonomy Act of 1916 (popularly known as the Jones Act) in fact specified that the Secretary of Public Instruction (who would concurrently serve as Vice-Governor) would be an American. Section 23 of the Act states: “That there shall be appointed by the President, by and with the advice and consent of the Senate of the United States, a vice governor of the Philippine Islands, who shall have all of the powers of the Governor General in the case of a vacancy or temporary removal, resignation, or disability of the Governor General, or in case of his temporary absence; and the said vice governor shall be the head of the executive department, known as the department of public instruction, which shall include the bureau of education and the bureau of health, and he may be assigned such other executive duties as the Governor General may designate.” U.S. Congress, United States Statutes at Large, vol. 39 (Washington, D.C.: GPO, 1917), p. 553. It should also be noted that the United States ensured the preservation of their educational system by mandating, through an act of Congress, that English would continue to be the primary language of instruction even after the establishment of the Philippine Commonwealth. See “Philippine Independence Act,” in U.S. Congress, United States Statutes at Large, vol. 48 (Washington, D.C.: GPO, 1934), pp. 456-65. See, in particular, p. 457 for the Act’s “mandatory provision” regarding education, where it states, “Provision shall be made for the establishment and maintenance of an adequate system of public schools, primarily conducted in the English language.” This Act, which promised independence of the Philippine Islands in 1946, is popularly known as the Tydings-McDuffie Act.

of first importance the extension of a system of primary education which shall be free to all, and which shall tend to fit the people for the duties of citizenship and for the ordinary avocations of a civilized community.” Second, “it is especially important to the prosperity of the islands that a common medium of communication may be established, and it is obviously desirable that this medium should be the English language.” Third, and finally, in education, as well as in all other areas of government, “the separation between state and church shall be real, entire, and absolute.” Colonial officials were to structure the educational system as they saw fit, but in no way were these three tenets of American-style education to be compromised. These were the most fundamental principals of education in the United States, as understood by the War Secretary, and if the Philippines were to be recreated in the American image, it seemed essential to Root that they be upheld in the archipelago.

These three tenets of American education represented both genuinely (even if grossly misguided) altruistic sentiments on the part of American officials, as well as the violent logic of colonial domination. Starting with the notion of providing Filipinos with free and universal primary education, the justification articulated by David Barrows, as the colonial regime’s most enthusiastic and eloquent defender of its education policy, was as follows:

“Public instruction in the Philippines was organized with the conscious purpose of transforming the condition and position of the gente baja [lower class]. Our aim is to destroy caciquismo [bossism] and to replace the dependent class with a body of independent peasantry, owning their own homes, able to read and write, and thereby gain access to independent sources of information, able to perform simple calculations, keep their own accounts and consequently to rise out of their condition of indebtedness, and

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inspired if possible with a new spirit of self-respect, a new consciousness of personal dignity and civil rights.\textsuperscript{89}

The policy was therefore to create a new Filipino citizenry, indoctrinated from a very early age in the “benefit” of American-style democratic government and the “virtues” of capitalist form of economic production. Old Hispanized elites, steeped in Iberian customs and prejudices, would be replaced by Americanized youths, who would look to the United States for ideological inspiration and political direction. Meanwhile, laborers would be made out of peasants, who in turn would import American products, while providing U.S. consumers with cheap primary goods. The aim of universal primary education was to emancipate the Filipino from a life of poverty in which he toiled by colonizing his mind with American ideology.\textsuperscript{90}

This process of Americanization would not be complete, however, unless Filipino children were educated in English. As Barrows noted, English (due to the expansion of the British Empire) had emerged as the “lingua franca of the Far East.” Hence, “to the Filipino the possession of English is the gateway into that busy and fervid life of commerce, of modern science, of diplomacy and politics in which he aspires to shine.”\textsuperscript{91} Yet, English was more than merely the common language of Asia. It was the language of the world’s leading democratic nation, and the language in which the most famous treatises on democracy and liberty had been written. There was no better language than English for transmitting the ideologies undergirding the American nation. “If we can give the Filipino husbandman a knowledge of the English language, and the most elemental acquaintance with English writings,” Barrows expounded, “we

\textsuperscript{89} David Prescott Barrows, “Education and Social Progress in the Philippines,” \textit{Annals of the American Academy of Political and Social Science} 30 (1907), p. 73.


Thus, the idea was not only to teach Filipino children how to speak English as a foreign language, but to make English the national language of the archipelago. Every subject would be taught in English, from science to literature. Even the writings of José Rizal, the most important figure of Filipino nationalism, would be translated into and taught in English.

Practical and linguistic justifications for the use of English also abounded. Although Spanish was the common language of the educated elite, the vast majority of Filipinos understood only their local dialect, which fell within one of three main Filipino language groups: Tagalog (and the relatively similar Bicol), Bisaya (which includes the related dialects spoken in Cebu, Panay, and Samar), and Ilocano. Hence, there seemed to be no reason why English could not be used instead of Spanish as the language of instruction. After all, it was much more convenient for American officials to teach English, and expect native elites to communicate with the colonizers in this language, than it was for them to learn Spanish. Also, insofar as the idea was to transplant U.S.-style education to the archipelago, it was pertinent that American teachers be brought to the Philippines as educators and administrators. It would have been difficult to secure enough Spanish-speaking Americans for this purpose.

The alternative approach was to make Tagalog—the language spoken in Manila and its surrounding provinces, and also the language of Rizal, Andrés Bonifacio, Emilio Aguinaldo, Apolinario Mabini, and other leaders of the Revolution—the national language. Tagalog, however, was deemed too linguistically primitive to serve as the foundation of a modern nation. It was unsuited, American officials argued, as a medium for conveying important scientific ideas.
and democratic principles, and useless for commerce and diplomacy. Moreover, U.S. officials noted that the selection of Tagalog, or any other dialect, had the danger of antagonizing the other ethnic/language groups of the archipelago. While it was possible to undertake education through different local languages, this would increase the cost of education, as textbooks would have to be translated into many different dialects. It would also make supervision of schools by American teachers difficult, as officials in the Bureau of Education would be unable to understand what was being taught in the classrooms. Moreover, the prevailing wisdom was that the provision of primary education in multiple languages would retard the modernization of the Filipino nation by depriving it of a single and unifying national language.  

The final pillar of U.S. education policy was secularization. The complete and absolute separation of church and state was also arguably the most important tenet of public education, at least in the view of Secretary Root. While Root regarded universal education as something the United States should strive toward, and the use of English as the language of instruction as highly desirable, he was uncompromising on the issue of secularization, both within the text of the Instructions and in his letters and other writings. Religious freedom, in Root’s view, was among the most important founding principles of the American nation, as demand for religious tolerance was what brought the first pilgrims to Plymouth Rock, as well as his own mother and father to the shores of New York.  

Filipino parents were free to raise their children in whatever religion they desired, and the government had no business advancing one religion over another in

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95 Bernard Moses, “Report of the Secretary of Public Instruction,” in RPC, 1902, pt. 1, pp. 880-81. These sentiments were also expressed by leading Filipino collaborators, such as Trinidad H. Pardo de Tavera, who believed that the Philippines would greatly benefit from close association with the United States. Educated in Europe, Pardo de Tavera believed that the only way for the Philippines to achieve modernity was through English education. For an examination of Pardo de Tavera’s position on education, see Barbara S. Gaerlan, “The Pursuit of Modernity: Trinidad H. Pardo de Tavera and the Educational Legacy of the Philippine Revolution,” Amerasia Journal 24.2 (1998): 87-108.

schools funded by the state. Consequently, schools were no longer to be held on parish grounds, but within structures newly constructed by the government. Filipino teachers, who had been trained in Catholicism, were to be reeducated in accordance with American pedagogical methods. In the meantime, local educators would receive strict supervision by American officials and were compelled to abide by the new secular curriculum.

3.11. The Perils of a Dualistic Education Institution

What Secretary Root had in mind for the Philippines was therefore the complete opposite of the education institution that prevailed in the archipelago prior to U.S. colonization. While American officials sought to establish universal primary education, the previous Spanish system had focused on educating a small segment of the elite. Root’s insistence on secular education ignored the reality that all schools under the Spanish regime were run by Catholic parishes. Finally, despite the fact that Spanish was the language of the elite, English was to become the only language of instruction under U.S. rule. It was therefore of little surprise that Filipino elites regarded U.S. education policy unfavorably.

However, top colonial officials, along with their superiors in Washington, were largely oblivious to (or chose to ignore) the unpopularity of their reform program, especially when it came to the language issue. The Philippine Commission, which served as both the legislative and executive branch of the Philippines (until 1907), declared in its 1900 report, “[The] natives are reported as eager to learn English, and the use of Spanish or the native dialects is generally deprecated.” Such self-serving sentiment on the part of American colonial officials was hardly unique, and understandable. After all, it was true that some prominent Filipino elites stressed the

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98 RPC, 1900, p. 107.
desire for an all-English education, and it was also true that municipalities, as soon as they were “liberated” by the U.S. military, expressed strong support for an American-style education. However, the meaning of this support for English as the language of instruction should have been placed within the context of a population besieged by 70,000 heavily armed U.S. soldiers—something that the self-righteous colonizers did not think to do.

It was also of little coincidence that those Filipino elites who had the most to gain from the U.S. occupation were the most vocal supporters of English education. Trinidad H. Pardo de Tavera’s advocacy of English is a case in point. Pardo de Tavera, a wealthy Spanish mestizo and medical doctor, had initially joined Aguinaldo’s revolutionary government as foreign minister. Yet, from the very beginning, he was skeptical of the revolution, which was dominated by provincial landed elites, rather than by urban intellectuals and reformers like himself. He was perfectly content with the Philippines remaining a Spanish colony when the revolution first began in 1896, and only came to support Aguinaldo when U.S. intervention assured Spanish defeat. As it became clear that the United States intended to annex the Philippine Islands, he was quick to offer his services to American colonial officials. A founding member of the Federal Party (which operated as a counter-revolutionary organization), his loyalty to the United States was rewarded with his appointment to the Philippine Commission in 1901; by collaborating with the U.S. colonial administration, Pardo de Tavera thus finally obtained the political prominence that had long eluded him under both the Spanish and Revolutionary regimes.99 When Philippine Civil Governor William Howard Taft and other members of the Philippine Commission reported native elite support for English education, they were largely referring to men like Pardo de

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Tavera. High-ranking civilian officials in the colonial regime simply had little access to, and therefore no knowledge of, the opinions of Filipinos who resided outside of Manila.\textsuperscript{100}

Compared to the civilian members of the Insular Government, U.S. military officials, through their campaigns across the archipelago, were better acquainted with “popular” opinion in the provinces. For this reason, it was the military’s insistence that English education was widely supported by Filipinos, that reassured the Philippine Commission of the advisability of this policy.\textsuperscript{101} However, as Frank White, Assistant to the General Superintendent of Education, confessed in his 1903 report, “[I]t became evident that a measure of the apparent interest in school affairs on the part of local native leaders was feigned, or, at least, not altogether genuine.”\textsuperscript{102} The first American schools in the archipelago were not established by professional (civilian) educators, but by officers of the U.S. Army as part of their counter-insurgency campaign of “attraction.” Consequently, “the people had been given to understand that if they would avoid the disfavor and suspicion of the authorities they must lend their unqualified support to these schools. A ‘principal’ who was rash enough to express indifference to this American

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\textsuperscript{100} For examples of these testimonies, see Jacob Schurman, et al., \textit{Report of the Philippine Commission to the President}, vol. 2 (Washington, D.C.: GPO, 1900). As Hayden writes, “There were, of course, many Filipino dissentients from the views of the group which agreed to the establishment of English as the sole language of the public schools. They were not in a favorable position to influence policy, however, because many of them were political irreconcilables who were \textit{persona non grata} to the [colonial] government. ... This group objected not to the teaching of English in the public schools, but to the exclusion of the native languages.” Joseph Ralston Hayden, \textit{The Philippines: A Study in National Development} (New York: MacMillan Company, 1942), p. 592. Evidence of such sentiment can be found in reports by division superintendents of the Bureau of Education—officials who were actually stationed in the provinces and who came into direct contact with provincial elites. According to the division superintendent of Pangasinan, for example, “Many adult Filipinos, who have some command of Spanish, are anxious for their children to have the same advantage. If the high school does not provide for this some private school is always ready to do so, and the children of an influential class are thus removed from the influence of the public schools.” See “Report of the Division Superintendents and Principals of the Insular Normal, Trade, and Nautical Schools,” \textit{RPC}, 1903, p. 797.

\textsuperscript{101} U.S. Department of War, \textit{Education in the Philippine Islands} (Washington, D.C.: GPO, 1901), especially pp. 40-42. Captain Albert Todd’s recommendation that English education be introduced immediately was based on a survey of military commanders across the archipelago.


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educational enterprise was a candidate for official investigation.” The following example given by White—a report by an unnamed lieutenant in the U.S. Army—is most revealing:

Sir: I have the honor to report that Sergeant ______, Company H, now in command of detachment at Rosario, stated to me yesterday that some of the school children at Rosario had told the school-teacher there that they did not want to learn English, but did want to learn Spanish. Sergeant ______ went to the presidente [mayor] of the town and told him that such talk was treasonable; that the United States had come here to stay and the people were to learn English; that he did not want to hear of any more of such defiant and treasonable talk. He asked me to report the matter to regimental headquarters.

In short, as White concluded in his report, “There were few Filipinos at the time who did not wish to assume a semblance of loyalty to the purposes of the government as expressed by its military representatives.”

The use of either Spanish or the vernacular as the language of instruction was more likely to have been preferred by a majority of Filipino elites, at least during the early colonial period.

Indeed, the education policy of the short-lived Philippine Republic (1899-1901), devised by Felipe Buencamino, mandated that knowledge of Spanish was required for admission to secondary schools. The use of Spanish as the language of instruction was also implied in Mabini’s draft Constitution of the Philippine Republic, even as Mabini (who was among Aguinaldo’s closest associates) desired Tagalog to be taught in schools as the future national language of the Philippines. Spanish was ultimately chosen by the revolutionaries as the national language in order to prevent inter-ethnic conflict over language policy, but the notion that primary education should be conducted in the vernacular gained widespread support over

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104 Ibid.
106 This is not to suggest that Filipinos had no desire to learn English as a second (foreign) language. Given U.S. domination of the archipelago, English was highly beneficial for those aspiring to find employment in the civil service, as well as in business.
On February 27, 1908, the newly created Philippine Assembly voted to make the dialect of a particular region the language of instruction—only for this measure to be struck down by the American-controlled Philippine Commission.

