

REDEFINING PUBLIC ENGAGEMENT: THE ROLE OF CIVIL SOCIETY IN 1940S CHINA

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Abstract: This study examines a 1941 announcement by Ruan Tiandan, a government worker in China, and its implications for the concept of civil society in wartime China. Ruan's public exchange with Mrs. Hong, involving accusations, counter-accusations, and refutations, is analyzed to understand the role of an imagined public in shaping state-individual relations during a time of conflict. Ruan's tone suggests the existence of an imagined public that could pass moral judgment on the disputing parties, impacting the outcome of Hong Jincai's lawsuit. This paper discusses the Western and Confucian traditions of the public sphere and civil society and how they influenced the dynamics of civil society in China. It argues that Chinese individuals combined elements of Confucianism and Western republicanism to create a unique Chinese model of republicanism, where an expanded citizenry participated in societal affairs. Despite the influence of Confucianism, Chinese individuals still found venues like newspapers to voice grievances and expose social injustices. This study contributes to the understanding of how Chinese civil society evolved during a critical period in history.

Keywords: Civil society, public sphere, imagined public, state-individual relations, wartime China

Introduction

In 1941, with China deeply embroiled in the Pacific War and her economy sliding into recession, an announcement appeared in a South China newspaper. The author, Ruan Tiandan, was a government worker who posted the announcement to defend himself against a character attack from a woman named Mrs. Hong. The posted piece was part of a public exchange involving accusations/counter accusations and refutations/counter accusations. According to Ruan Tiandan, Mrs. Hong's son was allegedly involved in an opium-trafficking crime. Mrs. Hong claimed that Ruan Tiandan and his wife, both low-rank corrupt government workers, had falsely incriminated her son as revenge for his role in informing the authorities of the Ruans' criminal behavior.... If we husband and wife had any practices of corruption or malfeasance while we were serving in the hygiene station, the station and local officials should have investigated us. Why should it have bothered your son to inform the authority? ... You [italics added] said your son suffered from the investigation of the local hygiene station because I used a pseudonym and pretended to be a worker to inform and falsely incriminate him in front of Liu

Xian in an unbridled way. Then, what was the worker's name that I had pretended to be? In which department did the worker serve? You pointed your finger at me and questioned why I testified that your son Jincai was involved in kidnapping and drug-trafficking. This is ridiculous. You questioned me where my substantial evidence is regarding these crimes. The policemen of the first district found in your home the tools for opium-smoking and drug-addicts on June 4 of this year. Whether or not your son sold drug, please ask the lawyer because I do not know the laws. Why did you question me? You also claimed my wife and I [Tiandan] are scoundrels. I am a man of integrity and never received any legal punishment. All local people should have been able to realize the fact. There is no need for me to defend myself. I am only an ordinary person and commit no blunders to any person. How come I received this thundering shock from nowhere and unfair accusations of a grievance-filing announcement?

I should have ignored your announcement, but it matters to my wife's and my reputation [*italics added*], so we wish to refute your points one by one in order to correct the information. (Ruan, 1941, p. 2) Note Ruan's tone in this announcement. It is as if the two adversaries were engaged in a court debate where false accusations are detailed. Ruan seemed to invite the reading public to be the witness in order to clarify the facts and restore his reputation. Since Ruan was neither the defendant nor the plaintiff in the lawsuit with Mrs. Hong's son, Mrs. Hong's accusation mattered only because it might have severely damaged the couple's social status and their qualifications to serve in the government. Both Mrs. Hong and Ruan Tiandan similarly presumed the existence of an imagined public, who would pass moral judgment on these two disputing parties after reading their announcements. The components and scope of this imagined public might be beyond the knowledge or perception of Hong and Ruan, but such local moral community within the reading public had the potential to impact Hong Jincai's lawsuit. Could this announcement indicate the pervasiveness of the concept of civil society in China, even during wartime and in local culture? And what kind of meaning could this 1941 announcement and other cases reveal about state-individual relations? In order to answer these questions, the first two parts of this paper will discuss the issues of the public sphere and civil society in both Western republican tradition and in the Chinese Confucian tradition. The third part will return to Ruan Tiandan's case and another set of announcements to further explore the state-individual relations and to illustrate the dynamics of civil society in wartime China. Finally, in the fourth part, this paper will argue that Chinese individuals merged pieces of the Chinese Confucian tradition with the Western republican tradition to create a Chinese model of republicanism, whereby an expanded citizenry participated in societal affairs. Concepts such as social order and duty in China's group-based Confucianism continued to effect in the new public realms in which each individual had received his/her legal rights. Even though voices of some publics or counter publics might be marginalized or belong to the weak in society, print venues such as the newspaper offered these groups arenas in which they could vent their grievance or expose social injustice. Recent scholarship on the public sphere and civil society shows that the Confucian civic tradition presents a different concept of "public" from that of the Western republican tradition. Western concepts of public opinion and the public are rooted in the conceptions of liberalism and republicanism. Although China can claim

no role in the origin of republicanism, a version of civil society and public opinion (gonglun) in the moral-administrative system based on Confucianism exists and will be explored in the pages that follow.

