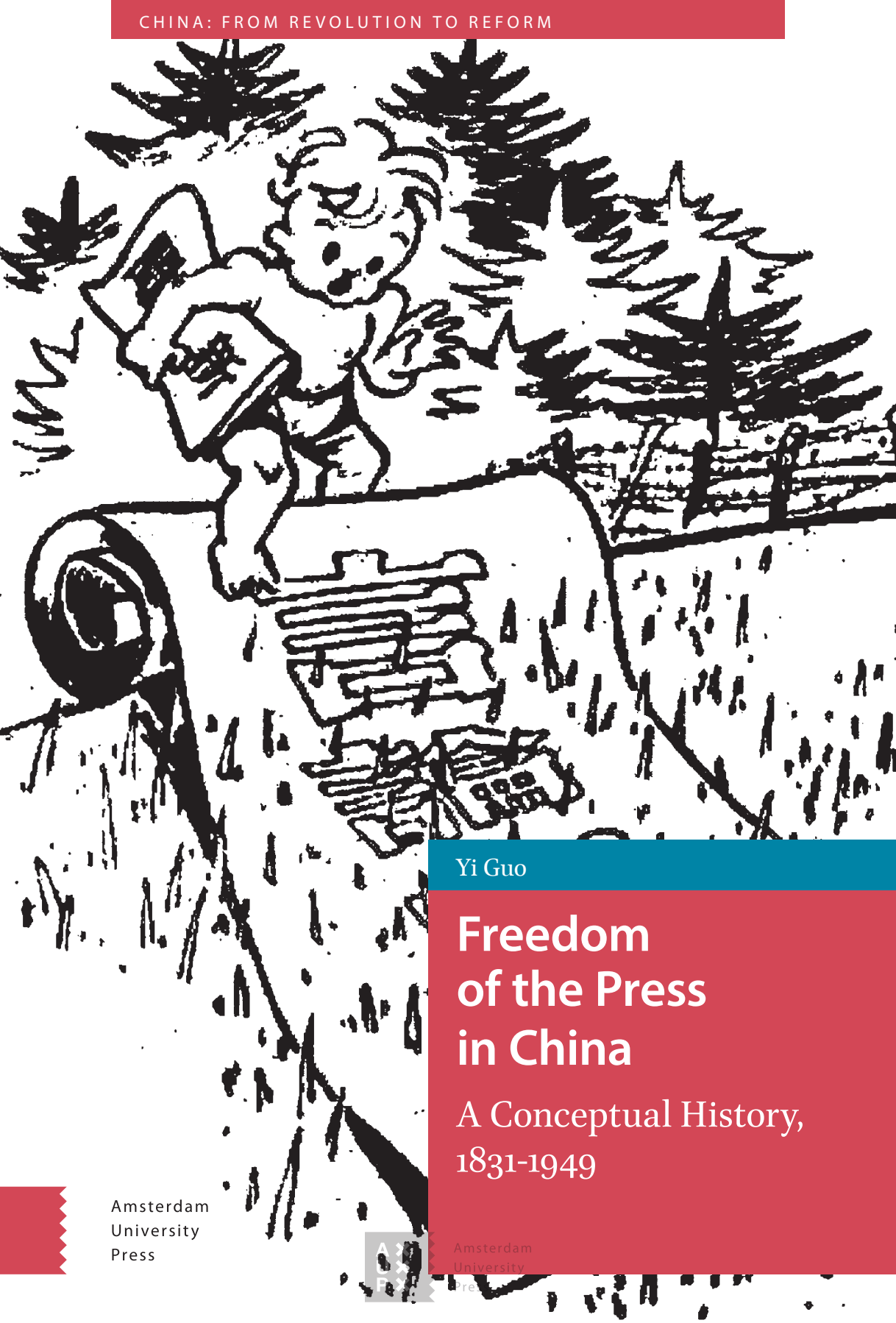
CHINA: FROM REVOLUTION TO REFORM



Yi Guo

# Freedom of the Press in China

## A Conceptual History, 1831-1949

Amsterdam University Press

Freedom of the Press in China

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# Freedom of the Press in China

*A Conceptual History, 1831-1949*

*Yi Guo*

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Cover image: An infant holding a pillow totteringly steps out, with one of his feet stamping on the edge of the carpet. The words on the pillow and the carpet are "journalism" and "freedom of speech," respectively (on this cover the characters "自由" are obscured by the title card). The infant, symbolising Chinese journalism, hesitates to move forward, since ahead, the perilous road of press freedom is thick with thorns.
Image reproduced from *Zaisheng* (The Renaissance Magazine, Issue 166 published in 1947).

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# A Note on Romanization

This book follows the internationally recognized *pinyin* system for the romanization of Chinese names and terms. An exception to this is the use of the names 'Sun Yat-sen', 'Chiang Kai-shek', and 'Holington K. Tong' instead of 'Sun Zhongshan', 'Jiang Jieshi', and 'Dong Xianguang', as the former are more commonly used in English literature. To minimize confusion, 'the Nationalist Party' is used to refer to 'Kuomintang' and 'Guomindang', which appear interchangeably in some English-language literature. Where appropriate, the phrase 'Kuomintang government' is used rather than 'Nationalist government' in order to make the expression more accurate.

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Chapter 3 is derived in part from my article that appeared in *Javnost-The Public: Journal of European Institute for Communication and Culture* (Vol. 26, Issue 1, pp. 17-33).