The designation of English as the language of instruction was not the only aspect of American education policy that proved unpopular among local Filipino elites. In fact, generating even greater, and clearly visible, opposition among Filipinos was the separation of church and state in the classroom. As discussed above, Root was adamant that public schools should not favor any one religion over another. Yet, Civil Governor Taft (who served as Root’s loyal executioner in the archipelago) was well aware that Filipinos were deeply attached to the Catholic faith and that Filipino parents believed Catholicism should be an integral part of the school curriculum. The “compromise” solution adopted by the Philippine Commission was modeled after measures briefly attempted in the Minnesota towns of Faribault and Stillwater (by Archbishop John Ireland) in the 1890s. Under this plan, it was mandated that no teacher “shall teach or criticize the doctrines of any church, religious sect or denomination, or shall attempt to influence the pupils for or against any church or religious sect in any public school established...

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107 Gonzalez, Language and Nationalism, pp. 17-21; Cesar Adib Majul, “Education During the Reform Movement and the Philippine Revolution,” The Diliman Review 14.5 (1967): 185-257. As early as 1903, a paper presented at the annual division superintendent’s meeting noted, “The teaching of Tagalog or other native dialect would please the parents in many parts of the Philippines. ... It is both necessary and politic to teach some little Tagalog or whatever may be the dialect of the territory in the barrio school if the people desire it. ... If the native dialect is taught, it will seem their school rather than altogether an American school. But there is really a necessity for the dialect. They should be able to read and write it for barrio business purposes.” See “Report of the Division Superintendents and Principals of the Insular Normal, Trade, and Nautical Schools,” p. 869.

108 Bonifacio S. Salamanca, The Filipino Reaction to American Rule, 1901-1913 (Quezon City, P.I.: New Day Publishers, 1968), p. 75. Indeed, soon after Filipinos obtained self-rule in 1935, the Institute of National Language recommended that Tagalog be made the national language. This policy was adopted by Quezon (himself a Tagalog speaker) with little opposition in the national legislature. Thereafter, English would remain an official language of government, but Tagalog was to become the national language of the Filipino people. Hayden, The Philippines, pp. 583-85 and 623-29.

109 See, for example, Taft to Mrs. Bellamy Storer, 22 June 1900, Reel 463, Taft, Papers, where Taft writes, “I understand that the public school system in which no religion is taught at all is not regarded by Catholics as a proper system; but you and [your husband] Bellamy know that no other is possible with us and the Church must so understand it.”
It was lawful though for “the priest or minister of any church established in the pueblo ... to teach religion for one-half an hour three times a week in the school buildings to those public school pupils whose parents or guardians desire it ...”

However, from the perspective of Filipino elites (as well as non-elites), this was hardly a compromise, as is apparent from reports by American teachers and administrators stationed in the provinces. “Church influences were strong against the public schools in Sorsogon and but a little better in Albay,” one official reported. He further added, “Not only did church schools flourish, but an active and aggressive campaign was carried on against public schools.” The division superintendent of Ambros Camarines concurred that the “reason for the lack of the moral support of the people at large [for public schools] is that the children are not instructed in the religious teachings and catechism of the church in the public schools, and this in their eyes is a fatal defect in our system, which otherwise is well liked by those Filipinos who have become familiar with it.”

Even in the province of Batangas, where antagonism toward the Spanish friars was strong, the division superintendent reported, “[Filipinos] are thoroughly satisfied with [the public schools], but for one exception—that is, they desire religious instruction.”

Similarly, in the province of Rizal, school authorities stated, “There is strong sentiment in this province among the parents that children should not be allowed to attend the public school until they had learned the catechism of the church. As a general rule, all children who do not know the catechism do not attend.” Indeed, despite U.S. policy preferring secular schools, there were

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112 Ibid., p. 731.
113 Ibid., p. 733.
114 Ibid., p. 802.
325 church-sponsored schools in addition to 1,004 private schools (which also provided instruction in Catholic teachings) in 1903, compared to 1,663 public (and secular) schools.\textsuperscript{115}

Provincial teachers and school administrators came to understand that if the public school system was to become truly popular among the Filipinos, religious instruction needed to become a more central component of education. "Practically speaking, all the children who attend the schools in the provincial towns are from Catholic homes, and their parents want the children taught religion," the superintendent of Ilocos Sur and Abra noted. "It is useless to expect that parents are going to petition the division superintendent for permission to have their children taught 'doctrina,' etc. They will take their children out of the public schools and send them to private schools before they will do this." A solution to this problem, this official suggested, was to change the school law so as to "allow the native teachers to teach religion in the public schools a half hour each day ..."\textsuperscript{116} Nonetheless, such suggestions from those most familiar with local conditions were rejected by the Philippine Commission, which was bound by the educational priorities of Washington. With or without the cooperation of local municipal elites and church officials, the Insular Government was determined to institute a public and secular school system that would teach Filipino children entirely in English.

As originally envisioned, the new educational system in the Philippines was to structurally mimic the one found in the United States—that is, local officials would play a predominant role in the financing and regulation of schools. However, it quickly became apparent that local school boards and municipal governments could not be relied upon to enforce American education policy. In many localities, presidentes (municipal mayors) sabotaged the

\textsuperscript{115} Census Office of the Philippine Islands, \textit{Census of the Philippine Islands: 1918}, vol. 4, pt. II (Manila: Bureau of Printing, 1920-1921), p. 7. This information can also be found in the 1903 Census, vol. 3, but the 1918 Census has the advantage of displaying both the 1903 and 1918 data.

work of American teachers by failing to appropriate funds for the salary of Filipino public school teachers and for the construction of school buildings. Choosing not to openly oppose American colonial officials, Filipino municipal officials simply procrastinated. Also, by feigning laziness, they declined to use their authority to motivate parents to send their children to public schools.\textsuperscript{117} Frustration among American school administrators was palpable: “We need a law which will give the division superintendent power to do something,” the division superintendent of Bulacan lamented. “As it is, his hands are absolutely tied by the municipal officers. He can not require the pupils to go to school; the salaries of his native teachers can be held six months if the municipality so desires; he can not have any repairs made on the schoolhouses if the officials do not care to do so.”\textsuperscript{118}

Yet, despite such complaints by division superintendents, these officials possessed far greater power over local school matters than any comparable official within the United States, and purposely so. Superintendents had the power to appoint native teachers as well as determine their salary. They selected half of the members of the local school board, and were responsible for supervision and inspection of schools.\textsuperscript{119} If anything, their freedom to act was constrained not by lack of authority within the locality, but by directives of their superiors in the Bureau of Education. Just as a schoolteacher had little say over the design of the curriculum, division superintendents were also instructed to faithfully follow the educational guidelines laid down by the Director of Education. Division superintendents were far too willing to abandon the core tenets of U.S. education policy; therefore, allowing on-the-ground experimentation had the

\textsuperscript{117} Tarr, \textit{The Education of the Thomasites}, p. 681. Such uncooperative behavior by Filipino elites was usually interpreted as a sign of laziness, underscoring how effective these elites were in sabotaging U.S. institution-building efforts without endangering their own political standing. In fact, resistance by inaction is a common strategy used by politically weak or compromised individuals. See James C. Scott, \textit{Weapons of the Weak: Everyday Forms of Peasant Resistance} (New Haven: Yale University Press, 1985).


\textsuperscript{119} Tarr, \textit{The Education of the Thomasites}, p. 193-94.
danger of undercutting the overall strategy of providing secular and English education to Filipino children. The Bureau of Education thus became a highly centralized organization that left little room for local initiative. Nonetheless, centralization of education administration was the surest method through which the colonial government could overcome the problem of enforcement, given the unpopularity of its education policies among local elites.\footnote{The Board of Educational Survey, \textit{A Survey of the Educational System of the Philippine Islands} (Manila: Bureau of Printing, 1925), pp. 517-60.} A centralized administrative structure is effective, however, only so far as there is a sufficient number of officials on the ground to enforce the directives from the center. In the case of U.S. education in the Philippines, necessary manpower was provided through the hiring of hundreds of American teachers to serve in the Philippines as teachers and administrators. These individuals, known as “Thomasites” (after a transport ship \textit{Thomas}, which brought the first group of American teachers to the Philippines), numbered 928 men and women at their height, and were scattered throughout the archipelago to enforce America’s “civilizing mission.”\footnote{Tarr, \textit{The Education of the Thomasites}, p. 197.} Oftentimes, a Thomasite was the only American to reside within a provincial town, and hence, he or she wielded considerable power and influence within the local community. In this way, and perhaps ironically, American teachers came to serve the same role Catholic friars had fulfilled under the Spanish regime. Their pedagogical duties went beyond the classroom, as they were instructed to enforce “moral behavior” within the local community. Furthermore, similar to how the Spanish friars manipulated electoral outcomes to ensure victory of candidates supportive of the Church and the Spanish colonial regime, the support or non-support of American teachers made or destroyed the political careers of Filipino politicians under the U.S. administration.\footnote{For example, Harry Bandholtz, who at the time was a division commander of the Constabulary, complained that a schoolteacher in Tayabas by the name of R. H. Wardall was actively campaigning for a candidate other than whom Bandholtz preferred for the position of provincial governor. As this episode demonstrates, colonial officials did not always agree on which Filipino elite should be supported by the Insular Government. Nonetheless, the fact remains}
Passive Filipino resistance toward the new public education system was thus overcome through the tenacity and rigidity of U.S. officials. Backed by an infusion of U.S. teachers and resources, local agents of the Bureau of Education bypassed municipal governments and directly enforced the school curriculum. However, brute force alone could not have overcome Filipino resistance had this taken a more active form. Uncooperativeness on the part of Filipino elites could be overcome with centralization of the education system, but had the elites engaged in violent opposition over education policy, a redirection in the policy would have been unavoidable. What is indeed surprising is the fact that Filipino elites displayed such passivity regarding America’s policy of fundamentally uprooting the existing education system when their very identity as an elite was based on education. In the Philippines, the elite was known as the ilustrado, precisely because what differentiated them from the commoner, in addition to wealth, was the fact that they had received Catholic education either in the Philippines or in Spain. Education had been a privilege under Spanish rule and was therefore the primary signifier of elite status. U.S. public education therefore not only offended the elites’ religious sentiments, but also threatened to democratize the source of their superior status.

Lack of robust resistance by ilustrados against U.S. educational reform had much to do with the unchanging reality that Catholic private schools continued to offer the best education in the Philippine Islands. This was especially the case at the tertiary education level, where the most prestigious secondary and collegiate schools in the Philippines were private Catholic schools. It

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that American teachers, as well as Constabulary officers, were very much involved in local politics. This episode is told through a series of correspondences between Bandholtz, Wardall, Muerman, Balch, and Harbord between December 3, 1905 and January 11, 1906. These correspondences can be found in Reel 1 of Harry Hill Bandholtz Papers, Bentley Historical Library, University of Michigan, Ann Arbor. Conversely, presidentes were also very conscious of the importance of winning the support of American teachers, not only to retain their jobs, but also for the purpose of attracting appropriations from the central government to their municipality. For a description of how presidente were extremely cautious in their dealings with American teachers, see Tarr, *The Education of the Thomasites*, pp. 286-91.

was thus easy for wealthy parents to ensure that their children received high-quality Catholic education, as they had under the old regime. In short, with the “exit” option so readily available (and attractive), it made little sense for local powerholders to risk jeopardizing their privileged position within the U.S. colonial governance structure by actively opposing the establishment of secular and English colonial schools. Moreover, with the U.S. focus on providing mass education at the primary level, the dominance of private schools at the post-secondary level was unchallenged, as seen in Table 2.

Table 2: Student Enrollment in Public and Private Schools, 1903-1961

<table>
<thead>
<tr>
<th>Year</th>
<th>Public School Enrollment</th>
<th>Private School Enrollment</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Elementary</td>
<td>Secondary</td>
</tr>
<tr>
<td>1903</td>
<td>261,615</td>
<td>4,747</td>
</tr>
<tr>
<td>1918</td>
<td>636,301</td>
<td>37,281</td>
</tr>
<tr>
<td>1930-31</td>
<td>1,143,708</td>
<td>79,054</td>
</tr>
<tr>
<td>1940-41</td>
<td>1,922,738</td>
<td>100,987</td>
</tr>
</tbody>
</table>

*This number combines 1930-31 enrollment data for American colleges and vocational schools with the 1929-31 enrollment data of the University of the Philippines. 1930-31 enrollment data for the University is unavailable.


Consequently, while the elite’s decision to opt out of the public school system allowed colonial administrators to forge ahead with their predetermined education policy, it had the unintended effect of further entrenching the dualistic character of the education institution: On one hand were public schools for the masses (which provided free education only at the primary

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and intermediate levels), and on the other were private schools (along with a few tuition-charging public secondary schools) that were largely attended by the wealthy. Ironically, America’s very attempt to democratize the school system thus ensured that higher education and elite status would remain closely intertwined. Not only did this institutional structure lead to the crystallization of class cleavages under U.S. rule, but it also produced perverse incentives among Filipino elites that further degraded the quality of public education. Most damaging of all, elites sought to rapidly increase the number of public primary schools for reasons of political gain, irrespective of the system’s ability to support such expansion.