1. Civil Society and the Public Sphere in the Western Republican Tradition

In order to discuss the conceptions of civil society and the public sphere, it is essential to reflect on the Western dichotomy of public and private during the modern era. According to T.G.A. Pocock (1975), ethics in ancient Athens constituted an indispensable element in every human activity and in public life. Aristotelian theory of civil society is that the citizen formed different and multiple associations, all under the protection of the law-governed polis, to rule and to be ruled “as one of a community of equal heads making decisions which were binding on all.” In addition, the citizen “took part in the determination of the general good, enjoying in his own person the values made attainable by society while contributing by his political activity to the attainment of values by others” (pp. 67-8). Larry Sidentop (2014) further pointed out that there was no such distinction between the public and private spheres in ancient Greek society, but there was distinction between the public and domestic spheres. And the domestic sphere was understood as the sphere of the family (p. 18). Although Renaissance and early modern humanists, such as Niccolò Machiavelli, endeavored to recognize and conceptualize these republican virtues (virtus) and the ideal of voluntary political participation by the citizenry, the notion of civil society was redefined in the modern context of nation-states, globalized market economy, and a rising middle-class. In contrast to the first body of thought on civil society which appeared in ancient Europe, scholars of the liberal republican tradition during the Enlightenment, such as John Locke, emphasized the self-interested human nature and inclination to resist the power encroachment of the state (Ehrenberg, 1999, xiii-xv). Others, such as Jean-Jacques Rousseau and Alexis de Tocqueville, were more in line with the civic republican tradition that hoped to direct the self-interested human nature toward the public good. Such traditions were both embodied by the American and French Revolutions and the ensuing constitution-making processes. Whether it is the liberal or civic construct, republicanism is founded on the concept of non-domination, calling for each citizen, who has been endowed by natural law with liberty and equality, to come out of his private realm and to actively participate in politics in order to guarantee those rights. This dichotomy of public and private suggests a constant fear that the state could impose its will upon individuals without the latter's permission.

Twentieth-century discussion of public opinion, civil society, and the public spheres centers on rational communication and on how public life values social integration. Hannah Arendt (1998) pointed out the danger of a shrinking public realm in *The Human Condition*. She noted that modern scholars, both liberal and socialist, put too much emphasis on the concept of an economic man rather than on man as a social and political animal. She then revised the concepts of “public” and “private.” Political life is intrinsic and crucial to modern life. Therefore, she discussed the term *vita activa* and argued that only action (and speech) is political and can move society forward, transcending human beings' biological limitations (labor) and artificial work on earth. Modern citizens should lead “a life devoted to public-political matters” (pp. 7, 12; Canovan, 1998, pp. vii-xvii). Otherwise, the seeds of totalitarianism would be sown. Paralleling her assessment of Plato's concept of the philosopher-king, Arendt believed “the trouble with these forms of government is . . . the banishment of the citizens from the public

realm and the insistence that they mind their private business while only ‘the ruler should attend to public affairs’” (p. 221). Similarly stressing the significance of political participation, Jürgen Habermas (1991) highlighted the ideal of a bourgeois public sphere for its ability to advance itself with educated debate and moral discourse over general rules and government policies, so that public opinion is generated. He placed the narrow-sense civil society (market economy) and the authentic public sphere in the private realm which is constituted by private people and in opposition to the sphere of public authority. This implies that his public sphere in the political realm is evolved from the rational mechanisms of market economy, and “through the vehicle of public opinion,” the state must respond to people’s needs (pp. 30-1).

Habermas’s model presumes that civil society and the state are two relatively distant, though not opposite, theoretical and physical entities in the political continuum. The family is seen as an involuntary association that functions in the private domain. Only through individuals' voluntary participation in associations and subsequent engagement in political affairs will the public sphere develop a buffer zone to prevent the state's uninvited penetration into the individual’s private realm. This ideal public sphere, however, has to face the challenges of individual and irrational interests in real life: the "disorganization of civil society" after the scope of the bourgeois public is expanded to the mass and after the mass replaces the concerns about the public good with private interests in its own discourse. Regardless of whether a so-called ideal bourgeois public sphere ever existed in history, Habermas establishes a norm of civil society, the bourgeois public, the public sphere, and the public opinion born within it, to evaluate his contemporary society. Scholars' responses to Habermas’s public sphere thus concentrate on the comparison of Habermas’s Enlightenment ideal with the reality in various societies. In their 1992 publications on Habermas’s public sphere, scholars such as Nancy Fraser and Michael Warner both argued that there are various counter publics contemporaneous with the bourgeois one in history (Calhoun, 1992). Fraser offered a philosophical model and noted that subaltern and marginalized groups, such as women, workers, and other ethnic groups, shaped their publics and counter civil societies (pp. 115-6). As everyone can concurrently participate in several different publics, the boundary between public and private is also blurred because the definition of public good is under constant debate (pp. 125-31). And Warner further argued that in contemporary society the public under construction establishes its subjective identification through the process of reading, negating and debating. The ideal of the bourgeois public sphere and the power of the mass media imply a danger of self-abstraction which denies the voices of competing publics and subcultures, but dissemination and consumption of these voices and subcultures allowed minorities to embody the rhetoric about their personhood (pp. 377-401). Scholars concurred on the existence of multiple civil societies, their social movements, and the communication-negotiation process; there existed a much more complicated picture in reality than Habermas’s original pattern.

The last decade has produced more exploration of the public/private dichotomy, relations of multiple publics (or counterpublics), the “fragmented public sphere,” and the process of forming individual and collective cultural identities. Jeff Weintraub (1997) first questioned the public/private dichotomy by examining classical liberalism, republican virtue, sociability, and feminism. In the republican tradition, “just as the ‘public’ realm (and politics)

cannot be reduced to the state, the realm of social life outside the state (and its control) cannot simply be identified as ‘private’” (p. 15). In addition, the communal ties and sociability, as shown in the rich public life of the Mediterranean cities, is not dependent on state affairs or confrontations with the state (p. 18). To be precise, he argued that “no ‘necessary connection’ exists between the public and the political” (Berezin, 1998, p. 366). Eiko Ikegami (2000) applied network analysis to illustrate how an individual establishes her/his subjectivity on the foundation of multiple identities as s/he leads a life that crosses from one public to another.