I have aimed to write this book as an academic exploration of the factors influencing the trans-cultural reception of the concept of 'freedom of the press' within a specific context. The objective is to take a neutral standpoint to come to a better understanding of the roles and perspectives of the various parties to this process in the history of China.

# Foreword

*Edmund S.K. Fung*

I had the pleasure of meeting Yi Guo early in 2017 when he was completing his doctoral thesis at Macquarie University, Australia. I took an instant interest in his research which I found so interesting and significant. I was keen to learn about the state of press freedom in China today and in the recent past. It is widely assumed in the West that press freedom – which is inextricably related to freedom of speech, liberty, democracy, and human rights – has hardly existed in China and that the concept of press freedom has eluded the understanding of the Chinese. Many would also say that Chinese political culture underpinned by Chinese traditions, culture, and society is to blame. It is tempting to think that it is as simple as that. But in fact, the subject is more complicated than that, and the notion of press freedom, as the Chinese have understood it in recent times, needs to be explicated with sophistication and nuances.

Guo, one of the foremost representatives of a new generation of Chinese media and historical studies scholars who understands China from the inside while at the same time firmly grounded in the social science theories of Western academia, is eminently suited to tackle this important subject. Rather than arguing that press freedom as the West understands it was existent or non-existent in modern China, the book instead focuses on the changing Chinese conceptions of press freedom, exploring the basic question: how did educated Chinese, and sometimes the common people, understand it at different historical junctures and over time? To answer this question, the book departs from previous works, mainly historical, which focused on the authoritarianism of Chinese rule on the one hand and the 'democratic struggle' for freedom, democracy, and human rights on the other. Guo employs a conceptual-historical methodology derived from his media and communication studies training and informed by his broad knowledge of Chinese history, culture, and society to argue that the Chinese notion of press freedom has not been static over the past hundred years. Rather, it has varied over time and space under variable circumstances and in the

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context of social changes taking place at different historical junctures. In his words, its meaning 'changes diachronically and synchronically' as it evolved, owing to historical, social, and cultural factors that shaped Chinese thinking about it.

The idea of press freedom, like that of liberalism, was a foreign import from a variety of sources, most notably Europe and Japan, during the mid-nineteenth and early twentieth centuries. Drawing on a wide range of Chinese, English, and Japanese sources, Guo describes how it was introduced to educated Chinese via various routes and agents, including Western missionaries, Japanese scholars, exiled Chinese intellectuals in Japan, and returning Chinese students and diplomats. As a foreign import, borrowed and transplanted, its reception in China was guaranteed to give it a new neologism with a meaning somewhat different from the original alien term. Guo calls this a process of 'transcultural knowledge transfer', in which the alien concept was filtered and reinterpreted culturally and linguistically through the prism of traditional Chinese thought. Yet educated Chinese of different political and philosophical persuasions contended over the meaning of press freedom, providing a nuanced understanding of it as well as giving it a distinctive Chinese flavour. Like liberty itself, press freedom was not considered by the Chinese elite to be a basic human right that is absolute and free from restraints under all circumstances.

While Guo emphasizes the social and cultural factors in his analysis, he has not neglected the political factors that aided as well as hampered the realization of press freedom in China. The most important one was the imperative of saving the nation from the incubus of internal disorder and external aggression. Democracy, freedom of speech, and freedom of the press were viewed as means to an end rather than as universal values important in their own rights. This was a pragmatic, utilitarian approach, adopted to ensure that modern ideas and practices could be employed to aid China's modern transformation, a nation-building project that required national unity, a strong and effective government supported by the people, good governance, and a state capable of warding off foreign threats. Unfortunately, the project was not helped by the violence sweeping across the country, with incessant civil strife, revolutionary wars, social unrest, and foreign invasions. Guo demonstrates how political parties and groups as well as individuals opposed to or critical of the Nationalist government advocated press freedom for their own political ends. The Communists, determined to seize power, waxed eloquent about democracy and press freedom in the 1940s, while the Nationalists knew only too well that the Communists did not mean what they said. It was politics that determined where and when

press freedom was desirable in times of war and revolution. Press freedom was weaponized in the struggle for power.

Nevertheless, as Guo shows, there were times when the Chinese enjoyed the freedom of the press 'in accordance with the law', official regulations, and traditional 'ethical rules'. It was not press freedom Anglo-American style. But until its last days on the mainland, the Nationalist government did allow a limited free press to exist, with numerous newspapers, books, and other publications being able to criticize the Chiang Kai-shek regime reflecting intellectual dissent as well as tensions among the government, the opposition, and the general public.

The contemporary period is not covered in the book, but the issues Guo explores have significant relevance to CCP rule after 1949. In his final analysis, he raises questions about whether China will ever be able to realize the ideals of freedom of speech and freedom of the press under CCP rule. One might think that the advances in information and communications technologies and the globalization of ideas that accompany China's rise as an economic power could make a difference. But Guo is not sure. There are multiple reasons for that: Communist politics; popular indifference towards personal freedoms; an uninformed general public; a school curriculum that does not teach the concepts of individual rights and freedoms; and not least, the continuing influence of the cultural-philosophical tradition that places a high premium on 'ethical rules' and the 'moral order' that prioritizes collective interests and social cohesion.

This illuminating book advances our understanding of a subject of national and international interest. It makes a significant contribution to scholarship that will appeal to a wide audience in the China and Asian Studies fields, including graduate students of media and communication studies and cross-cultural studies as well as history and politics.