For example, one of the first acts of the Philippine Assembly (comprised entirely of Filipino legislators) was to appropriate one million pesos (2 pesos = 1 U.S. dollar) for the purpose of constructing primary schools in barrios in 1907. This appropriation was in addition to the regular expenditure of the Bureau of Education, which was already greater than any other bureau of the colonial government. This scheme, known as the Gabaldon Act, was extended in 1910 through the appropriation of another one million pesos, and the Philippine Assembly again appropriated 335,000 pesos for municipal school buildings three years later. In 1918 (two years after lawmaking power was transferred completely to Filipinos with the abolishment of the Philippine Commission), the legislature appropriated approximately 30 million pesos, to be distributed over five years, for the purpose of expanding primary education.125 Given that Filipino legislators were predominantly landowners, such actions were in seeming contradiction to their class interests, as well as to their individual economic concerns. Peasant children were

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125 For data and discussion of the legislature’s education appropriations, see Alzona, A History of Education in the Philippines, pp. 205-08.
valuable laborers, who helped their sharecropping parents maintain the productivity of haciendas.126

Yet, this uncharacteristically “altruistic” action by the Filipino legislators can be explained by the fact that appropriation for education became the primary method to bring “pork”—that is, a slice of the national expenditure—back to their home district. After all, the funds were not used to provide more (or better) education per se, but simply to “construct” more school buildings.127 To the detriment of the public education system, however, there simply were not enough qualified teachers to staff these new public schools—all of them at the elementary level—that were being built at the will of the Philippine Assembly. Consequently, as the number of elementary schools increased exponentially, their quality deteriorated rapidly.128 However,

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126 For example, the division superintendent of Ambos Camarines writes in his annual report, “[A Filipino elite] is indifferent whether the children of his more ignorant neighbors attend [school], totally failing to perceive that before a people can successfully undertake self-government the masses of the people must be readers and thinkers. He is utterly opposed to allowing the little peons whose service he exacts to attend school at all, though they be children ranging in age from 6 to 16 years. The Filipino who sends his child servants to school is not unknown but he is a rarity.” RPC, 1903, pt. 3, p. 731. Of course, such sentiments by a colonial agent must be taken with a grain of salt, but this is largely in line with other actions commonly taken by the landed elite during the U.S. colonial period (such as land-grabbing and usury) that forced a large number of small-scale landowners into indentured servitude. Indeed, while 80.1 percent of farms in 1903 were individually owned, this figure had decreased to 49.2 percent by 1939. During this same span, the number of share-croppers doubled, while the number of farms over two hectares (which is about the maximum size a single family could cultivate on their own) increased from just under 25 percent to nearly 50 percent. For these figures, see Census of the Philippine Islands, 1903 (vol. 4, pp. 268-76) and 1918 (vol. 3, pp. 95-112), and Census of the Philippines, 1939 (vol. 2, p. 975). For more on the abusive behavior of the landed elite toward the peasantry, see Leslie E. Bauzon, Philippine Agrarian Reform, 1880-1965 (Singapore: Institute of Southeast Asian Studies, 1975); Brian Fegan, “The Social History of a Central Luzon Barrio,” in Philippine Social History: Global Trade and Local Transformations, ed. Alfred W. McCoy and Ed. C. de Jesus (Quezon City, P.I.: Ateneo de Manila University Press, 1982): 91-129; Marshall S. McLennan, “Land Tenancy in the Central Luzon Plain,” Philippine Studies 17 (1969): 651-82.

127 Here, “construct” is placed in quotations, for these funds were hardly distributed in a way that led to the building of sturdy structures, but to put money in the pockets of those who promised to build. The Board of Educational Survey, A Survey of the Educational System of the Philippine Islands, pp. 525-26.

128 American colonial officials were indeed quite aware of this problem and sought to prioritize quality over quantity, at least from 1910. However, little action was taken to reverse this trend by the colonial government, as the Filipino desire to rapidly expand the school system in fact echoed Secretary Root’s goal of achieving universal primary education in the Philippines—a policy which was then strongly supported by succeeding War Secretaries in both Republican and Democratic administrations. The exception (which ultimately proves the rule) was during the 1911-1912 school year, when, with Governor-General Forbes away on medical leave to the United States, Newton Gilbert (Secretary of Public Instruction), along with Frank White (Director of Education), determined that the school system had expanded too rapidly in the previous ten years. They were also concerned that not enough secondary schools were available for those completing elementary education. They thus closed 769 barrio (primary) schools to free up funds for additional secondary schools. Forbes, having returned to the Philippine Islands in early 1913,
this was not a concern to the elites themselves, for their own children attended private schools. It did not matter to them that public schools were hardly providing what could be called an “education,” except at the secondary level (which was beyond the reach of children from families of limited means), where a combination of local government support and the charging of tuition ensured that a high standard was maintained.

American efforts to build a new education institution nonetheless “succeeded” in one key respect: In place of the Spanish language, English became firmly established as the new language of the Filipino elite. Despite its many problems (as discussed in the pages below), American schools produced a cadre of English-speaking Filipinos each year, and individuals with a command of English were more competitive in obtaining positions in the American-dominated Insular Civil Service. Hence, while those aspiring to obtain government positions had the option of taking the civil service exam in either English or Spanish, by 1911, 80 percent of Filipino applicants (4,921 out of 6,148) chose to be examined in English. By 1925, the number of Filipinos taking the exam in Spanish had dwindled to one percent, and in 1935, only 80 out of

immediately recognized that this action contradicted America’s “civilizing” goal (as initially articulated by Root), even if it made sense from a pedagogical perspective. Forbes lost no time in apologizing to newly elected President Woodrow Wilson for his subordinates’ behavior, and promised the President the immediate opening of one thousand primary schools and an additional thousand in the next two years. What is intriguing about Forbes’ decision to overrule Gilbert and White was that he was generally supportive of the policy of shifting the Insular Government’s emphasis from primary to secondary education. Forbes even sought to cut back total expenditure for education so that he could instead focus on public works, especially road-building. The reductions implemented by Gilbert and White were too sudden and too deep, however. Forbes, as a survivor of the 1905 “purge” (discussed in Ch. 3), understood this perfectly. See W. Cameron Forbes, The Philippine Islands, vol. 1 (Boston: Houghton Mifflin, 1928), pp. 460-61; Forbes to Wilson, 18 May 1913, Philippine Data: Executive, Vol. 5, Forbes Papers, Journal of W. Cameron Forbes, 13 March 1908 and 5 April 1908 entries, Vol. 2, Houghton Library, Harvard University, Cambridge; May, Social Engineering in the Philippines, pp. 110-11 and 115-16.

129 Revealingly, when the Director of Education recommended in 1937 that funds be used to improve the quality of existing schools rather than increase enrollment, the legislature instead enacted a law making primary education compulsory for children living within a certain distance from a primary school. Onofre D. Corpuz, “Education and Socio-Economic Change in the Philippines,” Philippine Social Sciences and Humanities Review 32.2 (1967), pp. 228-29.
44,213 applicants chose to take the Spanish exam. The colonial government also signaled their intention to phase out the use of Spanish in the courts, incentivizing those aspiring to practice law (which was regarded as the most prestigious career path) to obtain a solid foundation in English. In short, Filipinos could not avoid participation in the English-dominant colonial environment imposed upon by the United States.

As a result, even prestigious Catholic schools, which prided themselves in providing high quality Spanish and Latin education, slowly introduced English into their curriculum to remain competitive. By the 1920s, the University of Santo Tomas and the College of Ateneo de Manila had made English their language of instruction. Meanwhile, after a rocky start, the all-English and government-sponsored University of the Philippines came to be regarded as a premier institution for higher learning, thus providing a secular alternative to Santo Tomas. Entrance into the University of the Philippines required a diploma from a public school or from one of the government-accredited—that is, English-based—private schools. The dominance of Spanish in Filipino elite politics and culture was unsustainable.

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131 Initially, English was to replace Spanish as the language of the judiciary in January 1906, but this was postponed several times, and Spanish continued to be used in the courts throughout the American period. Salamanca, The Filipino Reaction to American Rule, pp. 66-67.


134 As Hayden wrote in the late 1930s, “For forty years Spanish has been gradually losing the advantage which it had in 1900 as the only Western language widely spoken in the Islands. The circulation of the Spanish press tells the story, in part. While it has held its own absolutely, the readers of its English and native language competitors have increased many fold. For years a constantly decreasing number of young people have been learning Spanish. Among the graduates of the University of the Philippines few command the language unless they have studied it as a college subject. The alumni of Santo Tomas make a better showing in this respect, but even among them a knowledge of Spanish is far from universal. As the Spanish-speaking generation passes from the scene fewer and fewer Filipinos are going to read that language regularly, in the newspapers or anywhere else.” Hayden then adds, “Since the above paragraph was written, the census of 1939 has shown that the use of Spanish has already decreased far more rapidly than the author would have believed possible. Only 417,375 persons were reported to possess the ability to speak Spanish, as compared with 4,164,549 who could speak English.” Hayden, The Philippines, pp. 634-35.
With enough dedication and resources on the part of the occupying power, even a
dualistic institution initially lacking in local ownership was therefore able to make a permanent
mark on the colonial society. Nonetheless, this did not mean that the educational system was
functional. Ironically, the very factor that led the U.S. colonial regime to expend considerable
manpower and financial resources to ensure long-term survival of its institution of schooling—
namely, the importance of the “civilizing mission” as justification for continued U.S.
 occupation—blinded policymakers in Washington (and by extension, high-ranking U.S. officials
in Manila) to the incongruence between their pedagogical agenda and preexisting conditions in
the archipelago. Without native organizational foundations, as well as strong elite support, the
U.S. education institution was ultimately unable achieve its goal of laying the groundwork for a
liberal and democratic Philippine state.

3.111. The Failure of American Education in the Philippines

The most systematic, and independent, evaluation of the U.S. colonial education system
was conducted in 1925 under the direction of Dr. Paul Monroe.135 His team tested approximately
32,000 Filipino students on their ability to read, speak, and write English, as well as proficiency
in other subjects, such as arithmetic, social studies, and the sciences. While these tests were
adjusted to reflect the Philippine public school curriculum, they were based on those undertaken
in the United States in order to measure the quality of Filipino schools against an “objective”
benchmark. It was also reasoned that since the aim of Philippine public schools was to provide

135 Paul Monroe, a faculty member from 1898 to 1938 at the Teachers College, Columbia University, was a pioneer
in the field of history of education and was internationally recognized as the preeminent scholar of education when
he was invited to the Philippines in 1925 to conduct an investigative survey. His most notable achievement was the
Cyclopedia of Education, a five-volume work comprised of essays from over a thousand individual contributors. For
a brief discussion of his contributions to the field of education history, see William W. Brickman and Francesco
Cordasco, “Paul Monroe’s Cyclopedia of Education: With Notices of Educational Encyclopedias Past and Present,”
American-style education to Filipino children, its quality should be measured against American standards.\textsuperscript{136}

The results of his investigation were highly discouraging for the colonial administration. The study found that at the end of the fourth grade, a Filipino child read about as well as an American pupil at the end of his or her second year. The gap between the reading levels of Filipino and American school children increased in the advanced grades: The reading ability of a Filipino child in his or her fourth (and final) year of high school education was that of a fifth-grade American elementary school pupil. These findings were especially problematic, as English was not simply taught as a foreign language, but was the language of instruction. Since Filipino children did not learn how to read or write in their local dialects, the implication was that even those who completed all primary and secondary public schooling were unlikely to be fully literate. Low levels of English attainment by Filipino children also affected their comprehension of other subjects. For example, Monroe’s team found that a seventh-grade Filipino child’s understanding of scientific concepts was half of that of an American child at that same level. Further highlighting the problem of English education was the finding that a Filipino child did as well as an American child in arithmetic (where the ability to understand the English language was less important) throughout the primary and secondary grades.\textsuperscript{137}

This disparity in English-language attainment was exacerbated by low daily attendance, as well as high drop out rates among Filipino children. Monroe found that while more than 50 percent of school-aged children were in school (which was very high even when compared to

\textsuperscript{136} For an explanation of the Commission’s methodology, see The Board of Educational Survey, \textit{A Survey of the Educational System of the Philippine Islands}, pp. 37-39. Given the inherent biases of the examiners and the insensitivity of the examination and its method to the Philippine cultural context, the results of this survey must be taken with some hesitation. Nonetheless, since the results of this survey are consistent with what the Philippine government found in 1960, the findings were likely accurate in their overall depiction of the problem. For the Philippine government’s 1960 report, see Magsaysay Committee on General Education, \textit{Toward General Education in the Philippines} (Manila: University of the East, 1960).

\textsuperscript{137} The Board of Educational Survey, \textit{A Survey of the Educational System of the Philippine Islands}, pp. 132-86.
European countries), nearly half (approximately 570,000 out of 1.2 million) were in the first two grades, and 82 percent in the first four. Only 12 percent were in grades five through seven. Hence, a high number of Filipino children were dropping out from schools at a very early stage, and an average Filipino child remained in school for no more than three years. This rendered public education completely meaningless for the majority of Filipinos, as the Monroe Commission also found that English was largely forgotten by those with less than four years of education. Monroe largely attributed this failure in colonial education to the low quality of Filipino teachers. Indeed, the median education level of a first-grade elementary teacher was that of a first-year student in high school; between grades two and four, it was that of a second-year high school student; and the median education level for teachers of grades five to seven was that of a high-school graduate. Less than five percent of elementary school instructors had completed teacher training programs. Monroe therefore recommended that the pace of expansion be slowed so that the quality of education could catch up with the existing number of schools.

Meanwhile, Monroe and his investigative team overlooked a much deeper flaw in the Philippine public education system—that is, the use of English as the language of instruction. Most ironically, Monroe’s own study provided definitive evidence that an all-English education was bound to fail in a country where the vernacular had little resemblance to the English language. He found that more than 99 percent of Filipinos did not use English in their homes and not more than 10 to 15 percent of the coming generation was likely to use it in their occupation. Unsurprisingly, most Filipinos, who never ventured far beyond their place of birth, had little use

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138 Ibid., pp. 199-204. In comparison, the number of school children in the United States was largely constant through the first six grades, and 91 percent of American children went on to grade seven.
139 Ibid., pp. 139-40.
140 Ibid., pp. 401-09. For the Insular Government’s reply to Monroe’s report, see Eugene A. Gilmore, Reply of the Secretary of Public Instruction (Manila: Bureau of Printing, 1925).
of the "lingua franca of the Far East." Since opportunities for students to become acquainted with English outside of the classroom were scarce, the vast majority of time in school had to be spent on oral pronunciation of words, rather than actually understanding the subject matter being taught. Indeed, this error was abundantly clear to Najeeb Mitry Saleeby, a linguist and medical doctor who served as superintendent of education in Moro province, and whose 1924 study of Philippine education predated the Monroe report.