Human agency is the key in the construction of publics, counterpublics, and various discourses (pp. 989-1029). Jeffrey Alexander (2006) proposed the overall conception of the “civil sphere” to discuss how the discourse developed in this democratic public sphere could recognize and incorporate “noncivil” spheres, such as state, family, and community. Such interactions might not be harmonious, but their tensions and clashes anchor individualism, avoid repression from a single institution, expand values and social bonds widely shared within the civil sphere, and finally achieve justice. Based on the aforementioned research of the public spheres in reality, Elizabeth Butler Breese (2011) used a two-dimensional coordinate system to examine the degree and content of various public spheres located on these two continua; she argued that various publics can enjoy their mobility and changing identities and status in society from one position to another (pp. 130-49). To summarize these revisionist opinions, the public/private distinction in reality cannot be clearly drawn as that in theory; and the public/political parallel does not necessarily exist. Besides, the so-called “public” is not a holistic concept. In a society there exist a plurality of “publics,” and, although some are marginalized, they all attempt to articulate and promote their different interests. Individual identity, in other words, is in constant flux among multiple publics. It is noteworthy that the contemporary meaning of civil society or civil sphere refers to a realm which plays a mediating role to allow a diversity of publics and forces to develop their discourses, to communicate with each other, and to resist state power, in order to preserve democracy. Besides, the exploration of the relations between civil and noncivil spheres (like the family and the state) reflects the re-consideration of the public-private demarcation line. All these indicate that the parameters of civil society are constantly reshaped, allowing individuals to shift their identities between the public and the private realms and between civil and noncivil groups in various Western societies. Still, this scholarship of civil society and public spheres presumes that civil society and the state are two relatively distant, though not opposite, theoretical and physical constructs in the political continuum. In both liberal and civic republican traditions, the family is seen as an involuntary association and falls into the private domain on one end. Only through individuals' voluntary participation in associations and then in political affairs could civil society (of the contemporary definition) form as a buffer zone to prevent the state's violation of individual rights and self-interests. To which degree this Eurocentric understanding and definition of civil society could be found in Chinese society is the concern of most scholars in Chinese studies.

2. Conceptions of Civil Society and the Public Sphere in Chinese History

In the field of Chinese history, the discussion of civil society and the public sphere also started in the early 1990s. Should Chinese scholars apply the Western Enlightenment model to theorize Chinese historical experiences? If

so, how? William Rowe (1990) noted that the growth of the public sphere in China was much earlier and faster than the formation of a modern state apparatus. The Chinese public sphere grew out of two related concepts, “public” (gong) and “people” (min), the former being defined by and derived from the latter, so that the word “public” in China carries a strong sense of “collective” or “communal.” Rowe adopted a “tripartite conception of guan [state/officials], gong, and si [private], in which ‘public’ occupied a distinct niche between ‘state’ and ‘private.’” Therefore, he stressed the function of the community in the redefinition of the word “public” (pp. 317-26). Later, Frederick Wakeman Jr. further noted that state power continued to penetrate the society in the early twentieth century and “most Chinese citizens appear to conceive of social existence mainly in terms of obligation and interdependence rather than rights and responsibilities” (1993, pp. 133-4). Despite some minor differences, Rowe and Wakeman concurred on the notion of the continuous influence of a communal and even collective nature in China, rooted in the Confucian tradition and fundamentally at odds with Habermas’s liberalism- and individualism-based concept of the public sphere.

Differing from the modern republican tradition in the West, the deeply-rooted Confucian tradition, which started more than two millennia ago in China, positions each individual and his/her interests within a network of human relationships attached to the communal life. In principle, reciprocity is a key virtue in forming this network. A good community is a harmonious one in which personal interests are always embodied in communal interests or contribute to the communal good; one’s identity and status, in return, is built upon the mutual recognition and support of the social members. A Confucian state, likewise, is established on such relationships. An analysis of this relationalistic and reciprocal nature of Confucianism and the resulting relationships among the family, the community, the ruler (and his government), and the world (tianxia, all under Heaven), might be informed by a paragraph from the Great Learning, a Confucian classic: The ancients who wished to manifest their clear character to the world would first bring order to their states. Those who wished to bring order to their states would first regulate their families. Those who wished to regulate their families would first cultivate their personal lives. Those who wished to cultivate their personal lives would first rectify their minds.

Those who wished to rectify their minds would first make their wills sincere. Those who wished to make their wills sincere would first extend their knowledge. The extension of knowledge consists in the investigation of things. When things are investigated, knowledge is extended; when knowledge is extended, the will becomes sincere; when the will is sincere, the mind is rectified; when the mind is rectified, the personal life is cultivated; when the personal life is cultivated, the family will be regulated; when the family is regulated, the state will be in order; and when the state is in order, there will be peace throughout the world. (Chan, 1963, pp. 86-7) “Extension” is key to understanding the intent of this passage. On the one hand, only after extending individual knowledge and virtues could an individual properly care for his family, (the community), and then the state. On the other hand, individuals and families constitute the core of the state. Some historians, such as Ruiping Fan (2004), supported the argument that “Confucians hold a relationalistic, not an individualistic, view of human nature . . . The basic value of harmony marks the Confucian ethos as anti-individualist” (p. 81). But Peter Nosco (2008) proposed a concept of “concentric circles” to transcend this polarized opposition of relationalism and

individualism in order to interpret such Chinese familycommunity-state-world relations. Each individual is the center, with the emersed family as the first circle. The circles then cascade out next to the community which surrounds the family, and so on, until human relationships extend to the world, the largest and all encompassing circle. Nosco further argued, “there is no more ‘space’ or boundary between a Confucian ruler and Confucian citizen than between a Confucian father and Confucian son” (pp. 24-5). This presents a harmonious ideal in Confucianism: no space, no confrontation. Each individual, community, and organization is content with his or its own position and role(s) in the “Confucian world” (tianxia; literal translation: “All under Heaven”).