*Edmund S.K. Fung FAHA*
*Sydney*
*1 June 2020*

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# Introduction

**Abstract**
Observers of the media landscape in China often express the criticism that individual speech still suffers from arbitrary restriction and that mass media is run in an 'authoritarian mode.' Yet how did the state of press freedom in China end up like this? Was this an inevitable outcome, or are there historical antecedents that predate the communist system? To answer these questions, we need to conduct a comprehensive inquiry into China's history of press freedom because today's conception of press freedom is fundamentally related to its past. In the case of China, this conceptual history has so far received little attention. This chapter delineates theoretical backgrounds and methodological issues relating to the conceptual history of press freedom in China.

**Keywords:** liberalism, democracy, structure of feeling, freedom of speech, Asian values, transnational history

'Democracy and free speech should be taken for granted. Democracy and freedom are the fresh air that is worth fighting for.' When the outspoken Chinese graduate Shuping Yang delivered her graduation speech at the University of Maryland in the United States on 21 May 2017 – arguing that in China, 'only authorities owned the narrative' and praising the U.S. for 'the fresh air of free speech' – she might not have anticipated the extent to which her 'politically incorrect' speech would draw such harsh critique from many Chinese students in America and social media users in China. They considered her speech as pandering to America and as 'insulting China'. One such person commented in fury: 'Don't let me meet you in the United States; I am afraid I could not stop myself from going up and smacking you in the face."[1]

1 For more details about Shuping Yang's story, see Ives, 'Chinese Student in Maryland Is Criticized at Home for Praising U.S.', *The New York Times*, 24 May 2017. https://cn.nytimes.com/world/20170524/chinese-student-fresh-air-yang-shuping/en-us/. (Access Date: 9 April 2020)

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Is the reputation of the nation more valuable than freedom of speech? As the BBC's China expert Carrie Gracie commented, Shuping Yang's case 'highlighted a conflict between a commitment to free speech in Western countries that host large communities of Chinese students and the growing determination of the Chinese government and some of its citizens that free speech should be limited when it comes to talking about China, even beyond Chinese borders'.[2] Only two months after Shuping Yang's case, American graduate Cody Abbey delivered a graduation speech at the prestigious Peking University in China. Speaking highly of Chinese Confucianism and describing the U.S. President Donald Trump as similar to the brutal first Chinese emperor of the Qin Dynasty, loud and sustained applause was readily forthcoming from the Chinese audience. There was no reaction to this speech from mainstream American newspapers. It seems that only the expatriate-focused local tabloid *The Beijinger* took notice, accusing Abbey of disrespecting President Trump and 'pandering' to China's government.[3]

Backlash versus applause: the contrasting responses to the graduation speeches of Yang and Abbey once again sparked criticism of the lack of freedom of speech in mainland China.[4] Yet such criticism by journalists, commentators, and human rights observers merely added new articulations to an oft-repeated discourse showing the ongoing Western concern over the state of freedom of expression in mainland China. As a nation-state with the largest population and economy in terms of gross domestic product (GDP) in Asia, the situation of freedom of speech and the press in China has long been a concern. Even though China has in recent decades undergone reforms and experienced social change resulting in striking economic progress reminiscent to that of Singapore,[5] many scholars maintain that China has not yet realized the ideals of freedom of speech. Associated with free speech, freedom of the press is also at issue.[6] This observation echoes Freedom House's annual report on international press freedom, which has always marked the press in mainland China as 'not free' and seen China as 'home to one of the world's most restrictive media environments and its most sophisticated system of censorship'.[7]

2 Carrie Gracie, 'The New Red Guards', *BBC News*, 26 May 2017. https://www.bbc.com/news/world-asia-39996940. (Access Date: 9 April 2020)

3 For more details about Cody Abbey's story, see *The Washington Post*, 14 July 2017.

4 For example, see Chen, 'US Student Slams Donald Trump'.

5 Sim, 'Asian Values', pp. 45-66.

6 For example, see Stockmann and Gallagher, 'Remote Control', pp. 436-467; Ke, 'Newspapers: Changing Roles', pp. 43-60.

7 Freedom in the World 2020: China. Freedom House, https://freedomhouse.org/country/china/freedom-world/2020. (Access Date: 9 April 2020)

Influenced by its authoritarian tradition[8] and Soviet Russia's political legacy[9] in particular, in China the party-state determines the extent to which freedom of speech and the press are tolerated. From the late 1990s, the commercialization of media, media reforms, and new information and communication technologies (ICTs) failed to bring about a democratic media system but instead enabled greater political control; democratic principles are still ignored.[10] In addition to arbitrary censorship and repression by the political authorities, freedom of speech and of the press can also potentially be undermined by non-state parties, such as through the concentrated ownership of media.[11] In recent years, this has contributed in the West to an increasing distrust of journalists and a critical attitude towards the press.[12] The case of Shuping Yang also provides another dimension of the potential influence of non-state actors. Yang was confronted by pressure and criticism because of her outspoken and 'incorrect' speech and was forced to apologize. Observed through a contemporary Western lens, the backlash against Yang's speech reflects the issue of the lack of tolerance of free speech in China. However, in her case, the pressure and censorship came not from the government but rather from her fellow Chinese citizens. Indeed, in an interesting demonstration of the strength of nationalistic sentiment, it seems that many of her critics may even have been those who have been advocating freedom of speech and of the press via Chinese social media for so long. Her case reflects the significant paradox in contemporary China – that those who expect freedom of expression are sometimes intolerant of the free expressions of others and that the sentiment of nationalism seems to be a particularly significant impetus that can provoke this intolerance in certain situations.