In his unpublished study, Saleeby accepted the premise that knowledge of English would be advantageous for Filipinos, as it "fosters a higher intellectual development and a superior culture," as well as being the "language of democracy and the language of commerce of the Far East and the Middle East." Hence, the advisability of adopting English as the official language of government was "common sense." English instruction in all public schools was entirely reasonable, and the "[a]bility to read, speak and use the English language should be a condition to all academic degrees and to public office." However, Saleeby argued that the adoption of English "as the basis of education and as the sole medium of public instruction [was] a completely different matter." The U.S. education policy, which sought the "obliteration of the tribal difference of the Filipinos, the substitution of English for the vernacular dialects as the home tongue, and making English the national, common language of the Archipelago," was extreme in its ambition. It was pure hubris to attempt with less resources and manpower "what ancient Persia, Rome, Alexander the Great and Napoleon failed to accomplish."

It was certainly not the case that U.S. education policy was failing due to lack of effort or commitment, as the colonial government was in fact allocating the lion’s share of its budget to schooling. In 1923, educational expenditure amounted to an astonishing 28.1 percent of the

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141 The Board of Educational Survey, A Survey of the Educational System of the Philippine Islands, p. 135.
142 Ibid., p. 41.
insular (national) expenditure, and 23.4 percent of total government expenditure (including insular, provincial, and municipal). In comparison, the next two biggest budgetary items, road construction and public health, were 12.6 percent and 6.01 percent of the expenditure, respectively. It was unreasonable to expect that the national government spend any more on education, while motivating local governments to spend more than their current level (at 15.3 percent) was difficult. After all, the apparent enthusiasm of local elites (who sent their own children to private Catholic schools) to expend on public education had much more to do with their desire to attract pork to their district than any interest on their part to help peasants achieve political and economic independence, as discussed above.

Yet, by Saleeby’s estimation, current expenses on education were far from sufficient to achieve the goal of instilling English as the mother tongue of the Filipinos. By the 1920s, there were less than 350 American teachers employed by the Bureau of Education, and the vast majority of them were either in administrative positions or were teaching at the high school level. Hence, most Filipinos learned English from fellow countrymen, who themselves had been poorly trained in English to begin with. A vicious cycle of limited literacy in English was thus created. According to Saleeby, two American teachers per school would be the minimum requirement to achieve the objective of mass and full English literacy. With approximately 8,000 public schools in the mid 1920s, 16,000 American teachers would have therefore been necessary. However, it was simply impossible for the Insular Government to increase the number of American teachers beyond existing levels, as American teachers commanded a salary far greater than Filipino ones. In fact, the Bureau of Education was forced to decrease the number of American teachers over

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time in order to make funds available for the expansion of public education, as demanded by the Philippine Assembly.\(^{145}\)

American insistence on providing mass elementary education in English was therefore the primary cause of Filipino illiteracy during the colonial period. With the Bureau of Education focused on expanding primary education as rapidly as possible, very little of its budget was allocated to fund public high schools. Consequently, most public high schools charged tuition, making them beyond the reach of peasant children, who were already under pressure to quit school at an early age to help support their family’s finances. As the Monroe report revealed, there were approximately 47,419 children in public high schools out of a high school age population of 848,000 in 1924. Including the 66,825 children in approved private secondary schools, only 7.9 percent of high-school age Filipinos received secondary education.\(^{146}\) Most ironically, this was only a slight improvement to the 7 percent of the school age population that had received secondary education under the Spanish regime.\(^{147}\) Moreover, Monroe’s study found that the majority of children in high schools came from the upper classes, as shown in Table 3. Among the occupations listed in this table, those most closely associated with the lower classes were farm tenants, fishermen, and common laborers, which constituted 8.1 percent of provincial high school children and 5.5 percent of Manila high school children.\(^{148}\)

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\(^{145}\) Saleeby, *The Language of Education of the Philippine Islands*, pp. 22-23. Later in his treatise, Saleeby argues that even 30,000 American teachers would be insufficient to make English the common language of the Philippines. He then postulates, “If a million industrious Americans should emigrate here and colonize the Islands, then, and only then, could such a transformation of language become possible (28).”


\(^{147}\) Tarr, *The Education of the Thomasites*, p. 725.

\(^{148}\) Here, it is important to note that of the 52.2 percent of provincial high-school children with farm-owning parents Monroe found that “a disproportionate number are really large landed proprietors.” The Board of Educational Survey, *A Survey of the Educational System of the Philippine Islands*, p. 324.
Table 3: Occupations of the Fathers/Guardians of Students in High Schools, 1925 (in percentage)

<table>
<thead>
<tr>
<th>Parental Occupation</th>
<th>Provincial High Schools* (N=2,405)</th>
<th>Manila High Schools (N=2,852)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Merchants and proprietors of business</td>
<td>16.7</td>
<td>17.1</td>
</tr>
<tr>
<td>Professional Service</td>
<td>3.7</td>
<td>9.2</td>
</tr>
<tr>
<td>Managers and officials</td>
<td>6.1</td>
<td>8.6</td>
</tr>
<tr>
<td>Clerical and Commercial Service</td>
<td>4.4</td>
<td>19.7</td>
</tr>
<tr>
<td>Farm Owners</td>
<td>52.2</td>
<td>9.0</td>
</tr>
<tr>
<td>Farm Tenants</td>
<td>3.3</td>
<td>0.6</td>
</tr>
<tr>
<td>Fishermen</td>
<td>3.1</td>
<td>1.2</td>
</tr>
<tr>
<td>Artisans and Skilled Laborers</td>
<td>7.7</td>
<td>27.3</td>
</tr>
<tr>
<td>Common Laborers</td>
<td>1.7</td>
<td>3.7</td>
</tr>
<tr>
<td>Unclassified</td>
<td>1.1</td>
<td>3.6</td>
</tr>
</tbody>
</table>

*Data from provincial high schools in Cebu, Occidental Negros, Pangasinan, and Sorsogon.


Combining the Monroe Commission’s findings on high school student composition and on the quality of schooling a Filipino received at the primary and intermediate educational levels, the failure of the U.S. education institution becomes thus apparent.\(^{149}\) Although public education theoretically provided the necessary tools for civic engagement and economic advancement for both the rich and the poor, in actuality, it was only the rich who utilized this opportunity.\(^{150}\) Whatever the intentions of U.S. colonial officials, the implication of their education policy on the development of the Philippine nation was hardly encouraging. Borrowing the words of Saleeby:

[To] insist on English as the sole basis of public instruction defeats the very purposes for which the present system has been inaugurated and patronized. To give 10% of the

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\(^{150}\) While American colonial education did indeed provide opportunities for upward mobility to thousands of people from humble means, as was most famously displayed by the rise of Camilo Osias from a child of a small-scale farmer to the position of Senate President, this was also true of Catholic education under the friars. Local parish priests sponsored the entire education of their best students, regardless of socioeconomic background. The prime example of this was Quezon, whose father was a primary school teacher. For a defense of American education (from the perspective of providing social mobility to the poor), see Amparo S. Lardizabal, *Pioneer American Teachers and Philippine Education* (Quezon City, Ph: Phoenix Publishing House, 1991). An account of Osias’ success can be found in Roland Sintos Coloma, *Empire and Education: Filipino Schooling under United States Rule, 1900-1910*, Diss., The Ohio State University, Columbus, 2004 (Ann Arbor: UMI, 2005), pp. 91-112. For a discussion of Quezon’s education and early political career, see Cullinane, *Ilustrado Politics*, pp. 176-94.
school population an intensive English secondary and university education and to fail to
give the majority of the children of school age, and the lay people an adequate knowledge
of English or a satisfactory education, is both un-democratic and unjust. It at once creates
a dividing line between these two well defined camps of citizens, placing in bold relief a
high-browed English-speaking "ilustrados" class.\textsuperscript{151}

Despite the best intentions of U.S. policymakers, such was indeed to be the legacy of American
institution-building efforts in the area of education—a legacy that was to obstruct the
development of the Philippines into a stable and democratic nation-state upon independence.

3.IV. Epilogue: Legacy of U.S. Colonial Education on Philippine National Development

Ten years after the publication of the Monroe Report, direct U.S. control over Philippine
education policy came to an end with the establishment of the Philippine Commonwealth. Yet,
the deficiencies highlighted by Monroe, and acknowledged by the Director of Education, had
hardly been addressed. In 1939, a little over 1.7 million individuals were reported to regularly
read newspapers and magazines. With a population of 16,000,303 this amounted to a mere 10.7
percent of the total population and 15.8 percent of those who were 10 years and older.\textsuperscript{152}
Moreover, the majority of these regular consumers of information did not read in English, thus
placing further doubt on the usefulness of English education. In 1936, there were approximately
226,000 daily newspapers in circulation, but only eight newspapers with a total circulation of
85,343 were in English, as opposed to nine Spanish newspapers with a circulation of 62,497.

\textsuperscript{151} Saleeby, \textit{The Language of Education of the Philippine Islands}, pp. 29-30.
288. The 1939 census reports the literacy of those 10 years and older to be at 48.8 percent, yet the standard used to
produce this figure seems to have been extremely low. This fact is recognized by the editors of the 1939 Census,
who write, "The comparison of the number of literate persons with the number of persons 10 years old and over
completing Grade I indicates that census enumerators were extremely liberal in their determination of whether a
person was able to read and write. There are 228,176 more male persons and 100,241 more female persons reported
as able to read and write than are reported as having completed Grade I or a higher grade. No doubt, there is a
considerable number of persons who have not completed Grade I but who are able to read and write. On the other
hand, there is a considerable number of persons who have completed Grade I, Grade II, Grade III, or even a higher
grade, but who are not actually able to read and write. The number of persons reported as able to read and write is
probably too high, particularly if a strict test was used to determine the persons actually able to read and write
(288)."
Curiously, there were also two Tagalog newspapers with a circulation of 46,983 and five Chinese newspapers with a circulation of 32,137 when neither of these languages was taught in public or government-sanctioned private schools. One can only speculate what newspaper and magazine readership would have been if the United States had directed government revenue to educating Filipinos in the vernacular or in the Spanish language.

To the critics of English education, such sobering statistics clearly pointed to the need to educate Filipinos in their vernacular. This was the only way that the vast majority of the people could be made fully literate. If the vernacular was used as the medium of instruction, then better teachers could be trained more quickly, and a greater number students could be admitted to public schools without sacrificing the quality of education. Less time was needed for students to process information in the vernacular compared to English, allowing those who could not afford to stay in school for more than two to three years to obtain a functional understanding of some language. Knowledge of the vernacular may not equip students for a life of international commerce and diplomacy, but it would allow them to be informed of local news, participate in civic functions at the municipal level, and engage in daily market transactions. Another possibility could have been to retain Spanish as the language of instruction. Spanish was indeed spoken by only a minority of the Filipino population (as U.S. policymakers liked to stress), but teachers were among this educated minority. The use of Spanish, along with some relaxation of the secularization policy, could also have prevented the emergence of a dualistic structure that proved so harmful to the education institution’s development.

However, such options were never contemplated, let alone adopted, by the U.S. colonial regime, which was constrained by Washington’s insistence that the “civilizing mission” required

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the establishment of a secular and English educational system in the archipelago. It was not until 1960 that the dismal findings of a Philippine government-sponsored commission finally led to the introduction of Tagalog as the medium of instruction in the first two grades, and its use for select subjects (largely in the humanities) in the upper grades. Yet, still unresolved was the position of English in the Philippine national imagination. After forty-some years of American education, English was now clearly the language of the elite, and was widely employed in politics and commerce. Nonetheless, as the language of the former colonizer, English was a controversial medium for the expression of Philippine nationalism and for the building of a Philippine nation-state. The legacy of U.S. institution-building effort in education was therefore not only to leave behind a dysfunctional system of schooling, but to also ensure that language policy would become an issue of acute contestation and conflict in postcolonial Philippines.

4. Conclusion

At the pinnacle of both Taiwanese and Philippine society was an elite stratum that viewed education as their defining characteristic: the shenshi in the former and the ilustrado in the latter. As such, education policy of the colonizers was of particular concern to the elite in both colonial territories. Strong preferences on the part of the subject population do not necessarily translate into policy outcomes within a foreign occupation, however. Whether foreign reform agents

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155 Magsaysay Committee on General Education, Toward General Education in the Philippines, pp. 106-08. The government-sponsored commission found that the majority of Filipino students terminated their education after three or four years of schooling, and even those that advanced to higher grades were not retaining the content of subject matters taught in the classrooms. Although a considerable portion of the school day was spent learning English, Filipino children continued to lag behind American children by about two years in their reading ability. In light of such findings, the commission recommended that English be introduced starting in the third grade, until it became the medium of instruction at the high school level. Meanwhile, Pilipino (the new national language based on Tagalog) was to be taught starting in the first grade, and used as the language of instruction in select subjects (largely in the humanities).

accommodate a particular group’s demands is a function of the group’s centrality to the maintenance of peace and security, as well as the intensity of its opposition.

**Figure 1: Evolution of Education Institution in Colonial Taiwan versus Philippines**

![Diagram showing the evolution of education institutions in Colonial Taiwan versus Philippines.](diagram)

In Taiwan, although assistance by the scholar-gentry proved critical in defeating the insurgency at the start of the occupation, their support was no longer needed once peace was restored. Given that the formal structures of the Japanese colonial state reached deep down to the village level, the GGT simply bypassed the scholar-gentry and directly forged collaborative relations with township and village notables. The fortunes of the literati class again changed in 1911, when (in the aftermath of the Xinhai Revolution) the GGT sought their backing in the campaign against republican and leftist ideologies. The receptiveness of the GGT to the scholar-gentry’s educational demands closely followed this fall and rise in their role in maintaining colonial governance. Meanwhile, in the Philippines, the weakness of the U.S. colonial state outside of Manila led colonial officials to rely heavily on the *ilustrado* to ensure the loyalty of...
provincial and municipal elites to the United States. The lack of effective resistance by Filipino elites was therefore not a reflection of their political weakness, but was more a function of their strategic calculus that led them to choose passivity over active opposition in educational affairs.

The variable of effective local resistance, while significant, was not the only factor that determined whether new institutions in the area of education acquired local ownership over time, as summarized in Figure 1. In both Taiwan and the Philippines, the elites’ acceptance of new institutions also reflected their changing views on the distributional benefits of these institutions. The education system in Taiwan went through a series of reforms starting in the 1910s, as the GGT accommodated the demands of the Taiwanese literati, but what made accommodation possible in the first place was the rising popularity of Japanese schools among the local population. By the second decade of Japanese rule, the original leaders of the literati class had either died or left the political spotlight, leaving younger gentry members, as well as those who had received education in Japan, in positions of influence within nationalist movements. This new group of Taiwanese leaders accepted the supremacy of modern Japanese education over those provided by traditional shōbō-type schools; their primary request was that their children be given equal opportunity for admission into the new public schools, especially at the secondary and tertiary levels.