To further compare the Confucian and Western republican traditions, two questions regarding Confucianism arise around its practice in Chinese history. First, since the aforementioned Confucian teachings are, after all, the theoretical ideal, how were they practiced throughout Chinese history, and who participated in and had a voice in this Confucian world? Second, what kinds of challenges did the Chinese who valued this Confucian tradition encounter in the modern period? As modern China absorbed many Western Enlightenment ideas, how did these ideas reshape the discourse on and relationships among the individual, the family, the community, society, and the state? Confucianism is a vague term used by most people to refer to the state ideology and customs which upheld imperial China. Its teachings and interpretations are in a constant state of flux, dependent on various scholars' interpretations and governing strategies over time. As early as the second century BCE of the Han dynasty, scholars (such as Dong Zongshu) reinterpreted classical Confucianism, which was a set of behavioral codes, by absorbing legalism, the teachings of Yin and Yang, and the theory of the Five Agents (wood, metal, fire, water, and earth). This new Confucianism or imperial Confucianism was not only a state ideology and a cosmic scheme but also an art of government to legitimate imperial authority and social hierarchy. Whereas human relationships and reciprocity still formed its core, the aspect of patriarchal power was stressed more in practice when compared to classical Confucian teachings. The ruler, with morality, had his unique position and duty to maintain order and harmony in the three realms of Heaven, human beings, and earth (Ebrey, 1993, pp. 57-9). The same patriarchal power and duty were also emphasized in the household, which was the microcosm of the Confucian world (all under Heaven).

Therefore, the hierarchical concepts of submission and compliance overshadowed reciprocity as key Confucian virtues in maintaining the network of human relationships until the emergence of modern China. For example, virtuous rulers' instructions also revealed the elitist and hierarchical nature of imperial Confucianism. Emperor Taizong in the seventh century left some instructions to his heir about the art of effective governing. He said: A country cannot be a country without people and a ruler cannot be a ruler without a country. When the ruler looks as lofty and firm as a mountain peak and as pure, bright, and illuminating as the sun and the moon, the people will admire and respect him. He must broaden his will so as to be able to embrace both Heaven and earth and must regulate his heart so as to be able to make just decisions. He cannot expand his territory without majesty and virtue; he cannot soothe and protect his people without compassion and kindness. He comforts his relations with

benevolence, treats his officials with courtesy, honors his ancestors with filial respect, and receives his subordinates with thoughtfulness. Having discipline himself, he practices virtue and righteousness diligently. This is how a ruler should act. (Ebrey, 1993, p. 112) At first glance, this passage is similar to the aforementioned one from the Great Learning, extending an individual's morality and self-discipline to effective rule of the country and care for other people; however, the hierarchical and authoritarian nature of this rule is obvious because this is his country, his territory, and his people. The existence of the country is more for the ruler than for the people. The country is owned by the ruler rather than by the people. That "he must broaden his will so as to be able to embrace both Heaven and earth" also suggests the penetration of state power into each corner of the country, including the family. While each member of Chinese society was deeply imbued with imperial Confucianism, the core of the concentric circles in the Chinese empire, in practice, was not the individual, but the ruler; similarly, the core of each familial circle was the family head. Confucianism experienced another transformation between the eighth and the thirteenth centuries resulting in the Learning of the Way (also known as Neo-Confucianism by Western scholars), as a philosophical response to the flourishing Buddhism and Daoism and as a social response to increased urbanization and commodification. During this period leading Confucian scholars initiated a revival of Confucian rites—initiations, weddings, funerals, and ancestral spirits—to restore the ethics of social relations and hierarchy (Chu & Ebrey, 1991). Zhu Xi (or Chu Hsi), for example, believed that these rites would develop a good man's learning and behavior and then improve his virtues, for his ritual practices should conform to his positions in various groups. So a virtuous man would take it as his duty to serve in the officialdom (Bol, 1989, pp. 164-71). Other local Confucian elites centered on the responsibility of a family head. Yuan Cai (or Yuan Tsai) affirmed the necessity of investment and increase of family property because the family was more than a nexus of human relationships. The family was a corporate body (Yuan & Ebrey, 1984). Neo-Confucian scholars placed scholar-gentry at the very core of the concentric circles to consolidate the network of human relationships and rarely challenged the imperial authority of the ruler. While the emperor and the state governed from the capital of an empire with an exploding population and an expanding commodity economy, the scholar-gentry led in the local arena to regulate social order. They voluntarily assumed essential roles to enhance cohesive networking by founding community granaries and academies. Zhu Xi also encouraged philanthropy, which would help to assist the poor during the times of natural disasters, and strengthen the connections among the local elites (Tillman, 2004, pp. 124-33). The role of the scholar officials continued and can be seen during the eighteenth and nineteenth centuries as "the state relied upon elites outside formal government service to help create the institutions of public [italic added] order considered appropriate for a Confucian society, including schools, orphanages, charitable halls, and the granaries examined above. These institutions in turn suffused society with a Confucian culture" (Wong, 2004, p. 152). Therefore, the meaning of "public" should center on the "communal" and "collective" because these institutions were not part of "formal government service." Neo-Confucian activities in late imperial and early modern China thus had two attributes. First, it was communal and elitist, led by national and local scholar-gentry. Second, the ruler or the state was not standing in opposition to local communities. In fact, the state was eagerly but indirectly engaged in communal affairs via the assistance of

voluntary scholar-gentry and their associations. This relationalistic and communal nature of the Confucian tradition and its impact in local communities were similar to the vision of ideal politics in ancient Athens—“essentially public and collective” (Chan, 2008, p. 70).