While scholars have found that the majority of Chinese people tend to be comfortable with the limited condition of freedom of expression that currently exists in China,[13] a recent trend deserves more attention. Insightful research and observations have revealed that the Chinese generation born from the 1990s onwards, having long been immersed in a censored

8 Hu, *Explaining Chinese Democratization*, pp. 31-35; Zhang Boshu, 'China's Constitutional Reform', pp. 93-154; Jerome Alan Cohen, 'Introduction', pp. 3-25.

9 See Andrews, 'Introduction', pp. 1-14; Repnikova, *Media Politics in China*; Zhao, *Media, Market, and Democracy*, pp. 14-33. Also, see Chang, 'Mechanics of State Propaganda', pp. 76-124.

10 Pan, 'Media Change', pp. 96-107. Also see Hadland, *Media-State Relations*, pp. 113-129; He, *The Fog of Censorship*.

11 Hampton, *Visions of the Press*, pp. 1-18.

12 Lamer, *Press Freedom*, pp. 101-128.

13 Jiang, *Cyber-Nationalism in China*, p. 63.

information environment, are now less interested than older generations in pursuing a free press and diversity in media discourse. They are less motivated to access the uncensored internet and simply refuse to receive potentially sensitive information provided by Western media and Chinese dissidents.[14]

Scholars remark that individual speech in China still suffers from arbitrary restriction and that mass media remains in an 'authoritarian mode', as defined in the classic *Four Theories of the Press*. Yet a meaningful question that deserves more investigation is: how did the state of press freedom in China become like this? To answer this question, we need to conduct a comprehensive historical inquiry into China's history of press freedom because, as media scholars have demonstrated, today's conception of press freedom is fundamentally related to its past.[15] In the case of China, this conceptual history has so far received little attention.

Previous research has tended to adopt what is called the 'traditional historical account' of press freedom.[16] This approach delineates the development of censorship and repression by arbitrary authority and narrates the history of battles and struggles by which Chinese intellectuals fought for press freedom.[17] Some of this research has implied that China has a long-lasting authoritarian tradition that permeates the Chinese history of press freedom. Others draw the conclusion that there is a tradition among Chinese intellectuals that foregrounds a persistent resistance against tyranny and autocratic authorities. However, few have noticed that the meaning of press freedom has actually continued to change diachronically and synchronically in the Chinese context. None of these works have addressed the central question of the socio-cultural factors that have influenced the changing Chinese interpretations of press freedom.

*Freedom of speech and of the press* began as an 'alien' modern concept transplanted into China from Europe and from Meiji Japan in the early nineteenth century, which then further developed in the Chinese context. As others have established, when a concept or theory travels from one cultural context to another, its meaning might not remain entirely constant.[18]

14 Chen and Yang, 'Impact of Media Censorship'. Also see Yuan, 'A Generation'.

15 See Splichal, *Principles of Publicity*. Powers, 'Introduction'. Cornwell, *Freedom of the Press*. Friedman, *Freedom of Speech*.

16 Steel, *Journalism and Free Speech*, pp. 1-6.

17 For example, see Ting, *Government Control*; Zhu Chuanyu, *Zhongguo minyi*; Sun, *An Orchestra of Voices*; Ma Guangren, *Zhongguo jindai*. Sun Xupei, *Kanke zhi lu*.

18 See Said, *The Word*, pp. 226-247; Van Dijk, *Discourse and Power*, p. 17; Palonen, 'Reinhart Koselleck', pp. 73-92; Müller, 'On Conceptual History', pp. 75-89.

Without an adequate analysis of the introduction and the conceptual transplantation of this concept, we underestimate the significance of the gap that existed between the Western concept of press freedom and Chinese interpretations when they initially encountered these Western Enlightenment ideas. An investigation into the social and cultural issues involved in the development of Chinese interpretations and practices of press freedom can enable us to understand the Chinese discourse of press freedom and its legacy today. It also helps us evaluate 'the chance that a Western, liberal model of the press will take hold'.[19]

This book aims to present a conceptual history of press freedom in the Chinese context from the 1830s to 1949. It extends the scope of current scholarship by focusing on the transcultural knowledge transfer of press freedom into China. Through a close examination of primary archival materials, it particularly analyzes local cultural issues and their influence upon Chinese interpretations and practices of press freedom in late imperial and republican China. The central argument of this book is that sociocultural factors – originating from both the domestic situation (including the intellectual tradition in China) as well as international engagements – exerted an enormous influence on the emergent and ongoing Chinese discourse of press freedom and thereby defined the changing meanings of press freedom in China. As a result, despite there being moments in time when there was the potential for an institutionalized press freedom[20] to develop – one that may have satisfied Western expectations – in the end this became impossible in modern China.