Meanwhile, America’s public school system obtained Filipino elite ownership by the late 1900s without any attempt by U.S. officials to accommodate the educational demands of the elite. The reason for this had little to do with a change in perception regarding the pedagogical value of the new public schools, but rather was due to the fact that education was the largest item on the colonial budget. When the Philippine Assembly was established in 1907, and Filipino legislators acquired control over government expenditure, they immediately saw how funds set
aside for education could be used for their political benefit. Simply put, appropriations for the construction of new school buildings became the new pork. The public school system thus rapidly expanded under the Assembly’s initiative, even as this eroded the quality of education. With their own children enrolled in prestigious private Catholic schools, Filipino legislators had little to lose and plenty to gain from this unsustainable expansion.

The conclusion we should draw from this outcome, however, is not that Filipino elites were malicious, but that local ownership alone does not ensure the effectiveness of institutions. It was the right decision for U.S. administrators to give Filipinos control over expenditure; their error was in creating a dualistic institutional order in the first place. What was perverse was not the interests of the local elites, but the institutional structure of the education system. This observation leaves us with both a warning and a solution. On one hand, it is a mistake to focus solely on the issue of local ownership when establishing new institutions in an occupied territory (or when providing development aid to a sovereign state). Indeed, if foreign powers “succeed” in entrenching dualistic institutions within a target territory, more harm than good will be done. As demonstrated in the previous chapter (on policing) and in the above analysis (of education), dualistic institutions are more likely than not to produce suboptimal behavioral outcomes. The key to institution-building success is the establishment of hybridic institutions. Insofar as such institutions are more likely to be forged under conditions of agent discretion, the occupying country must be prepared give ample autonomy to its reform agents.

Furthermore, as demonstrated in both colonial Taiwan and the Philippines, even institutions that are initially rejected by the subject population may acquire local ownership over time. Importantly, a fundamental shift in native elite interests is not needed for this outcome. New institutions necessarily alter the way in which resources are distributed and political power...
is gained or lost, thus changing how elites maximize their material interests. Hence, if the objective is to entrench democratic behavior in a target territory, for example, there is no need to transform native elites into liberal-democratic true believers; rather the key is to carefully adapt new democratic institutions to the existing institutional order so that the desired behavioral outcome is produced. Moreover, by fusing new and old institutions into a single whole, it becomes difficult for the latter to be used to challenge the former. A hybridic institution can always be altered by post-independence leaders, but its complete elimination is unlikely. Native allies are always helpful in a foreign occupation, but local institutional support is what ensures institution-building success.
Chapter 6: Colonial Lessons for Contemporary State-building

1. Introduction

In recent years, strategic and normative concerns of the contemporary era have led great powers to intervene frequently against oppressive regimes and/or failing regimes. Oftentimes working through the United Nations, they have ruled over foreign peoples in an attempt to reconstruct the occupied territory’s governance institutions in their image. Misgovernment by oppressive or incompetent regimes not only leads to famine, epidemics, and degradation of the environment, but creates and sustains terrorist organizations. It has thus become increasingly difficult to distinguish humanitarian from geostrategic foreign policy goals; the boundaries between wars of “choice” and “necessity” are blurred. What is clear, however, is that great powers are now more likely to become involved in civil wars of ethnically and religiously divided countries than to fight each other for regional or global supremacy. The endpoint of a likely conflict is no longer the annihilation of enemy forces, but the stabilization and reconstruction of a war-torn territory.

The goal of this dissertation has been to examine two state-building occupations during the late colonial period—the Japanese colonization of Taiwan and the U.S. colonization of the Philippines—to draw lessons for today. These cases were selected due to their similarity in background conditions coupled with contrasting outcomes. Like most territories currently under foreign administration, Taiwan and the Philippines were both ethnically divided and traditional societies, where the local populations fiercely resisted foreign intervention. Japanese and American colonial officials (albeit for different strategic reasons) also aimed to transform their colonial territories into modern bureaucratic states. However, while the Japanese succeeded in implanting effective rational-legal institutions within Taiwan’s traditional order, U.S. colonial
officials in the Philippines left behind a dualistic governance structure, where new institutions malfunctioned as they clashed with existing norms and social practices.

In this concluding chapter, I demonstrate the applicability of theoretical concepts and causal arguments developed through the comparison of the Taiwanese and Philippine cases to the contemporary era. I do this by examining a case that is both representative and unique among United Nations (UN) and U.S.-led state-building campaigns of the past few decades: the ongoing occupation of Afghanistan. Like most targets of recent reconstruction and development missions, Afghanistan is an ethnically (or more precisely, tribally and sub-tribally) divided and war-torn state, where a central government has never succeeded in monopolizing political authority and coercive power. Yet, unlike other recent UN or U.S.-led occupations, there is no single foreign administration leading the institution-building effort. Hence, it allows for the analysis of reform efforts by different foreign entities (such as the U.S. Army, the European Union and its member states, and the UN) all within the same strategic environment. Specifically, what follows is a comparison of two police reform campaigns in Afghanistan: one at the national level led by Germany (along with other countries sending aid and advisors to Afghanistan), and the other by the U.S. Army in the unstable southern provinces bordering Pakistan. I argue that, as was the case in the colonial occupations, the success of the Afghan state-building mission hinges on the ability of foreign reform agents to integrate new and modern institutional elements within the local institutional order through a pragmatic and experimental institution-building approach.

This analysis is followed by an explication of six general lessons for contemporary state-building derived from the colonial cases. The first three of these lessons concern the centrality of institutional hybridization in forging effective institutions under foreign occupation. The second set of lessons (also three in total) summarizes insights gleaned from previous chapters on the
issue of “local ownership.” Finally, I conclude with a brief discussion of the tradeoff between pragmatic and ideological goals in the building of institutions abroad. It is not always the case that an institutional design that functions most effectively in a foreign environment is one that Western states find normatively acceptable. Meanwhile, institutions designed to reflect the moral standards of the West may prove utterly dysfunctional in the third world, thus doing more harm than good. Ultimately, a foreign intervention is as much a normative problem as it is a strategic one. Although this dissertation has focused exclusively on the issue of institutional effectiveness, this should be the starting point, rather than sole focus, of policy and political debates on the building of governance institutions through foreign occupation.

2. Building a Police Institution in Afghanistan

If the official U.S. military assessment of Afghanistan’s security sector is to be believed, the Afghan National Police (ANP) has achieved a (very) modest level of effectiveness nearly a decade after its inception in 2002. Of the 203 operational units within the formal police organization, 70 are now rated as “effective with advisors” and another 79 as “effective with assistance.” Although there is some ambiguity regarding the exact size of the force (due to high desertion rate), the ANP is reported to consist of 125,589 men and women as of March 31, 2011, thus meeting the target set by the U.S. military and its NATO allies. After a series of reorganizations in the past decade, it is now comprised of three main formal police forces and two auxiliary ones. Within the former category are the Afghan Uniform Police, the Afghan Border Police, the Counternarcotics Police of Afghanistan, and the Afghanistan National Civil Order Police (ANCOP). Of these three branches, the Uniform Police is the largest and is tasked with the day-to-day maintenance of security in urban areas. The other three branches, as their names suggest, are more specialized. The respective functions of the Afghan Border Police and
the Counternarcotics Police are intuitive. As for ANCOP, it is a paramilitary force that, rather than stationed in a single district, is deployed to localities in need of a surge in police power. The two auxiliary police forces are the Afghan Public Protection Force (APPF), which consists of former militia groups reorganized by the national government to replace private security companies, and the Afghan Local Police (ALP), which is an umbrella term denoting the various village-level police units.¹

Yet, even if the ANP is developing into an effective police organization (as optimistically reported by the U.S. military), the success of Afghanistan’s institution of policing (of which ANP is a part) is far from assured. As seen in the colonial cases, a police institution includes much more than the formal police force; in the long run, what matters most is not the operational effectiveness of the organizational arm of the institution (i.e., the ANP), but the structure of the institution as a whole. As I describe in the following pages, the police institution in Afghanistan has achieved local ownership, but is thoroughly dualistic. This outcome resulted from a lack of discretion on the part of foreign state-building agents (with the notable exception of U.S. Special Forces involved in organizing village police units). It is not too late for foreign reformers to shift course and develop a more hybridic police institution in Afghanistan that integrates traditional Afghan practices of dispute resolution and village-level policing into the formal structures of the state. For this to happen, however, the state-building mission in Afghanistan will first have to be radically reorganized, and autonomous decision-making authority bestowed upon those charged with implementing institutional reform.

2.1. The “Locally Owned” but Dualistic Police Institution in Afghanistan

With the decision to employ the “lead nation” donor system at a Group of Eight (G8) summit in 2002, the international mission to establish Afghanistan’s security sector assumed a fragmented structure. Rather than create a single foreign administration (as was to be the case in Iraq under the Coalition Provisional Authority) to coordinate the state-building effort, leading countries within the “coalition of the willing” divided amongst themselves responsibility over the various functional areas comprising security sector reform: Britain, counternarcotics; Italy, the judiciary; Japan, disarmament, demobilization, and reintegration; United States, military; and finally, Germany, police. The German plan was to develop a core of capable and disciplined officers, who would then shape the ANP into an effective police organization. To this end, the Kabul Police Academy was reopened in August 2002, offering three-year courses for officers and nine-month (originally one-year) courses for non-commissioned officers. In August 2005, the reformed academy produced its first crop of 251 graduates from the three-year officer program. By 2007, when authority over the German police training program was handed over to the European Union, the police academy had trained approximately 4,500 commissioned and non-commissioned officers.

It did not take long, however, for U.S. officials in Afghanistan to question the wisdom of this approach. Even if the German model was indeed the best way to forge an effective police organization in the long term, Afghanistan had an immediate need for the provision of security. Furthermore, U.S. officials questioned the type of training being offered by the Germans, and in

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particular, its exclusive focus on the civil aspects of policing. Missing were courses pertaining to counterinsurgency. Beginning in 2003, the United States thus began a parallel police training program, which was initially placed under the jurisdiction of the Bureau for International Narcotics and Law Enforcement Affairs (within the State Department), before being transferred to the Department of Defense’s Central Command. In 2005, the Combined Security Transition Command-Afghanistan (CSTC-A) was established for the purpose of training both the Afghan National Army and the ANP. The focus of the U.S. program has been to provide basic courses (ranging from nine to fourteen weeks depending on the participant’s literacy level) to patrolmen at training centers in Kabul, as well as in key provincial centers. This regular training program was further supplemented by a program called the Focused District Development, where the entire police force within a single district received intensive training.4

Despite these efforts, the ANP remains corrupt and largely ineffective, at least without foreign supervision and military support. As a ragtag organization comprised of ex-militiamen, the ANP hardly hesitates to employ excessive force against civilian protestors, quelling riots with live ammunition. For the most part, policemen simply do not do their assigned duties, ignoring emergency calls and remaining within police stations rather than patrolling. Instead, their time is spent extorting “taxes” and “fines” from the population, while taking bribes from insurgent and criminal organizations. The ANP at times is also known to contribute directly to instability, engaging in theft, kidnapping, rape, and murder.5 In one incident described by a doctor from the city of Ghazni, a bus was robbed on Ghazni Highway in August 2008 by men assumed to be

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5 The various abuses committed by members of the ANP are well documented. For a particularly illustrative discussion, see “Reforming the Afghan National Police,” Foreign Policy Research Institute and Royal United Services Institute, November 2009, Web, 6 June 2011, pp. 2-17.
insurgents. A little later, the “real Taliban” appeared on the highway and stopped the bus. According to the doctor, “People told them about the previous group. The Taliban told them to wait and they went and caught the first group.” It was then discovered that the men presumed to be insurgents were in fact “the entire police of that area.” The Taliban subsequently returned the stolen money and belongings to the people and took the police into Taliban “custody.”6

Such accounts of police corruption notwithstanding, it is likely that the quality of the ANP, while still very low, has improved in recent years. With continued international funding and personnel assistance, at least some ANP units (especially those within ANCOP) will likely be fully operational in the coming years. Yet, the problem of policing in Afghanistan goes beyond the narrow issue of ANP’s organizational competency, which has so far received the bulk of the attention within German and U.S. police reform programs. More fundamentally, foreign state-building agents must address the failure of the policing institution as a whole, which includes, in addition to the ANP, the Ministry of Interior (MoI); the various auxiliary police organizations (such as the APPF and the ALP); the body of laws that the police is responsible for upholding; and norms and beliefs concerning the proper relationship between the police and society.

This need for broader institutional reform has indeed been recognized by foreign analysts, and some steps (such as pay and rank reform within the MoI) have been undertaken in this vein.7 Ongoing institutional reforms, however, have so far failed to produce the desired effect, for they are not based on an accurate understanding of the institutional problem: the Afghan police institution is characterized by a dualistic structure. Efforts to improve the police institution’s effectiveness will ultimately fail unless reformers recognize the problem inherent in

6 Ibid., p. 13.
7 For a discussion of these reforms, see Wilder, “Cops or Robbers?,” pp. 37-42.
superimposing a highly centralized police organization, coupled with state-reliant accountability rules, onto a decentralized political system where a patchwork of tribal strongmen and warlords govern through patronage and coercion. Unless this contradiction is reconciled, the former is perpetually compelled to compete with, and be corrupted by, the latter.