The same Confucian tradition and its relationalistic nature faced harsh criticisms from disciples of the Western republican tradition at the turn of the twentieth century. This was partly because the Chinese state had been crippled after a series of military clashes with Western powers and partly due to the overarching influence of liberal republicanism in the nineteenth century. Eager to give a prescription to a feeble China suffering the fragmentation of the empire, economic stagnation, and the reshuffling of social hierarchy, intellectuals who had received Western education and resided in the urban areas sought to apply Western thought to emancipate the Chinese people from the shackle of involuntary kinship organizations such as the family and lineages. The goal was to restore each individual’s personhood, then to strengthen his or her incentives to improve productivity, and eventually to contribute to nationbuilding and the republic. The print media, such as newspapers and magazines, offered the venue to promote and circulate these concepts, and in turn mobilized more individuals to abandon Confucianism and to spread the concepts of liberty and equality. In this way a new republic would be firmly erected on the bedrock of individuals emancipated from the family. First published in 1915, the magazine, *New Youth*, is the best example of the testament to this civic engagement. To affirm the republic, a leading intellectual, Chen Duxiu, founded *New Youth*. He introduced Western Enlightenment thoughts while using provocative language to pinpoint the failures of Confucianism and its familism.

In the first year, Chen Duxiu and other liberals published articles such as “The Republic and the Youth’s Consciousness” (vol. 1, no. 1-3), “The Differences between the Fundamental Thoughts of the East and the West” (vol. 1, no. 4), and “The Constitution and the Confucian Didactic Teachings” (vol. 2, no. 3). Suggesting the sharp contrast between the Eastern and Western intellectual and social traditions, these articles seem to argue that only by “Leaving Asia, Entering the West” could the seed of liberalism and republicanism take root in the Chinese mind. Even though Chen Duxiu and many writers who felt that Chinese interests were sacrificed in the Paris Peace Conference by the Allies turned to the camp of socialism and communism since mid-1919, they continued to criticize the Confucian tradition and promote the republican ideal in a Marxist sense—a social republic. While arguing that the emancipation of Chinese from the Confucian marriage and familial system was essential to “modernizing” China in this New Culture Movement (1915 - 1919), radical Chinese intellectuals took it as their mission to topple Confucian teachings. In hindsight, however, the reality in the early republican period was a more complicated picture about the relations between Confucianism, liberalism, and Republicanism. John Fitzgerald (1996) has noted that, unlike some radical intellectuals like Chen Duxiu, the reformed elites granted new definitions to two ancient Confucian concepts of “One World” (*datong*) and “All under Heaven Belongs to All” (*tianxia wei gong*) in order to weaken the influence of individualism and to strengthen a sense of community (pp. 6-9). A reformist elite and statesman, Liang Qichao, saw “the nation as the proper ethical community for the awakened self” (p. 81). Even the revolutionary Sun Yat-sen, who admitted his failures of establishing a stable republican government but was nonetheless honored as the father of Chinese republic, argued that there should

be no paradox between individual self-awakening and social solidarity/state-building. Excessive liberties would lead the Chinese to be like a loose sheet of sand. But Confucian virtues, such as loyalty and faithfulness, could be reoriented to improve the sense of national identity and unity. Therefore, China needed “corporate (tuanti) freedom” (p. 17). This new republic could not and should not abandon the emphasis on Confucian virtues and human relationships.

In addition, Confucianism always encouraged every one’s commitment to social transformation and political engagement (Madsen, 2008, p. 12). Peter Zarrow (2006) argued that the existence of the Chinese public sphere can be traced back to the “disinterested scholars” (qingliu) movement and the “public discussion” of the “Emperor’s party” in the 1890s (p. 22). From the 19th to the early 20th centuries, a Chinese conception of public opinion emerged in the metropolitan areas where the Chinese enlightenment and industrialization put the state in touch with individual needs. A Chinese public sphere grew alongside the institutionalization of modern education, the publishing and business organizations, and the unions of the working class (pp. 41, 95). And Chinese elites nurtured their nationalistic and local political consciousness in this new civil society. As Zarrow remarked, “[Chinese] civil society did not develop as completely independent of the state or opposed to state-building . . . various formal and informal associations—like chambers of commerce, the bar, student groups, women’s organizations—and the state interpenetrated one another” (p. 113). This Chinese example challenges the absolute separation of the state and society in the Western Enlightenment paradigm of the public sphere. It is now obvious that whereas radical intellectuals wished to topple the Confucian tradition in the early republican period, they cannot avoid the attraction and urgent need to awaken and appeal to the Chinese as a collective or communal public rather than individuals with diverse private interests. Again, take for example the various article topics in *New Youth*. The achievement of a successful republic required the combined efforts of both a new citizenry and state power. These political changes could be justified and supported by the Confucian tradition, for “rulers should govern in such a way as to realize in their subjects as much as possible an ethical ideal of the person” (Wong, 2004, p. 19). A Western model of civil society, therefore, did not replace the Confucian one, for this Chinese civic tradition could either be reoriented by intellectuals to build a nation-state or remain community-focused at the lowest local level, such as villages and towns. This second appeal had its historical significance particularly in those areas where the central government was too weak to effectively rule.

For example, the emergence of a Chinese civil society about one thousand years ago occurred because the Song bureaucracy demonstrated no ability to rule over an exploding population (100 million by 1100) and China’s burgeoning commercial activities. The rise of many voluntary associations, such as communal granaries and academies, shared the central government’s burden to care for local people. Therefore, the existence of a civil society could prove critical to the life and longevity of a political regime. Nationalism, therefore, was the cohesive force in the twentieth century to activate more civic engagement in modern society. The concerns about China and her republican future brought both liberals and socialists, male and female, into political discourse and debate in the media. Being “public” meant being “political” and even “nationalistic” in the early twentieth century. As Craig Calhoun (1992) noted, “THE HISTORY OF NATIONALISM . . . is, rather, an aspect of the creation of

socially integrated political communities in which a large-scale, identity-forming collective discourse was possible” (p. 100). He further argued that “the discourse of nations and nationalism was from its beginning linked to the creation of political publics” (p. 100). Nationalism brought the three concepts of “public,” “people,” and “nation” together. In this new republican discourse in China, nationalism was not only linked to political publics, but it also redefined the meaning of “public,” blurring the line between public and private in the Western civic tradition. In sum, the differences of the Western and Chinese types of civil society not only center on the inclination of their individualistic and relationalistic natures, but also on the understanding of the essential meanings of public (gong), private (si) and family (jia). Although in modern Chinese language the character gong parallels the meaning of public in English, and the character si parallels the meaning of private in English, Chinese historians gradually questioned whether such parallels are appropriate. First of all, the word gong refers to both the governing art and communal affairs in a collective perspective. For “All under Heaven (tianxia) belong to All [gong].” Even the ruler and the empire are part of this cosmic whole. Second, the word si refers to selfishness rather than a domestic sphere within jia or individuals. Ideally speaking, such concepts of gong and jia, rather than gong and si, created the family-community-state-tianxia concentric circles, and within it each individual plays a variety of roles, crossing in and out of these circles.

