A Third More Seats Is Not a Third More Democracy

Here is a statistic that sounds like progress: between 1909 and 1912, the statutory seats in China's provincial assemblies grew from 1,647 to 2,192 across the same twenty-one provinces — an increase of 545 seats, roughly 33 percent, in three years. A new republic, expanding representation at a brisk clip. It is exactly the kind of number that gets quoted to show an institution growing toward democracy. It shows nothing of the sort. It measures the growth of statutory capacity — seats authorized on paper — and says nothing about who could vote, who actually sat, what the assemblies could compel, or whether any of it survived contact with the executives and armies around them.

Who was allowed in

Start with the electorate. The September 1912 Law on the Election of Provincial Assembly Members restricted the vote to men aged twenty-one or over who met residence and tax, property, or education requirements; the minimum age to stand for election was twenty-five. Elections were indirect, run through primary and secondary stages, and the statutory multiple of primary electors cannot be treated as a count of voters. The late-Qing consultative assemblies of 1909 operated under comparable filters — age, education, examination degrees, official posts, or property — under the supervision of governors-general and governors. Women, low-income groups, and everyone outside the qualification net were not made participants by adding seats above their heads. Thirty-three percent more chairs in the room; the room's door unchanged.

Even the paper rules were not the rules in force. The implementing law of 2 October 1912 provided that the newly promulgated table of secondary-election districts for provincial assemblies did not apply to the first election: that election would instead use, by analogy, the district tables drawn for the House of Representatives, and the implementing law would be repealed once the election was done. Anyone reconstructing the first provincial assemblies from the 1912 provincial district table is reconstructing an election that never used it. Text promulgated and law applied are two different facts — and the gap between them is where a great deal of constitutional history quietly lives.

Five drafts, no constitution in force

The provincial constitution movement of 1919–1925 makes the same point from the other end. Five provinces produced, or are said to have produced, draft provincial constitutions. But drafting, deliberation, ratification, promulgation, and implementation are five separate levels of fact, and the evidence supports a different level for each case. Hunan has a locatable printed draft from 1921; later accounts of referendum and promulgation in 1922 still await confirmation from official notices and contemporary newspapers. Zhejiang's 1921 text was entangled in a dispute over which body could ratify it. Guangdong's draft — whose September 1921 text spoke of rights "without distinction of sex, race, religion or class" — passed its second reading in the provincial assembly on 19 December 1921, and there it stopped: no third reading, no popular referendum, never in force. Fujian's assembly is reported to have promulgated a constitution in January 1925, but the claim rests mainly on secondary chronologies, without the assembly's original resolution. And Jiangsu's supposed 1921 draft is, so far, a title in a navigation box — its existence unverified, let alone its adoption.

The honest conclusion is neither that the provincial constitutions all succeeded nor that they all failed. It is that the links broke at different places — between producing a text, securing an authority entitled to ratify it, and getting an executive to implement it — and that any account which treats the first link as proof of the last is fiction.

Count what can be counted — and say what it counts

None of this makes the numbers useless; it makes them specific. The seat figures are statutory quotas, not counts of members elected, attending, or voting — for Jiangxi, the record itself disagrees, with 97 statutory seats in one source and 93 members plus 12 alternates in another, a dispute the evidence has not yet resolved. Whether provincial assemblies could actually constrain power depended on four distinct conditions: an adequate mandate, clear statutory powers, resolutions that could bind the executive, and military and fiscal conditions that permitted continuous operation. The years 1914 to 1919, when the assemblies were interrupted and unevenly restored, tested the fourth condition and found it wanting. A representative institution is not a number of seats. It is a mandate, a power, an enforcement path, and a chance to survive — and early Republican China could rarely assemble all four at once.

Read the full paper: From the Late-Qing Provincial Consultative Assemblies to the Republican Provincial Assemblies, 1909–1925