Most notably, political power within Afghanistan is highly fragmented and personalized. In the northern Uzbek- and Turkmen-majority provinces, for example, Abdul Rashid Dostum ruled among Afghanistan’s foremost warlords from the early 1990s to the mid 2000s over a fairly wide area stretching from Badghis province in the west to Kunduz province in the east. Yet, even at the height of Dostum’s influence, he lacked the capacity to directly govern territories outside of his stronghold in Jowzjan province. Rather, he ruled indirectly by fostering patron-client relations with other warlords operating at the provincial level, such as Ahmed Khan of Samangan, Kamal Khan of Saripul, and Hashim Habibi of Faryab. These provincial warlords then maintained their own feudalistic sub-domains by distributing scarce resources and lending military support to district-level warlords, who in turn ruled over village military leaders. Yet, even this decentralized political system of northern Afghanistan is more hierarchical compared to the one characterizing the ethnically Pashtun southern provinces, where robust tribal and sub-tribal loyalties prevent pan-regional warlords from emerging in the first place. In times of crisis, several villages may band together to fight a common threat. However, given that individual

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8 Here, the terms “strongmen” and “warlords” are used to describe two very different types of charismatic leaders. The former are tied to specific tribal groups and likely belong to the nobility class; their legitimacy comes from their position (often hereditary) within the tribe, as well as their ability to distribute scarce goods and resources to clients. A warlord may or may not be tied to a tribe. What gives him authority is his military credentials and ability to protect clients from external threat. For further discussion of these distinctions, see Antonio Giustozzi and Noor Ullah, “‘Tribes’ and Warlords in Southern Afghanistan, 1980-2005,” Working Papers No. 7, Crisis States Research Centre, London School of Economics and Political Science, September 2006, Web, 6 June 2011.

identities are tightly bound to his or her village, there is little that keeps inter-village alliances together once peace is restored.\(^{10}\)

Yet, regardless of the fragmented nature of Afghan politics, both the local governmental system and the ANP is organized into a highly centralized structure with the Ministry of Interior at its apex. In the first place, the MoI appoints governors at both the district and provincial level, extending its reach (at least on paper) deep down into society. The are no formal mechanisms for communities to select or remove their local governmental representatives under this system. Moreover, district and provincial governments are not corporate entities in any legal sense, but are instead designed as strictly administrative units whose only function is to enforce decisions made in Kabul. They neither have the power to determine their own tax rates nor the authority to decide how revenue is to be spent. Municipalities are the only sub-national governmental entities with some legal autonomy over fiscal and personnel matters, but the MoI is still responsible for approving municipal budgets and staffing decisions.\(^{11}\)

Like the local administrative structure, the ANP was also designed, and reformed over the years, to strengthen the central government’s authority over the provinces. Hence, while provincial governors often served concurrently as police chiefs during the early post-Taliban years (reflecting the reality that they largely came from the ranks of militia leaders), these positions must now be held by separate individuals. The Interior Ministry’s authority over ANP appointments is also absolute all the way down to the district level, at least formally.\(^{12}\) Finally, as described in a 2006 MoI memorandum, “The police chain of commands flows from the Minister of Interior, to the Deputy Minister for Security Affairs, to the Regional Commands, down to

\(^{10}\) Giustozzi and Ullah, “‘Tribes’ and Warlords in Southern Afghanistan, 1980-2005.”
\(^{12}\) Wilder, “Cops or Robbers?,” pp. 4-7.
local police chiefs. The police chain of command is the final authority in all police operational
decisions. Governors … will not direct police activities at the tactical or operational level.”

The formal structure of the Afghan security sector thus completely ignores the reality that
power, especially coercive power, is decentralized in Afghanistan. Consequently, it is of little
surprise that in many cases (especially when a territory is governed by a powerful warlord) the
MoI has been unable to exercise its authority over local governmental and ANP appointments.
According to an unnamed district governor:

Most heads of police departments used to be [militia] commanders and are mostly
illiterate. When the center has tried appointing more qualified heads of police they are not
accepted. These positions have been occupied by force. For example, the Head of Police
in this district received a transfer letter [from the MoI]. Another person was appointed
who had no jihadi background so he hasn’t been able to take up his new position.

Nonetheless, as this account by a district governor also displays, aside from those leading
the insurgency against the Afghan government and its foreign sponsors, local strongmen and
warlords have not challenged the legitimacy of the formal local governmental organization or the
ANP per se. Instead, they have made these organizations their own by hijacking them. Large
warlords declared themselves provincial governors and lesser warlords became district
governors. Private militia armies of the Taliban era are now ANP units. In the province of
Faryab, for instance, all but one of the district governors in 2002 belonged to Dostum’s Junbesh
party. In Herat, all district governors and chiefs of police were personally loyal to Ismail Khan,
prior to his ouster as provincial governor in 2004 by marginalized tribal leaders and their

13 International Crisis Group, “Policing in Afghanistan: Still Searching for a Strategy,” Asia Briefing N°85,
15 Sarah Lister and Andrew Wilder, “Strengthening Subnational Administration in Afghanistan: Technical Reform
militias.\textsuperscript{16} As one scholar astutely notes, “Political power is not exercised in a progressively depersonalised, formalised, and rationalised way through agreed ‘rules.’ Rather, it continues to be exercised in a personal and patronage-based manner, but within the overall framework of bureaucratic rules.”\textsuperscript{17}

Local ownership of the provincial governmental organization and the ANP by warlords such as Dostum and Ismail Khan has resulted in their transformation into instruments of personal patronage. Yet, it is not just in the provinces that the police institution has been thus corrupted. More alarmingly, tribal strongmen and warlords who assumed executive posts in the central government, such as President Karzai, Mohammed Fahim, and Yunus Qanuni, have abused their power to appoint individuals to positions of influence within local governments and the ANP in order to expand their clientelistic networks. Initially, Fahim and Qanuni, who both belonged to the Jamiat Islami party, had the upper hand in the politics of appointments, given the former’s control over the Ministry of Defense and the latter’s position as Minister of Interior. Their primary target was Dostum, whose network of warlords overlapped with their own sphere of influence in the north. The abuse of authority by Qanuni, as he handed out appointments within the ministry itself as well as in the provincial governments to unqualified loyalists, was in fact so blatant that he was forced to resign in 2002 under foreign pressure. Yet, when Qanuni’s allies were removed from provincial governments and the ANP under the guise of Mol reform, they were replaced by those personally loyal to President Karzai. The rise of Ahmed Wali Karzai, the half-brother of President Karzai, as the powerbroker in Kandahar is a case in point. In this way, Mol “reform” and the weakening of Jamiat’s hold on the Interior Ministry did not lead to the

strengthening of formal bureaucratic rules; it simply provided the opportunity for President Karzai to build a feudalistic political system in the southern provinces in a manner similar to how Dostum and the Jamiat leadership carved out their respective spheres of influence in the north.18

The transformation of Afghanistan’s police institution into a vehicle for patronage is also exemplified in the creation of Afghanistan National Auxiliary Police (ANAP). The proponent of this force was President Karzai, who argued that security in the southern Pashtun provinces could be improved by recruiting men directly from the local tribes and organizing them into auxiliary police units. In theory, recruits were carefully vetted by tribal elders to ensure that they would be suited to serve the particular community to which they were assigned. The MoI was responsible for a second round of background checks to ascertain their qualification—i.e., that the recruits did not belong to militia groups or have criminal backgrounds. ANAP recruits then received ten days of instruction in a provincial ANP training center (in contrast to a minimum of nine weeks for ANP patrolmen) and were handed a uniform that looked no different from the one worn by regular ANP units. However, when a pilot program was launched in Zabul province in September 2006, none of the vetting rules were followed. Despite the provision that ANAP recruits were to come from the local community, out of the 200 recruits in the second class of ANAP trainees, only 16 were from Zabul; the largest group of recruits came from Karzai’s home province of Kandahar. Moreover, rather than being comprised of credible individuals selected by village chiefs, ANAP units were constituted by those belonging to pro-government militias.

Predictably, this experiment was a disaster, as the ANAP took the lead in harassing the local

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population. The ANAP was terminated in 2008, but rather than being disbanded and disarmed, ANAP militiamen were simply integrated into regular ANP units.19

In sum, the combination of a dualistic structure and local ownership lies at the heart of Afghanistan’s dysfunctional police institution. On one hand, institutional dualism ensured a disconnect between the de jure rules and de facto practices, rendering ineffective the various attempts by foreign agents to improve the quality of the security sector through bureaucratic and legal reforms. On the other, ownership of the new local government structure and the ANP by tribal strongmen and warlords has allowed these organizations to take root, but at the cost of their corruption into tools of patronage politics. It is too early, however, to dismiss security sector reform in Afghanistan as a complete failure. As seen in the colonial cases of Taiwan and the Philippines, institution-building under foreign occupations is hardly path dependent, given the overwhelming resources and manpower that foreigners can inject (if they so desire) into the reform effort. Yet, in order for foreign agents to play a constructive role in the building of an Afghan police institution, the United States and its allies must first recognize that minor adjustments to the current reform strategy are not enough. What is needed is nothing less than a complete restructuring of the intervention so that foreign reformers have the flexibility needed to create hybridic institutions out of foreign models and traditional Afghan norms and practices.

2.II. The Perils of Undertaking State-building without a Foreign Administration

Soon after the U.S.-led invasion of Iraq in November 2001, representatives of the G8 met in Bonn to discuss Afghanistan’s reconstruction and development. Two key decisions came out of this conference. First, departing from the model adopted in both Kosovo and East Timor, where a United Nations representative and his staff acted as an interim administration,  

sovereignty was immediately handed over to Afghan leaders. International support, meanwhile, took the form of the “lead nation” approach (as discussed above).\textsuperscript{20} The corollary of this “light footprint” approach was that the international peacekeeping operation in Afghanistan was to constitute a mere 5,000 troops, deployed in largely Kabul. In contrast, the more elaborate UN mission in the small island of East Timor was undertaken with 9,000 troops, while the UN deployed 40,000 men and women to the equally small former Yugoslav sub-province of Kosovo. U.S. military presence in Afghanistan grew from a few thousand in late 2001 to 10,000 by early 2002, but their focus was in defeating Taliban and al-Qaeda forces in the south, rather than buttressing government authority in the comparatively stable northern provinces.\textsuperscript{21}

Second, the G8 member-states ratified the takeover of the central government in Kabul by the Northern Alliance (dominated by Tajik and Uzbek warlords), even as they recognized, under the Bonn Agreement, “the need to ensure broad representation in these interim arrangements of all segments of the Afghan population …”\textsuperscript{22} Of the various warlord factions included within the Northern Alliance, the Jamiat party’s (with its largely Tajik leadership) preponderance in the new Interim Administration was especially striking, with the three most important ministerial posts (other than that of Prime Minister) of Defense, Interior, and Foreign Affairs going to Jamiat men. Marginalized within the new Interim Administration were not only the tribal Pashtun leaders (with the notable exception of Hamid Karzai), but also Jamiat’s main rivals within the Northern Alliance, such as Dostum and Ismail Khan.\textsuperscript{23} The Bonn Agreement addressed this contradiction between the desire for broad representation and the reality that the

\textsuperscript{20} Dale, “War in Afghanistan,” p. 5; Feilke, “German Experiences in Police Building in Afghanistan,” pp. 4-5.
Interim Administration was overrun by a Tajik warlord clique by noting that “these interim arrangements are intended as a first step toward the establishment of a broad-based, gender-sensitive, multi-ethnic and fully representative government, and are not intended to remain in place beyond the specified period of time.” However, given the “light footprint” approach of the UN mission in Afghanistan, there was little that the international coalition could do to prevent the Jamiat party from monopolizing key government bureaucracies in succeeding years.

Both of these policies—that is, the “light footprint” approach and the handover of the government machinery to the Jamiat party—have since been criticized. Yet, given the size of Afghanistan (slightly larger than Iraq and thirteen times larger than Bosnia), its rugged terrain, and the proven ability of the Afghan people to resist foreign encroachment on their sovereignty (as they did against the British in the mid nineteenth century and the Soviets in the 1980s, for example), it would have been difficult, if not impossible, for the U.S.-led coalition to implement a state-building program in Afghanistan without relying heavily on local partners. Meanwhile, due to the fact that Afghan politics are highly segmented into various tribal and warlord factions, if not the Jamiat party, some other tribal or warlord clique would have likely captured the central government (or at least attempted to do so) at the expense of its rivals. As Antonio Giustozzi writes, “The factionalisation of local ownership … makes local power brokers more interested in building fiefdoms which they might be able to directly control than in setting up impartial institutions, hence pitting them against genuine reforms.”

The error, then, of the foreign sponsors of the Bonn Agreement was not in adopting a “light footprint” approach, or in allowing “factionalization of local ownership” (by the Jamiat party or by President Karzai’s clique) to take root. Rather, it lies squarely in the Afghan state-

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24 See, for example, the several essays in Francis Fukuyama, *Nation-building: Beyond Afghanistan and Iraq* (Baltimore: Johns Hopkins Press, 2006) that are on Afghanistan.

building strategy originally embraced by the participants of the Bonn conference in 2001—that is, in the words of Astri Suhrke, the attempt to establish “an effective, central state that operates under the rule of positive law and in accordance with contemporary standards of transparency and accountability.”26 This is a reform strategy that assumes the Afghan central government as possessing the capacity to undertake top-down modernizing reforms—in the mold of post-WWII Northeast Asian dictatorships—despite the fact that political power in Afghanistan is fragmented into the hands of tribal leaders and warlords at the village and district levels. Moreover, while informal norms of patron-client relations lie at the heart of all social interactions in Afghanistan, it is an institution-building approach that assumes that people are motivated by formal bureaucratic rules rather than by inter-personal ties and loyalties, and that abstract legal codes of accountability will trump one’s duties to his or her community.

Despite the obvious problem with applying this state-centric and formal-rules-oriented strategy to Afghanistan, as exemplified in the above discussion of police reform failure, it is ubiquitous in policy statements of donor countries and international organizations with offices in Afghanistan. For example, in a key 2006 conference in London involving representatives from Western donor countries and the Afghan government, reform proposals were outlined in three substantive areas: (i) security; (ii) governance, rule of law, and human rights; (iii) and economic and social development.27 In the area of security, the participants called for the creation of “a nationally respected, professional, ethnically balanced Afghan National Army” that is “democratically accountable, organized, and trained and equipped” by the end of 2010. As for public administrative reform, they affirmed that “a clear and transparent national appointments mechanism will be established within 6 months, applied within 12 months and fully implemented

within 24 months for all senior level appointments,” and by the end of 2010, a “merit-based appointments, vetting procedures and performance-based reviews will be undertaken for civil service positions at all levels of government.” Overall, while “Government” (that is, the central government) is singled out as the body primarily responsible for these and other reforms throughout the resulting agreement (called the Afghanistan Compact), no mention is made of village-level councils that serve as the actual provider of day-to-day governance in Afghanistan.