## Press Freedom: Word and Concept

As John Steel concedes, 'one of the central difficulties in discussing journalism and freedom of speech is in making the distinction between "freedom of speech" and "freedom of the press", which is of course associated with journalism and the news media.'[21] Certainly, the relation between the two concepts has long been contested. The polemic is mainly due to the contingent definition of each concept. Some scholars have argued that these concepts refer to the same notion. For example, Cass Sunstein maintains that freedom of speech means to be free of prior restraints, including

19 Zhao, *Media, Market, and Democracy*, p. 8.
20 Merrill, Gade, and Blevens, *Twilight of Press Freedom*, p. 61.
21 Steel, *Journalism and Free Speech*, p. 4.

licensing systems and court-ordered injunctions against expression. This implies that, for Sunstein, freedom of speech may encompass freedom of the press.[22] Sunstein's perception is supported by early American archives where 'freedom of speech' and 'freedom of the press' were used interchangeably.[23] Lidsky and Wright argue that freedom of speech and freedom of the press are interrelated, as they are sub-concepts of the *freedom of expression;* moreover, they posit that freedom of the press and freedom of speech share the same doctrine and justification.[24] Likewise, Eric Barendt and Sean Phelan maintain that the two concepts are equivalent and interchangeable. For them, 'freedom of the press' is freedom of speech for media owners, journalists, and editors.[25]

However, others emphasize the nuances between the two terms. For example, Patrick M. Garry maintains that freedom of speech and freedom of the press are two different concepts. He argues that the former 'assures to each individual the freedom to speak and the freedom from any state sanction based upon the content of that speech' while the later 'addresses the dissemination of those views in society and assures an open forum for communication in society and for democratic political participation'.[26] In other words, freedom of speech foregrounds the individual's right of autonomy and self-fulfilment, while freedom of the press protects the dissemination of speech and serves a higher societal purpose. This invites another concept – *press freedom* (or occasionally *media freedom*) – to join the polemic.

Having emerged as recently as in the late twentieth century, the phrase 'press freedom' also suffers from a lack of consensus surrounding its definition. Michael Salwen and Bruce Garrison believe that press freedom is both a human right and a social right. As a human right, 'press freedom is an individual's right to express him or herself in the new media' while as a social right, 'press freedom stresses the role that the press performs for the greater society'.[27] Based on this view, press freedom would encapsulate the separate ideas of *freedom of the press* and *freedom of speech*, to take Patrick Garry's previous definition of these. Andrea Czepek agrees with these scholars and believes that the meaning of press freedom is as wide as the meaning of freedom of expression. As political and commercial freedom,

22 Sunstein, *Problem of Free Speech*.
23 Lebovic, *Free Speech and Unfree News*.
24 Lidsky and Wright, *Freedom of the Press*, p. 15.
25 Barendt, *Freedom of Speech*. Phelan, *Neoliberalism*, p. 137.
26 Garry, *The American Vision*, pp. 88-89.
27 Salwen and Garrison, *Latin American Journalism*, p. 189.

both concepts entail individuals, print media, and even electronic media.[28] Yet other scholars such as Resurrencion Salvilla, Fraulin Penasales, and Fermin Sornito argue that press freedom simply means that 'no one shall prevent any person from writing or speaking whatever he wants to write or to say', though at the same time they maintain that 'a sense of responsibility is the first step towards press freedom'.[29] This definition makes press freedom a synonym of freedom of speech. Denis McQuail posits that 'press freedom is a special case of the wider claim to freedom of expression, especially in speech'.[30] He considers press freedom (or media freedom) to be a lesser freedom than freedom of speech, that is, that the former should have more restrictions than the latter.[31] However, this opinion would never reconcile the contentious distinction and relation between freedom of speech, freedom of the press, and press freedom.

As is shown in later chapters, there was no distinct difference drawn between these concepts in the Chinese discourse during the period from the 1830s to 1949. In most cases, they were used interchangeably or together. Even today, the Chinese phrase *yanlun ziyou* (freedom of speech) is used in association with *chuban ziyou* (freedom of the press) in China's constitution, and *xinwen ziyou* (press freedom) is also frequently used in association with the former two phrases in people's everyday writings. Existing Chinese literature also demonstrates the lack of a clear and well-acknowledged distinction between these related phrases.

This can be explained by the theory of historical semantics. As Terence Ball points out, a political vocabulary consists of words and concepts.[32] To cite Gregory Murphy, a *concept* is 'a non-linguistic psychological representation of a class of entities in the world. This is your knowledge of what kinds of things there are in the world, and what properties they have' while a *word* 'gives them significance and relates them to the world'. Words become significant only due to their connection to concepts 'or a coherent structure in our conceptual representation of world'.[33] The relation between word and concept is contingent. In the simplest case, the concept and the word are the same thing. Yet in some cases there is more than one word for a concept, or the same word may refer to different concepts. Another common case is that sometimes there is no word or term to describe a concept – that is, because

28 Czepek, 'Pluralism and Participation', p. 37.
29 Salvilla, Penasales, and Sornito, *Press Freedom*, pp. 8, 106.
30 McQuail, *Media Accountability*, p. 168.
31 McQuail, *Journalism and Society*, p.36.
32 Ball, *Transforming*, p. 15.
33 Murphy, *Book of Concepts*, pp. 385-389.

'concepts represent our knowledge of the kinds of things in the world'[34] and sometimes this kind of knowledge is incipient and elusive.[35] Therefore, for most cases in pre-modern and modern times, a concept existed before a word was assigned to signify it. A word becomes a concept only when it is endowed with historical meanings.[36] 'Meanings', as expressed here in plural form, refers to the 'use' of a concept. As Ball points out, 'words do not change, but concepts and meanings do [...] words do not have histories but concepts do'.[37]

Historically, the word (or phrase) *freedom of the press* emerged after *freedom of speech* in European countries and North America. As early as the 1930s, Laurence Hanson demonstrated that *freedom of the press* was an extension of *freedom of speech*; this extension reflects the dynamic relationship between the government and the press. He maintains that at first, *freedom of speech* only supported free discussion of politics within the parliament, since this free discussion could only be exchanged within the parliament itself rather than through publication in newspapers. As Hanson puts it, 'the Bill of Rights made no mention of the freedom of the press but insisted that the freedom of speech and debate or proceedings in Parliament ought not to be impeached or questioned in any court or place out of Parliament'.[38] Hanson argues that it was not until the abolition of the publication licence that freedom of the press enabled 'the newspaper to express views as well as to give news'.[39] Until then, only members of the parliament had been publishing their speech via the press.