Comparing the public authority in the West to that in China, one must note that different meanings of “public” suggest a variety of people’s consciousness and expectations about the state. If a modern scholar applies Habermas’s concept of public authority, which refers to the “police” and the courtly-noble society, he or she will likely focus on the violent nature of absolute state power and the space between the state and a society composed of the bourgeoisie (Habermas, 1991, p. 30). In the Confucian ideal, however, a Chinese ruler is expected to be a father figure and a sage ruler, and the government representative at the county level should be the “father-mother official” (fumu guan) (Rosenment, Jr., 2008, p. 50). The nature of state-community relations should be founded on reciprocity and caring—mutual respect and support. Nevertheless, as China entered the republican period and all people became “citizens,” endowed with political rights, the deficiency of relationalistic Confucianism in politics became obvious as the new government proved incapable of effectively responding to citizens’ demands. The requirements of a ruler and a local government official were more than morality. They should also be elected based on their administrative capability so that their relationship with the citizens was not only familial but contractual, depending on the circumstances or personal interests. Tensions arose between public authority and civil society when the ruler or government officials failed to be the father figure, broke the contract, and when the police or military encroached on the civil realm without justification.

3. Civil Society in Public Announcements: A Chinese Case

Focusing on public announcements in local (Quanzhou) newspapers, this section will illustrate why and how Republican Chinese citizens consciously aired community disputes, demonstrating the influence of both Confucian and Western republican traditions in their civic life. These materials are unique in two aspects. First, the publication place of the newspaper was Quanzhou, which was a mid-sized city surrounded by flourishing townships in southern Fujian province of China. Over the past millennium, this area was incorporated into the

Indian and Southeast Asian trading network, establishing a tradition where generations sojourned between their overseas enclaves and hometown to conduct trade. Since the sixteenth century, Quanzhou had lost its crucial role to nearby trade posts because of the sediments in its harbor, but its people continued their dedication to national and international commercial activities. Although many men were itinerant traders who were absent fathers or husbands, the remaining family and community members valued Confucian virtues more than people in other areas and were committed to maintaining familial harmony and social order. The sense of family and community here was stronger than that in other urban areas. Therefore, local people nurtured a great interest in the importation of foreign luxury goods, but not in the importation of Western political thought that valued individualism or liberalism.

Because Quanzhou was neither rural nor urban, its civil society and dynamics could reflect more the reality of early Republican China while more metropolitan areas such as Shanghai and Beijing were the nexus of all kinds of ideologies and national intellectuals. Second, the announcements selected here were published during and immediately after World War II, when the Chinese state was too weak to rule over or maintain a significant presence at many localities. Since Japanese troops had left Quanzhou intact except for the occasional air raid, local security remained in the hands of local elites and a small group of policemen or militia. During the Republican period, the semi-official “mediation councils” (tiaojie weiyuan hui), which were usually composed of the chief leaders of townships, local elders and gentry, and another “Mediation Department in the Civil Court” (minshiting tiaojiechu) served to smooth away local disputes (Chen and Zhuang, n.d., p. 335). They represented the state in the eyes of ordinary people. But did they have enough legal legitimacy or recognized morality by ordinary people to represent the state? And what if there were factions within this small group representing the state? Ruan Tiandan’s announcement in the beginning of this paper reflects some characteristics of the Western and Chinese civic traditions. First, the newspaper was the venue of both disputing parties who chose to express their opinions or to argue in public in order to generate political meaning and communal pressure. Both parties believed in their civil rights and welcomed more discussion in the community, as the content of the announcements and participants’ identities and intent were scrutinized by other citizens. Thus, there exists little divergence between the Western model of civic engagement and the Chinese model which encouraged communal discussion. Second, this announcement demonstrates the continuation of relationalistic Confucian tradition in the republican period. When Mrs. Hong voiced the “grievance” on behalf of her son, the whole case had already been under judicial investigation. She not only questioned Ruan’s civic republican virtues, but also looked forward to the communal support and the appearance of a father-mother official by choosing to accuse Ruan Tiandan in public of his corruption and false testimony. Similarly, as Ruan Tiandan argued about his integrity as qualification for the public service, he seemed to stress his civic virtue while also looking for the local people to vouch for his integrity and to establish his reputation with others. His reputation and morality were embedded in his roles and identities in the local network of human relationships. Losing respect and support in the local community would mean the loss of his personhood. Public announcements provided a realm in which Ruan Tiandan could

demonstrate his moral character, functioning as cultural capital, to win back local recognition and social status (Swartz, 1997, pp. 90-3).