This bias in favor of government (especially the central government) and the rule of positive law also pervades more specialized policy proposals, which in turn serve as the blueprint for technocratic reformers under the employment of the United Nations Development Programme, The World Bank, or the European Union Police Mission in Afghanistan. Nowhere is this more apparent than in the issue of corruption, where a team of analysts from the British government and various international organizations noted in a 2007 report that “non-functioning [formal] institutions and severely limited capacity in the Government” are important enablers of corruption in Afghanistan. Yet, rather than concluding from this observation that the solution to rampant corruption may thus be found outside formal governmental institutions (especially in Kabul), the document goes on to declare that “core Government agencies (finance and revenue, law enforcement, prosecution, etc.) and line ministries (especially those with major service delivery, infrastructure, regulatory, or contracting functions) inevitably will be the key elements of the institutional framework for fighting corruption.” Ignored is the fact that informal village-level councils have traditionally served to maintain accountability within Afghan communities.

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The fact that donor countries and international organizations are misguided in their state-building strategy is hardly surprising. From the colonial period to today, policymakers in Western capitals have generally disregarded or disparaged the traditional institutional order of target territories, viewing their own “advanced” institutions as the solution to whatever ails foreign peoples. What is thus needed for a successful state-building effort is not another attempt by policymakers in Geneva, Brussels, or Washington to devise a new and “better” reform agenda for Afghanistan, but rather, the creation of an autonomous foreign administration in Kabul with the authority to deviate from the preferred strategy of Western capitals. It is only then that foreign institutional models will be effectively adapted to local conditions through a flexible and experimental institution-building process. Importantly, it is not necessary for this autonomous foreign administration to exercise sovereignty over Afghanistan, as did colonial regimes of the past era. What it will need, however, is full control over the appropriation of development aid, in order to assure autonomy from donor countries and organizations.

A prototype of how such a foreign administration would function is found in the southern provinces of Afghanistan, where U.S. special operations forces have taken advantage of their access to CERP (Commander’s Emergency Response Program) funds to experiment with various models of local policing (along with other institution-building projects) in partnership with Afghan tribal leaders. Unlike regular development aid, which is typically tied to specific projects sanctioned by an aid-giving organization (be it the UN or The World Bank), CERP funds may be flexibly dispensed by U.S. military commanders (at the battalion level or above), as long as the proposed project obtains a letter of endorsement from a local Afghan official, is below $500,000 in total expense, and falls under one of nineteen development categories ranging from security to...
water sanitation. The high level of discretion associated with CERP funded projects, coupled with the fact that U.S. military commanders are amateurs when it comes to assessing the viability of development projects, have led to much waste and even corruption. However, trial and error is very much a part of an experimental approach to building institutions. As seen in the U.S. military’s early blunders and more recent successes in establishing tribal police units, effective institutions are ultimately founded on a graveyard of failed institutional models.

The first of several tribal policing initiatives by the U.S. military—i.e., the Afghanistan National Auxiliary Police (ANAP)—has already been discussed. The reason for ANAP’s failure was twofold: First, its ranks were filled with ex-militiamen, who may have had experience firing AK-47s and fighting rival insurgents, but had little background in policing. Yet, despite their complete lack of qualification, they received only ten days of training. This situation was made worse by the fact that ANAP recruits often came from outside of the communities to which they were assigned, and with little vetting. Friction between the poorly trained ANAP units and the local population was thus unavoidable. Second, because ANAP personnel received a similar uniform as ANP patrolmen, along with a comparable salary and a government identification card, it deterred people from joining the ANP (with its much longer training period and practice of assigning recruits to faraway provinces). As such, the auxiliary police served only to undermine the effectiveness of the ANP during its two years of existence and was quietly discontinued in 2008.

ANAP’s failure hardly discouraged U.S. military commanders, who had come to appreciate (after years of operating in the southern Pashtun provinces) the central role of

informal tribal organizations in providing governance at the local level. They nonetheless learned important lessons from the ANAP debacle: In particular, if community policing schemes were to succeed, then it was of paramount importance that the local community be involved in their recruitment and supervision. With this in mind, a new program was drafted and launched in early 2009, dubbed the Afghanistan Public Protection Program (AP3), in four districts within the province of Wardak. Not only was Wardak a strategically important province (due to its proximity to Kabul), but it also hosted a pilot project where traditional village councils, called shuras (or jirgas in Pashto), were formally organized into standing committees under the authority of the central government. However, when the program was actually put into place, the shura-based recruitment process was circumvented, as tribal strongmen and local militia commanders took the lead in enlisting AP3 “guardians.” The original design of AP3 was further undermined when Ghulam Muhammad Hotak, a former warlord from Jalrez district, was appointed as AP3 commander. Thereafter, his former militiamen, who largely hailed from his home district, came to dominate AP3 at the expense of the various other tribes and ethnic groups of Wardak province. As such, regardless of Ghulam Muhammad’s apparent success in restoring order in Wardak, the AP3, now renamed and expanded as the Afghan Public Protection Force (APPF), is no longer the community police force it was originally designed to be.

Meanwhile, U.S. military commanders began experimenting with several other local defense initiatives (LDIs) in mid 2009 that aimed to correct the most important defect of the Wardak program: Its takeover by militia leaders. To this end, it was determined that local police units should be organized strictly at the village level, so that the jurisdiction of a police unit coincided with that of a jirga or shura. The problem with the AP3 program was that in

attempting to organize units at the district level, it strengthened the hand of power brokers (typically warlords), who operated across several village communities. Furthermore, to ensure that village elders had a long-term interest in maintaining a local police force, valuable infrastructure (such as wells) were built in villages by U.S. special operations forces under the Village Stability Operations (VSO) program. This also had the added benefit of motivating villagers to enlist as “defenders” without pay, which in turn prevented the village police from becoming a source of corruption. In August 2010, the various experimental LDI programs were formally recognized as the Afghan Local Police (ALP), and placed under the jurisdiction of the Interior Ministry.  

The original model for the LDI (and later the ALP) was a traditional system of village policing found in the Loya Pakita region of southeast Afghanistan, known as arbakai. Hence, whether these new village police organizations will succeed in the long run depends on the duplicability and the sustainability of the arbakai model outside of southeast Afghanistan. An arbakai is not a standing organization, but is formed on an ad hoc basis by the village jirga to undertake one of three tasks: (i) to implement a jirga’s ruling concerning some dispute within the village community; (ii) to maintain general law and order; and (iii) to defend a community and its geographic boundaries against external attack. An arbakai is comprised entirely of unpaid volunteers selected by the elders among the village’s able-bodied men; serving in an arbakai is regarded as an act of honor. An arbakai thus differs from other traditional coercive organizations (such as a lashkar) that are formed to undertake offensive campaigns against rival sub-tribes and tribes. It also contrasts with a militia group in that an arbakai serves the will of an entire village.

or sub-tribal community rather than that of a single warlord leader. These characteristics make an *arbakai* more immune against warlord penetration than other forms of informal police units. At the same time, however, it may be difficult to form *arbakai*-like organizations in areas without authoritative *jirgas* (or *shuras*) and a robust village leadership.

Despite this concern, early assessments of *arbakai*-like organizations established outside of Loya Pakita are positive, and ALP units are reported to have contributed to the weakening of insurgent activity in Helmand, Kandahar, Oruzgan, and other southern Afghan provinces. In Nagahan village in Kandahar province, for example, a core group of 25 recruits were organized by the U.S. military into a permanent village police force with the help of the village *jirga*. They were then trained by U.S. Special Forces and, departing from the *arbakai* model, drew a salary. This group of 25 full-time “defenders” were supported by an additional 50 part-time volunteers, who received food and support from villagers in place of a salary. The elders of Nagahan have reported that this newly organized police force was directly responsible for the improvement of security conditions in the village, and the establishment of similar ALP units in surrounding villages was recommended. Such evidence of success, however, must be judged against the fact that Nagahan (as well as other villages where LDI units have so far been organized) was carefully selected by U.S. Special Forces to ensure that local circumstances were conducive to the LDI’s success. Most notably, Nagahan was characterized by strong village leadership and

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37 See, for example, Seth G. Jones, “Transitioning to Afghan-led Counterinsurgency,” testimony presented before the Senate Foreign Relations Committee, Rand Corporation, May 2011, Web, 6 June 2011.

homogenous tribal affiliations—conditions that are lacking in many Afghan villages that have experienced considerable inward and/or outward migration due to war and economic distress.\textsuperscript{39}

In addition to the question of the \textit{arbakai} model’s exportability to areas with weaker and less homogenous village leadership, two further objections have been raised concerning ALP’s long-term viability.\textsuperscript{40} The first is that by turning what were previously informal practices of self-policing within “natural” (that is, village, sub-tribal, or tribal) communities into formal police organizations linked to the state, the very characteristics that made them effective—such as their legitimation by village councils and their pursuit of community goals—would be lost. Secondly, given that traditional village police organizations are formed to serve some particular community (at the village, or sub-tribal level), they may promote a narrow set of local interests over that of the wider “national community.” Both of these objections, which ultimately concern the issue of hybridizing formal and informal elements of an institution into a coherent whole, are further complicated by the fact that the administrative apparatus of the Afghan state is corrupted (as discussed above) by the “factionalization of local ownership.”\textsuperscript{41}

Indeed, the current institutional arrangement—that of placing the ALP under the authority of the Interior Ministry—does little to address these concerns. Despite repeated reform efforts by foreign agents, appointments within the MoI and sub-national administrations continue

\textsuperscript{39} Ibid.


to reflect clientelistic considerations first and foremost. As such, by explicitly linking the ALP to the MoI, village police units may become corrupted; the danger is that ALP units (like the ANAP in Zabul or the AP3 in Wardak) could be taken over by local strongmen and warlords. Moreover, by placing the village police forces under the command of the district police chief, the link between ALP units and the village jirga or shura is weakened. In turn, even if usurpation of an ALP unit by a militia leader is avoided, its delegitimization may not be, as the ALP is regarded by villagers as nothing more than an extension of the central or provincial government. The danger of placing the ALP under the jurisdiction of the MoI notwithstanding, the alternative is not obvious. From the colonial period to today, various local policing initiatives have been tried, some with more success (i.e., Taiwan) than others (i.e., the Philippines). However, as every case is unique in terms of its societal composition, the strength of the state, and the nature of the foreign occupation, there are no ready-made models that could serve as guides to integrating the ALP within the formal security apparatus of the Afghan state.

The success of the ALP program, and of the police institution more broadly, rests on the replication of the very process that led to the creation of the ALP at a higher (i.e., provincial and national) level of reform. What is therefore needed is not a detailed plan (sanctioned by the UN or other international aid-giving organizations) on the integration of the ALP into the formal security apparatus, but the ability of foreign reformers to freely experiment with various institutional arrangements. For this reason, even as the U.S. military gradually withdraws from combat operations in the southern provinces, its role in rebuilding Afghanistan should be strengthened. In the absence of a formal occupational regime, the U.S. military is the only foreign agent in Afghanistan with the discretionary power to undertake institutional reform with

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the necessary flexibility and pragmatism. In the final analysis, while U.S. military commanders themselves may lack legal expertise or fluency in developmental economics, they are best suited to lead the next phase of Afghanistan’s state-building campaign.


Differences between the recent U.S.-led state-building campaign in Afghanistan and the early twentieth century colonial occupations are striking. While the Japanese in Taiwan and the Americans in the Philippines established full-fledged colonial administrations to directly rule the native population for several decades, sovereignty over Afghanistan was immediately handed over to Afghan elites upon the toppling of the Taliban regime. Construction of modern governance institutions in Taiwan and the Philippines was primarily funded through tax revenue raised within the occupied territory and controlled entirely by the colonial administration; the reconstruction and development effort in Afghanistan, on the other hand, is largely funded externally by foreign governments, as well as by hundreds of international and nongovernmental organizations, each with its separate agenda. The timeline that Japanese and American colonial officials had to work with was indefinite: Taiwan was intended to become a permanent part of the Japanese nation-state, and the U.S. occupation of the Philippines was initially to last as long as it took for Filipinos to think and act like idealized Americans. Meanwhile, U.S. military operations in Afghanistan is scheduled to end by 2014, even though aid-giving organizations (along with U.S. military advisers and trainers) may remain long after this deadline.

Consequently, specific institutional designs that proved effective in colonial Taiwan or the Philippines are inapplicable to the ongoing Afghan intervention, or to other territories that are currently under foreign occupation. This does not mean, however, that the historic state-building cases offer no lessons for today’s policymakers. Like Afghanistan—as well as East Timor, Sierra
Leone, and many other territories recently or currently under foreign occupation—both Taiwan and the Philippines were populated by those who saw themselves as belonging to clans, rather than nations or even ethnic groups; placed patron-client relations at the center of social, political, and economic interactions; and frequently fought one another for control over scarce resources and for settling long-lasting feuds. As such, while the structure of the occupation, as well as the tools and strategies available to foreign agents, may be radically different between the early twentieth-century cases and recent state-building missions, the basic institutional problem of building modern (i.e., rational-legal) governance institutions in territories characterized by traditional forms of authority is the same.\textsuperscript{43}

In particular, two basic implications emerge out of the colonial Taiwan and Philippine cases, which in turn help explain why the state-building mission in Afghanistan is failing. First, effective institutions are forged out of a pragmatic and experimental process; pre-conceived plans and reform strategies, no matter how carefully they may have been formulated, are likely to fail. For this reason, the most important ingredient to state-building success is that foreign reformers are afforded considerable discretion in building new institutions. Second, whether local ownership improves or degenerates the effectiveness of an institution is closely tied to the institution’s internal structure. Although local ownership enhances a hybridic institution’s effectiveness, it leads to the corruption of a dualistic one. Finally, in addition to these two broad implications, six specific lessons follow from the colonial case studies, which in turn serve as guides (or warnings) to current and future state-builders.