However, neither *freedom of speech* nor *freedom of the press* were words originating from China. They were neologisms that were introduced concurrently into China and were treated as equivalent concepts. This is one such case where there exists multiple words or terms for a single concept. Therefore, this book regards 'freedom of speech', 'freedom of the press', and 'press freedom' in the Chinese context as a conceptual cluster that infers several sub-concepts rather than as distinct concepts in themselves. So as not to omit relevant literature, this book adopts a relatively broad view of press freedom that encompasses the Chinese discourses on freedom of the press, freedom of speech, and freedom of expression within the timeframe of this research. For the convenience of writing, in most cases I will use *press freedom* or *freedom of the press*.

34 Ibid., p. 293.
35 Ibid.
36 Bödeker, 'Concept', pp. 51-64.
37 Ball, *Transforming Political Discourse*, p. 16.
38 Hanson, *Government and the Press*.
39 Ibid.

## Towards an Understanding of Conceptual Change

Like other items of political vocabulary such as *democracy* or *nationalism*, there is no authoritative or consensus definition of press freedom.[40] The difficulty in defining a concept often lies in the fact that the meaning of that concept keeps changing. This is perhaps an intriguing part of the inquiry into a conceptual trajectory. The meaning of a concept refers to the use of it. As political historians have indicated, a concept may have different meanings that are known and shared by contemporaries.[41] This kind of concept is called a 'basic concept'[42] or 'essentially contested concept'.[43] Yet not all contested concepts are consistently contested. Most of them are only intermittently contested. Some were contested in previous time periods but no longer are; other concepts are ambiguous now but had fixed meanings before.

*Press freedom* is one such essentially contested concept that has developed through interpretations and reinterpretations by generation after generation. The meaning of it changes diachronically and synchronically. To take American scholarship for example, Charlene Brown and Bill Chamberlin have found that the ambiguous meaning of press freedom as it initially appeared in the Bill of Rights led to different interpretations of it in later decades.[44] This finding echoes Leonard Levy's claim that the scope and application of the free speech clause of the First Amendment to the U.S. constitution and the meaning of press freedom gradually widened over time.[45] Similar to Levy, Francis Canavan's research testifies that the understanding of press freedom amongst the founders who wrote the First Amendment was different from that of people today.[46]

The conceptual evolution of press freedom has been explored by an increasing number of contemporary works. John Merrill has discovered that the traditional meaning of press freedom emphasized journalistic autonomy. However, this changed after the Second World War and was replaced by 'social responsibility theory' and 'the people's right to know'.[47] He argues that the traditional meaning of press freedom is 'the press's freedom', whereas the

40 Alexander, 'Impossibility of a Free Speech Principle'.
41 See Ihalainen, 'Historical Semantics and Pragmatics'.
42 Spira, *Conceptual History of Chinese-isms*, pp. 15-22.
43 Ball, *Transforming Political Discourse*, pp. 75-86.
44 Brown and Chamberlin, *First Amendment Reconsidered*.
45 Levy, 'The "Legacy" Reexamined'.
46 Canavan, *Freedom of Expression*.
47 Merrill, *The Dialectic*.

more recent meaning of press freedom is 'the people's freedom'. These two interpretations are distinctly different and even conflicting, as the latter departs from the core value of press freedom as it had been previously imagined. Robert Martin shares the same approach to understanding this conceptual change. He argues that 'free press' and 'open press' were two interlaced sub-concepts that constituted the notion of press freedom in colonial America. Free press emphasized the role of an unrestricted press in fighting against political tyranny, while an open press underlined the accessibility of media as a platform for expressing and exchanging political thought. Nevertheless, in the late eighteenth century, particularly due to partisan debates during the American Revolution, the two sub-concepts became separated.

The conceptual change of press freedom is more complicated to understand. From the perspective of historical semantics, the probability of a concept being sustainably fixed to a word is subject to three basic elements: *intended content*, *linguistic context*, and *historical context*.[48] The intended content refers to the condensed meaning of a concept as envisioned by social agents. This implies that the meaning of a concept is closely related to human beings who take part in social actions. Linguistic context refers to the written and spoken milieu – the common linguistic background shared by the same communities. Historical context, or the 'external linguistic context/intellectual context'[49] and 'historical contingency'[50] as it is expressed elsewhere, refers to the socio-cultural situation that helps to condition or form the meaning of a concept. If one of these three elements changes, then the meaning of a concept will also change. Therefore, these elements constitute three important dimensions for investigating the changing meanings of concepts.