A Chinese character “yuan” in the announcement title and in the text manifests the influence of imperial Confucianism’s hierarchical nature and the contrast between the relationalistic and contractual traditions. “To air a grievance” (ming yuan) and “to submit unfairness” (su yuan) are very common terms used in announcements of community disputes, and the English translation could be grievance, injustice, or unfairness. Although the nature and meaning of justice is an issue beyond the scope of this paper, a brief discussion of the manner of its application here may prove useful. John Rawls’s (1971) idea of “justice as fairness” refers to a set of principles that “they provide a way of assigning rights and duties in the basic institutions of society and they define the appropriate distribution of the benefits and burdens of social cooperation” (p. 4). Therefore, a public conception of justice “establishes the bonds of civic friendship; the general desire for justice limits the pursuit of other ends” (p. 5). In Western history, this modern concept of justice was developed in the contractual tradition. Only after an initial and dire situation pushed individuals to face the problem by entering the stage of social cooperation and instituting/revising the principles, could these individuals define their civil rights and duties and in turn to establish their relationships and positions in civil society (pp. 11-7). On the contrary, relationalistic Confucianism did not develop a theory of distributive justice (fenpei zhengyi) for a modern political community (Chan, 2008, p. 81). Imperial China’s contractual tradition did not enter politics but rather grew only in the economic realm to boost its market economy.

Classical Chinese language lacked the phrase and concept of distributive justice in modern Chinese language. From time to time, to air or to submit grievance in China has been to strive for the support of a higher or broader authority in order to restore personal interests and social roles established by communal ties. Thus, the collective of community members became the supreme judge to determine “fairness” or “justice” in order to ensure harmony among all social units in the concentric circles, extending from individuals to the cosmos. And these community members became the audience of yuan and the mediators of such disputes.¹ In addition, if a human being has multiple roles in his or her community, and if the human relationships are always in flux, it would be hard to find a set of standardized principles to define equality and justice. The following example of a series of public announcements filed by five parties—the female plaintiff, the Security Group, the administrative authority, and the local gentry—presents another community dispute immediately after the end of World War II, when the central government was still unprepared to rule over localities. A local official, particularly when he had the police at hand, served as proxy for political authority. On August 29, 1945, Wu Zhuang Xian in the Fashi Township filed an announcement to appeal to the “public examination” (gongjian) by “all officials and people in various organizations and departments of all walks of life.” She stated in the beginning that she was only the wife of an itinerant merchant and had been known for her charitable works in the neighborhood. But her house was raided and robbed by nine strongmen who did not wear any police uniform or present any warrants.

Fortunately, her neighbors and the Security Group Head (baozhang), Li Yingting, rescued her and caught one of the robbers. But the Township chief (xiangzhang), Chen Zhongying, brought more armed policemen to take away the captured robber, identifying him and the other robbers as policemen. Chen arrested and repeatedly beat Li, and he ordered more raids in the following days so that many young men and women had to flee from the community. As Wu emphasized, she could not have committed any crimes because she was an aged woman and her husband and sons were all out of town. Her only recourse was to publicize this illegal affair in hopes of obtaining effective assistance from people of all walks of life in order to avoid falling “victim to the strongmen again” (Z. Wu, 1945a, p. 2). The Security Group head, Li Yingting, joined Wu to denounce Chen Zhongying’s behavior by publishing his announcement after being released. In addition to repeating the details of the raids, Li stressed how Chen had tortured, threatened and accused him of holding opium in order to prevent him from receiving a bail hearing and from suing him in the court. Li stated that his own life was at risk, but he must present to the public the truth that Chen “despised the laws and trampled the human rights.” Li further claimed that his prints on the confession paper should be nullified because they were not made by his free will (Li, 1945, p. 1). To respond, the Township chief Chen Zhongying published his announcement to express his worry that “all people in the society do not understand the truth” and to argue against Wu and Li. Chen argued that he was maligned by two local bullies—Wu and Li—because he was loyal to his official duties and was devoted to ridding his township of gambling and drugs. According to Chen, Wu was a notorious gambler; the undercover policemen had not only found all kinds of equipment for gambling but also had arrested ten gamblers during the first raid. He stated that he could not present the gambling equipment as evidence to the court because Li’s gangs took them away from the policemen. Chen insisted that his policemen did bring a warrant with them and had asked Wu Jiaxiang, the Security Group captain, to accompany them on the raids. He further stated that all subsequent raids, threats, and imprisonment described by Wu and Li were exaggerations to cover their crimes. Finally, he stated that he would wait for the verdict of the court and refrain from making additional replies to slander (Chen, 1945, p. 2).

Wu Zhuang Xian showed her perseverance in fighting against the government official, Chen Zhongying, by publishing her second announcement on September 7, 1945, which happened to appear next to Chen’s announcement. She presented herself as a weak and worthy woman, stressed her husband’s contribution to local philanthropy, and then clarified that the so-called gambling was just entertainment after a festival feast, which was a custom that had been recognized by the local people as normal. The “policemen” sent by Chen Zhongyin all carried guns. So it was a ridiculous accusation, she argued, that Li and other people could have taken away the gambling equipment by force from the hands of armed “policemen.” Wu Zhuang Xian wished that “the virtuous and the wellinformed persons from all walks of life could make their fair judgment, and that their reputations won’t be damaged by such confusion of rights and wrongs” (Z. Wu, 1945b, p. 2).

On the same day that Wu Zhuang Xian published her second announcement, the deputy captain of Zhongyun Security Group, Wu Jiaxiang, also made his announcement to clarify his involvement in this raid. He first challenged Chen’s statement and argued that he neither knew the raid had occurred nor participated in it. His duty as a deputy-captain (duifu) of the local Security Group (bao) was to the military and the militia rather than fight