I. Military occupations are more likely to succeed than those led by civilians

Military officers are not well suited to designing and implementing development projects. As seen in the Afghan case, they are prone to support financially unstable projects that do not meet the needs of local communities. Meanwhile, in the Taiwan case, the Japanese Imperial Army was blamed for turning civilians into insurgents through their repressive rule, and it was only after the military was removed from all civilian duties that security conditions began to improve. Nonetheless, militaries are most suited to lead a state-building campaign, as they are afforded considerable discretion in executing their assigned mission. Civil Administrator of Taiwan Gotō Shimpei’s (1898-1906) plan for structuring Taiwan’s police institution (according to the nineteenth-century Prussian model) survived even after it was rejected by the Minister of Home Affairs (in Tokyo) because it had the backing of Governor-General Kodama Gentarō, who was among the most influential generals in the Imperial Army. On the other hand, police chief Harry Bandholtz’s (1907-1913) plan to integrate the municipal police into the Philippine Constabulary failed to receive the support of successive civilian Governor-Generals of the Philippines, as they dared not deviate from the priorities of Washington. The problem with Bandholtz’s institution-building strategy was that it contradicted one of the U.S. state-building mission’s core tenets: the principle of local (municipal) autonomy.

Hence, it is not the superiority of military commanders as state-builders that make them ideally suited to lead such campaigns; rather, their relative autonomy vis-à-vis the home government provides them the discretion necessary to succeed. The case of Kodama Gentarō and other Japanese generals serving as colonial administrators was extreme in that Imperial Japan was a country with extremely weak civilian control over the military. Yet, even in the United

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44 Senate Committee on Foreign Relations, Evaluating U.S. Foreign Assistance to Afghanistan. It should be noted, however, that many projects implemented by USAID (an agency of the U.S. government responsible for administering foreign aid) are also reported to be unsustainable.
States, where civilian control is well established, generals are more likely than any civilian counterpart to possess considerable discretionary authority in the operational field, as witnessed in both the recent Afghan and the Iraq occupations. Nonetheless, because military officers are not experts in designing development projects, military occupations are more likely to succeed when there is close cooperation between military commanders and civilian experts. This was the case in Taiwan, as seen from the partnership between Kodama Gentarō and Gotō Shimpei, as well as in the post-World War II Japanese and German occupations, led respectively by generals Douglas MacArthur and Lucius Clay.

II. More time, manpower, and money do not guarantee state-building success

The failure of the United States to establish effective police and education institutions in the Philippines was particularly notable in that these were among the top priorities of the colonial administration. For example, the 1902 colonial budget was 17.4 million pesos (approximately 8.7 million dollars). Of which, the two leading items on the budget were education (at 3.6 million pesos) and policing (at 2.5 million pesos). Moreover, from 1901 (when the Constabulary was created) to 1917 (when a Filipino was first appointed as Chief of the Philippines Constabulary), 70 percent of the commissioned officers were Americans. In turn, Filipino policemen received particularly intense training and tutelage by the Americans. Indeed, the only bureaucratic organization to be subjected to longer and greater U.S. supervision was the Education Bureau, where an American served as Bureau Chief until 1935, and where most division superintendents and school principals were Americans up until the very end of direct U.S. rule over the

archipelago.\textsuperscript{47} As these examples painfully demonstrate, no amount of training or tutelage by foreign advisors, as well as infusion of money, can overcome a bad institutional design.

The amount of time and resources foreign powers commit to a foreign occupation do nonetheless impact the transformativeness of a state-building campaign. The Japanese colonial state in Taiwan was able to exert its influence deep into Taiwanese society not only because of the skillful use of \textit{hoko} (a traditional Taiwanese system of village-level policing and collective responsibility), but also because of the ubiquity of Japanese police officers throughout the island. In 1910, for example (that is, 15 years after Japan’s annexation of Taiwan), a police force of 5,980 men was dispersed throughout the island, such that there was one police officer for every 820 non-aboriginal Taiwanese residents, compared to a ratio of about one to a thousand in metropolitan Japan. (The police to population ratio in aboriginal territories was 1:58.)\textsuperscript{48} Of this force, 4,558 (or 76.2 percent) were Japanese.\textsuperscript{49} Given that the police and local administration were tightly integrated in colonial Taiwan, the high police to population ratio directly translated to state strength. Had Japanese police presence been much smaller, it is likely that the Japanese would have depended more heavily on prominent Taiwanese to act as intermediaries between the colonial state and society. In turn, much more of the original decentralized political structure that revolved around prominent landlord families would have been preserved, a la Philippines.


\textsuperscript{49} Taiwan Sōtokufu Keimukyoku, \textit{Taiwan Sōtokufu keisatsu enkakushi} [A history of the Taiwan Government-General police], vol. 1 (Taipei: Taiwan Sōtokufu Keimukyoku, 1933), p. 810.
III. Institutions that are effective under a foreign occupation may fail with independence

The U.S. state-building effort in the Philippines is largely considered by scholars to have been a failure. Nonetheless, often missed in recent assessments of the Philippine occupation is that the U.S. colonial regime was quite effective in governing the archipelago during its nearly forty years of existence. The Philippine Constabulary played a particularly significant role in suppressing the insurgency, collecting valuable intelligence on revolutionaries and other enemies of the United States, and forging collaborative ties between the conservative landed elite and American colonial officials. Despite the Constabulary’s effectiveness as a police organization, however, the larger institution of policing was itself dysfunctional due to its dualistic structure. Provincial elites fielded their own private police force, and even municipal police units (which were nominally under the authority of the Constabulary) largely functioned as the municipal mayor’s personal bodyguards. With coercive power thus dispersed throughout Philippine society, the Constabulary’s effectiveness ultimately depended on the large U.S. military presence to deter any “misbehavior.” In short, an institutional structure that may prove effective within the context of a foreign occupation may contribute to instability under normal conditions. The performance of an institution under foreign occupation is not indicative of its effectiveness in the occupation’s aftermath. A more reliable marker of an institution’s post-occupation effectiveness is its internal structure—i.e., its degree of hybridity.

Nonetheless, as discussed in the introductory chapter, the tendency in the study of state-building is to measure the success or failure of a reform effort based on “performance

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indicators," such as GDP growth, number of battle deaths, and survey results on perception of institutional performance. The problem with these indicators, however, is that they provide a picture of an institution's effectiveness only up to the present, and say little about how an institution may perform in the future. Indeed, if we were to measure the Philippine Constabulary's performance in the 1930s, we would have concluded that the United States was highly successful in building a police institution in the Philippines. Meanwhile, positive reports by the U.S. military on the Afghan Local Police's recent performance have fueled hope that security sector reform is now on the right track. Yet, even if such assessments depict an accurate picture of present conditions, they tell us little about whether village-level police units will continue to contribute to peace and security in the absence of a large U.S. military presence. In order to determine more precisely the likely outcome of the ongoing campaign in Afghanistan (and elsewhere), it is necessary to predict how new institutions may evolve in the occupation's aftermath. A typology of institutional structures—which categorizes institutions based on their degree of hybridization and local ownership—will therefore prove more accurate in assessing the success of a reform effort, even if such qualitative measures are inherently subjective and difficult to apply systematically across different cases.

IV. Local ownership may be substituted by a large foreign presence

Since the mid-1990s, "local ownership" is commonly flagged as a necessary ingredient of a successful state-building effort. Although the exact meaning of this term is the subject of much debate, at minimum, it means that the local population (or more accurately, representatives of the local population) regards the operation of a particular institution to be in its best interest.51

51 For a discussion of the meaning of "local ownership" and its history, see Timothy Donais, "Understanding Local Ownership in Security Sector Reform," in Local Ownership and Security Sector Reform, ed. Timothy Donais (Berlin: Lit Verlag, 2008): 3-18; Simon Chesterman, "Ownership in Theory and in Practice: Transfer of Authority in
However, as Simon Chesterman writes, the reality is that although local ownership is explicitly or implicitly touted in almost any institution-building strategy produced by aid-giving organizations, “ownership in the development field has frequently been of more rhetorical significance than anything else.”\(^{52}\) In fact, as demonstrated in preceding chapters, local ownership is likely to pertain only when native elites can mount effective resistance against foreign occupiers, and force them to design institutions that take into account local interests.

Actor interests and institutions, however, are co-constitutive. In other words, interests shape the type of institution that is demanded by local actors, but once established, institutions then shape actor interests, albeit gradually. Therefore, if foreign occupiers are willing to commit the manpower, time, and resources necessary to enforce an institution initially lacking in local ownership, then local ownership may eventually be induced through the very operation of the institution. This was indeed observed in the case of education reform in both colonial Taiwan and the Philippines. Hence, while a large foreign presence does not assure the establishment of effective institutions, it does allow foreigners to side-step the problem of local ownership. This becomes particularly significant when the population of a target territory is divided along two or more competing ethnic or sectarian groups, such that institutions which advance the interests of one group will inevitably hurt those of another. Under these conditions, the most effective type of institution may be one that is not owned by any of the competing groups.\(^{53}\)

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V. Under a dualistic institutional structure, local ownership is more bad than good

While local ownership will help new rules and regulations obtain compliance within the target territory, it does not ensure that an institution will induce its intended behavioral outcome from the subject population. More consequential for an institution’s effectiveness is its internal structure. When Taiwan’s 機窩系统 was first reconstituted in 1897, for example, it obtained the support of local Taiwanese elites, as the system helped to consolidate their authority at the village and township levels. However, despite such support by the local elite, 機窩 units largely failed in their primary task of thwarting insurgent activity. It was only when the 機窩 system was carefully integrated into the formal colonial police structure in the ensuing years that they came to serve as the backbone of the Japanese colonial administration in Taiwan.

Moreover, local ownership can lead to an institution’s corruption when combined with a dualistic institutional structure. The reason for this lies in the fact that local ownership makes an institution’s evolutionary trajectory highly stable (i.e., path dependent), thus ensuring the reproduction of an institution’s core elements, both good and bad. Consequently, local ownership of an ineffective institution means that the various factors causing an institution’s dysfunction—such as the dualistic relationship between new and old institutional elements—are encased, making it difficult for foreign (or domestic) reformers to fundamentally alter the institution’s design for the better. This was observed in the case of America’s reform of the Philippine education system. Given that Filipino elites perceived Catholic private schools as providing the best schooling for their children, they attached very little educational value to the newly built secular public schools. Filipino elites nonetheless came to support the rapid expansion of these schools, for they served as a convenient tool for attracting government appropriations to their home districts. In turn, the quality of public schools deteriorated, as the expansion of the school
system outpaced the training of competent teachers. If Filipino elites had regarded the public schools as an important source of their children’s education, this strategy of abusing education appropriations for electoral benefit would not have been viable.

VI. Choice of owners in local ownership should be a part of the institution-building strategy

Leading the Taiwanese resistance against Japanese occupation in 1895 were high-ranking members of the gentry elite and heads of familial clans. They were typically large landlords, who garnered the support of multiple villages within a single region, and could therefore field large rebel forces against the Imperial Japanese Army. It was in the face of this popular resistance—led by Taiwan’s foremost elites—that the Japanese colonial administration decided to resurrect the hokō system; the ultimate success of this system was due to the fact that it obtained ownership by the elite. However, this “pro-Japanese” elite, who served as heads of hokō units, were not the prominent landlords and gentry members that led the initial resistance, but village-level notables, whose influence did not extend far beyond their local communities. In this way, by empowering village notables, the Japanese succeeded in weakening the influence of Taiwan’s traditional leaders, enabling them to concentrate political power in the hands of colonial administrators. Effective resistance compelled the Japanese to design institutions with local ownership, but by taking advantage of traditional divisions within Taiwanese society between large landlords and less prominent village notables, the Japanese established a new system of colonial governance that best served their exploitative goals.

The moral of the story is not that foreign occupiers should manipulate divisions within the subject society to advance their own selfish goals; rather, foreign reformers should be cognizant of the fact that their decisions regarding institutional design will inevitably affect the balance of power within the target territory, empowering some elites over others. Indeed, the
reason why large and well-connected warlords and tribal leaders are thriving in Afghanistan today is because institution-building has focused almost exclusively on the national level. When the occupational authority concentrates power in the central government, those elites with access to national-level political office are most rewarded. It is precisely for this reason that the ALP program (if it can avoid colonization by the Ministry of Interior) may hold the key to Afghanistan’s future. Since the ALP, at least under the original arbakai-model, is organized and maintained by village councils (i.e., shuras and jirgas), it has the potential of empowering village elders at the expense of district and provincial level warlords. If this leads to the permanent weakening of warlords, it will do more to buttress the power and authority of the central government than any of the centralizing reforms currently favored by donor governments and aid-giving organizations.

4. Conclusion

Humanitarian and other normative concerns lie at the heart of contemporary state-building missions. From Cambodia (where the United Nations assumed sovereignty over an independent state for the first time) to Kosovo and East Timor, the desire to transform war-torn societies into exemplary democracies has guided the actions of foreign reformers. However, as demonstrated in the above discussion of Afghanistan, noble goals of fostering a freer and fairer society instill rigidity into the institutional reform process; models based on the Western bureaucratic (rational-legal) state are often ill-suited to societies where traditional forms of authority reign supreme. As we saw in the colonial cases, institutions rigidly modeled on Western precedent are less likely to be integrated into the preexisting institutional order of the target territory, thus resulting in corruption and ineffectiveness. It is not wrong for state-building missions to be undergirded by humanitarian impulses. Such impulses, however, must be
mediated by pragmatic reformers with the discretion to selectively borrow from both foreign and native institutional elements to construct a coherent and effective whole. A dysfunctional institution, even if it embodies universal normative principles, does more harm than good.

Pragmatism, however, should not be allowed to completely trump normative concerns. It is not always the case that the most effective institutions are ones that reflect the sense of justice and fairness of the local population or that of the “international community.” Consequently, the provision of discretionary authority to the occupational administration—an inherently autocratic entity—must be coupled with some means of ensuring agent accountability to the principal governments and international organizations. Moreover, it is necessary to be aware of the fact that all institutions have distributional implications; institutions with “local ownership” will still produce winners and losers. Local ownership is therefore not a good in itself. It may even be the case that a more just institutional design is one with very little support from the local elite stratum. Yet, if occupiers are unwilling to invest considerable time, money, and manpower into the state-building effort, only institutions that are strongly supported by native elites (no matter how corrupt they may appear in the eyes of foreign reformers) will survive the occupation.

Ultimately, state-building cannot be debated strictly from an institutional perspective, for it concerns some of our most cherished beliefs on good government, social justice, and economic fairness. Good intentions, however, do not necessarily lead to good outcomes. In seeking the right balance between strategic and normative concerns, and between pragmatism and idealism, the first step is to understand how effective institutions are created under foreign occupation. It is with this aim that this dissertation was written.
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