The intended contents and linguistic and historical contexts all entail social agents. Certain meanings of concepts are intended by these actors, and concepts are used purposefully by social agents in different historical situations. As Bödeker maintains, to study the history of concepts one should pay attention to 'the use of specific language in specific situations, within which concepts are developed and used by specific speakers'.[51] In this sense, a history of concepts is the history of their uses in past political discourses.[52] The notion of 'discourse' is widely used in the discipline of

48 Bödeker, 'Concept', p. 85.

49 Thompson, *British Political Culture*, p. 12.

50 Fung, *The Intellectual Foundations.*

51 Bödeker, 'Concept', p. 63.

52 See, Ihalainen, 'Between Historical Semantics and Pragmatics'. Also see Ball, 'Conceptual History', pp. 75-86.

cultural studies, however, its definition varies between theorists.[53] For Michel Foucault, discourse is 'a system of dispersion for statements', while for Ernesto Laclau it is 'a structural totality of differences that is a result of an articulatory practice',[54] and for H.G. Widdowson it signifies 'what a text producer meant by a text and what a text means to the receiver'.[55] Despite these different definitions, discourse essentially refers to language in use under particular contexts.[56] It relies on conversations and media such as television shows, articles, and any other form of texts; however, it is also more than just texts. The text is only a material manifestation of discourse, whereas discourse as a whole is linked to the social construction of the world.

Discourse is not only a representation of social reality but also an important driving force shaping that social reality.[57] Language is constructive, and discourse has the ability and capacity to 'do something'. For example, to say 'please pass the green cup to me' is not just a vocalization but is also something that exerts power on other people who are party to this dialogue. This sentence expresses the will of the speaker, who wants others to pass a cup to him, and has also included a selection – he only wants the specific green cup rather than a red cup. This utterance, which could be seen as part of a dialogue, will be completed with certain consequences: perhaps the receiver does as the speaker requested, or alternatively the receiver declines to deliver the green cup to the speaker, which frustrates the speaker's wish. This kind of utterance is called a 'speech act'.[58] From this constructive perspective, 'without discourse, there is no social reality, and without understanding discourse, we cannot understand our reality, our experiences, or ourselves'.[59]

To understand the conceptual history of press freedom, in addition to understanding the diverse discourse of different social agents (i.e., the *intended content*) we must also consider the aforementioned factors of linguistic and historical context. Discourse can be used to construct social meaning, thereby construing reality, but these discursive constructions are closely related to linguistic context. The consequence of a speech act rests on the context shared by speakers and listeners. As Henry Widdowson indicates,

53 Mills, *Discourse*, p. 14.

54 Anderson, *Discursive Analytical Strategies*, p. 50.

55 Widdowson, *Discourse Analysis*, p. 7.

56 *Cf.* Fairclough, 'Discourse Representation'; Fairclough, *Critical Discourse Analysis*; Fairclough and Wodak, 'Critical Discourse Analysis', pp. 258-284.

57 Gee, *Discourse Analysis*, p. 44.

58 Searle, *Speech Acts*.

59 Phillips and Hardy, 'Discourse Analysis', pp. 2-18.

'if you are an outsider, you are obviously likely to have difficulties making the necessary contextual connections'.[60] In the previous example, if the receiver does not know which colour is 'green' or what a 'cup' is, the speech act will not work. The shared context is called the 'schema' by discourse theorists. It is familiar knowledge understood amongst specific communities and embodied in their consciousness. The schema varies according to culture, which means that 'what may be a culturally appropriate way of saying or doing something in one culture may not be the same in another culture'.[61] When the speaker (writer) talks about something that is culturally ambiguous, the listener (reader) will primarily check it against his 'schematic expectations'. A communication is successful only when what the speaker is talking about matches with the listener's schematic expectations – to take our example, both the speaker and the listener must mutually understand what a 'green cup' is and what 'to pass something to somebody' is. On the other hand, unsuccessful communication can derive from a lack of shared context or from misinterpretations.

Historical context is pivotal to understanding the conceptual evolution of press freedom, since context conditions the interpretation of a concept.[62] The intellectual legacy of Karl Mannheim and Niklas Luhmann, specifically *the sociology of knowledge*, also provides insights into this issue. The interpretation and reception of knowledge partly rests on existential foundations of the knowing subjects.[63] The existential foundation comprises two constituents: social foundations and cultural foundations.[64] Social foundations include aspects such as social status, class, social mobility, occupations, group structure, moral rules, and power structures. Cultural foundations can include values, social spirit, ethos, type of culture, worldviews, and so on.[65] For Mannheim, social thoughts derive from social problems; knowledge is created and used for solving societal difficulties. The social status of the subject determines what kind of social problems can be found. That is to say, some kinds of social problems can only be discovered by certain societal groups. Knowledge (concepts and the form of thoughts) is in accordance

60 Widdowson, *Discourse Analysis*, pp. 23-25.

61 Paltridge, *Discourse Analysis*, p. 53.

62 Stjernø, *Solidarity in Europe*, pp. 1-6.

63 Dant, *Knowledge*, p. 22.

64 Max Scheler in his early works also names the 'existential foundations' as '*Seinsbereiche*'. According to Scheler, 'Seinsbereiche' includes 'ideal factor' (such as ideas, values) and 'real factors' (i.e. material conditions). In this case, 'ideal factor' is virtually 'cultural foundations', and 'real factors' is equivalent to 'social foundations'. See Evers, *Knowledge*.

65 Merton, *Social Theory*.

with the shared interest of subjects. People accept certain knowledge only if and when the knowledge is considered as beneficial to their interests. Whether to accept or reject a concept is not only determined by its meaning and function but also subject to its compatibility with prevalent societal beliefs.[66] Here, these prevalent beliefs can be understood as Raymond Williams' *structure of feeling*.