against any lawlessness. The township department kept sending policemen to investigate his house and tried to arrest him for the disputes mentioned above. He asserted that he could not surmise the reasons why they tried to arrest him, but in order to prove his innocence he had to make this specific claim to express his disagreement with the township department (J. Wu, 1945, p. 2). According to Wu Jiaxiang, Chen not only made a wrong statement in his announcement but also intended to set him up by arresting and silencing him. Although the disputes had been reported to the court and were accepted as lawsuits, their confrontation drew the attention and intervention of the local community. Thirty-six local people claimed to be representatives of the Fashi community and issued another announcement on September 18, 1945. Like a mediation council, they stated: We recently heard of rumors made by a group of unruly people to smear the efforts from all walks of life in assisting Li Yingting, the Security Group head . . . It is necessary to know that deep in their heart Fashi people do not wish their community to be trampled on or devastated by people. Now we see certain persons utilizing the laws and committing crimes while showing no fear. We worry that they would not be caught, so we arise to voice our moral support. We wish that this reason could be clearly examined by all walks of life. (Fashi Community, 1945, p. 1) The last public announcement issued by the so-called representatives of the Fashi people demonstrates that there were two opposing local factions in this incident, each claiming legal vindication for their irreconcilable position. Although on the surface they expressed an understanding and respect that they could not formally engage in the legal process, all officials, local gentry, and common people involved in this dispute made every effort to justify their behavior and win the moral support from a broader public audience. In addition, they seemed to appreciate the power of the print media and learned that they could use it to their benefit by constantly infusing new information to shape public opinion. The juxtaposition of all announcements in newspapers presented to the reading public stirred a debate reflective of the counterarguments heard in the court. The nature and function of these public announcements show that the newspaper and particularly the section of public announcements provided local people with arenas for exchanges over their morality and legal rights as a method of engaging in civic activities. When the government representative, Chen, probably misused his public authority and armed forces, these public announcements appealed to the sympathy of the reading public, an imagined public without a clear boundary or homogeneity, and urged the readers to discuss the impact on issues of public security, legal judgment, and “morality restoration” (daode chongzheng). There was neither father-mother official nor philosopher-ruler presiding over the locality. On the one hand, it seems that ordinary men could enter a public realm—the newspaper—to resist the abuse of state power. The progress of these disputes, on the other hand, demonstrates the fine line between public and private and the significance of human relationships in Chinese civil society. As Wu Zhuan Xian consistently reminded the readers of her seniority, a vulnerable image of her gender, and her contributions to local charity works, she suggested that, being a virtuous and aged woman, her words should be weighed over Chen Zhongying’s. Although all disputing parties were merely protecting their own interests, the newspaper facilitated the emergence of a new public sphere in society, one that was autonomous from the direct control of the state and which allowed both the state, other public authorities, and marginalized groups to express their opinions. It may be argued that Confucian virtues now constituted part of civic virtues in modern society.

Whereas the judicial branch was independent from the administrative one in the Republican period, the public announcements of these Fashi disputes present how the relationalistic nature of the Confucian tradition was still pervasive and, by appealing to it, one could simultaneously mobilize the community to call out the morality of any public authority and receive protection under the umbrella of public opinion.

4. A Chinese Model of Republicanism

What are the components of modern republicanism? A government and government representatives who are elected by the people who hold popular sovereignty and follow the social contract theory; civil rights, such as liberty and equality, shared by all citizens; the nature of civic virtues and political engagement the citizens hold and that further legitimize their popular sovereignty; or a combination of all of these components?

If so, the Chinese republic in the early twentieth century endeavored to broaden the citizenry but stumbled due to many political chaos and warfare. No constitution was promulgated until 1946 under the rule of the Republic of China (and until 1954 after the establishment of the People's Republic of China). But the concepts of citizenships, civic virtues, and civil rights had been gradually imbued in the public mind, first through intellectuals, then, since the turn of the century, in ordinary people. For example, women's property rights and divorce rights were already listed in the 1931 Family and Inheritance laws and upheld in the court cases even though there was not universal suffrage in the 1930s and the 1940s. This paper aims to review the genesis of republicanism in China by taking a comparative perspective—comparing the Western and the Confucian traditions, and exploring the relationalistic changes that occurred from the imperial to the republican periods. First, any examination of the rise of the republican tradition in the modern West cannot avoid the new public/private dichotomy. Alongside the formation of a bourgeois civil society, the conceptions of the “private” arose and surrounded market relations and domestic life. Although often times the concept of the public sphere overlapped with civil society causing scholars to use the two concepts interchangeably, the “public,” in fact refers to the political expression of individual interests bound by contractual obligations and legal codes established on the ideal of “justice as fairness,” in Rawls's words. Such public/private dichotomy did not really exist in the Confucian civic tradition. Rather the Confucian worldview is shaped like the holistic concentric circles with all human beings, both common people and the ruler included, are bound to each other with human relationships. When Confucian scholars discussed personal virtues and the family, they explored their meaning and significance within the context of collectivism or communalism to maintain social harmony.

Second, after 1911 this Confucian civic tradition inevitably faced the challenges of meeting the needs of a new republic. The first half of the twentieth century was the time when Chinese subjects gradually transformed themselves into citizens, recognized the meaning of sovereignty, and received more civil rights and protection. Many Chinese, however, did not experience a sharp break from the political past of imperial China because they continued to actively engage in communal/gong/public affairs. In the imperial past, a Chinese emperor was a dominant and father figure, but his behaviors had to be sanctioned by his subjects. For example, he could be censored by the scholar-officials for his immorality and failures in government. In the early twentieth-century republic, the representative of public authority was responsible for his/her rule under the public inspection.

Therefore, tensions and conflicts emerged in this transitional era from the Confucian past to a modern republican era. On the one hand, political power needed to be bound by legal responsibilities to the citizens in accord with the republican tradition. On the other hand, political participation was open to all citizens in various ways. In addition to joining public services or discussing in schools and teahouses, the newspaper and other types of print media provided the arenas for all citizens, even the marginalized ones and government representatives, to present their (counter) opinions for further discussion and debate. Especially noteworthy is that the emphasis on human relationships and Confucian virtues did not disappear but continued to exist in Chinese society, as we have seen in the announcements of the newspaper. In addition, the state or public authority was not isolated from the public sphere or civil society. The reality was constant interactions between the state and other social units.

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