The notion of *structure of feeling* was initiated by Williams in the 1970s and is his most important theoretical hypothesis, contributing both to cultural studies and cultural history. According to Williams, the *structure of feeling* is 'social experiences in solution'.[67] Later cultural researchers also gave definitions of this concept. Maja Mikula defines it as 'the particular spirit or mood of a given culture as actively experienced by people at a specific time in history'.[68] Bruce Lawrence and Aisha Karim define it as 'a component of the lived experience of a community that is above and beyond its experience of social institutions and ideology – an experience which resides primarily in things such as everyday, seemingly mundane personal interactions and relationships'.[69] Alex Lubin identifies it as 'an unconscious political sentiment that is not yet publicly articulated but that can be sensed or "felt" among a certain culture'.[70]

The *structure of feeling* is lived experiences, unstable and unconscious sentiments that exist in particular times and spaces among certain cultural communities. There are five characteristics of this concept. First, there are 'unacknowledged or inadequately explained aspects of existence' amongst particular communities in specific times.[71] These unarticulated sentiments, though implicit, guide the social actions of members of particular cultural communities, thereby making up everyday life.[72] Second, these unarticulated sentiments are not individual and singular but representations of collective historical experiences. These sentiments are collectively shared and believed; they are 'certain common characteristics in a group'.[73] Third, the structure of feeling is always 'in solution', that is to say, it is unstable and is prone to change with the generations; different generations may share a different structure of feeling from their ancestors. Fourth, unlike ideology,

66 Cited in Merton, *Social Theory*, pp. 527-528.
67 Williams, *Marxism and Literature*, p. 134.
68 Mikula, *Key Concepts*, p. 191.
69 Lawrance and Karim, *On Voilence*, pp. 180-182.
70 Lubin, *Geographies of Liberation*, p. 162.
71 Pribram, *Emotions*, p. 93.
72 Hendler, *Public Sentiments*.
73 Williams, *Culture and Materialism*, p. 22.

the *structure of feeling* is neither formally articulated nor in a fixed form. It is different from the official consciousness and national ideology but sometimes overlaps with the nascent ideology of a community and therefore has a great potential to become dominant. Fifth, the structure of feeling can be captured through artistic works of a period. This is because when creators generate their works, it is inevitable that they will be influenced by the structure of feeling of their times. Williams labels this a 'feeling' because it is only a sentiment, somewhat equivalent to 'affect'. This 'affect' refers to 'our sensory experience and the feelings, moods, emotions, or passions they elicit'. It does have tangible manifestations (such as 'like', 'hate', 'sympathetic', and so on), but more often it is an intangible propensity. However, these feelings are also a 'structure'. The 'structure' here exclusively signifies 'affective elements of consciousness and relationships'.[74] This structure can be abstracted since 'they are articulated in the conventions of language and elaborated through the structures of expressive and communicable form'.[75]

The emphasis on contingent historical context relates to the rise of cultural relativism and challenges to the universality of human rights. Cultural relativism sees culture as the principal actor in the validity of human rights.[76] Since the Cold War, and particularly after the Vietnam War, many Asian scholars and some Western intellectuals began to question the universality of human rights and to shed more light on the particularity of culture and context.[77] They became curious about whether the idea of universal human rights is 'a manifestation of Western hegemony and/or of cultural imperialism', and many scholars argued that the universal criteria simply reflected the primacy placed on Western cultural formulations.[78]

The above discussions are further facilitated by the more recent proposition of *Asian values*.[79] Through the lens of Asian values, human rights including press freedom derive from particular historical, socio-political, economic, and cultural contexts. Thus, different contexts shape different models of human rights.[80] Proponents argue that intellectual traditions in

74 Takacs, *Interrogating Popular Culture*, pp. 167-168.
75 Filmer, 'Structures of Feeling'.
76 Donnelly, *Universal Human Rights*, pp. 89-90.
77 For example, Freeman, 'Human Rights'; Othman, 'Grounding Human Rights'.
78 Freeman, 'Universal Rights', pp. 43-57.
79 Peter van Ness, 'Introduction', pp. 1-24.
80 For example, Chan, 'A Confucian Perspective', pp. 212-238; Jenner, 'China and Freedom', pp. 65-89.

Asian countries emphasize kinship, collective interests, and communitarian values, which are incongruous with Western individualism.[81] Asian values often emphasize voluntary discipline, stressing the priority of stability and economic development, and viewing political rights as secondary.[82] This view facilitated the Bangkok Declaration of 1993, which states:

> While human rights are universal in nature, they must be considered in the context of a dynamic and evolving process of international norm setting, bearing in mind the significance of national and regional particularities and various historical, cultural and religious backgrounds.[83]

However, other scholars have argued that what is identified as Asian values often sees political leadership as being responsible for ruling and having power over the citizens, and thus political leaders would both suppress critiques that go against them and deny external criticism of domestic human rights issues. In this sense, these 'Asian values' are not really cultural values but more an ideological response to external critics, a disguise of autocracy, and a convenient excuse that blocks the path to liberal democracy.[84]

Some scholars are less radical. Scott Davidson criticizes both absolute universality and absolute relativity. He argues that the 'reality of cultural divergence which exists in all states and societies' should be taken into account alongside universality. Nevertheless, he also points out that in China, Malaysia, and Singapore, the 'culture' is in reality defined and interpreted by political authorities. Their discourses of cultural relativism are simply 'elitist dogma designed to serve the government's view about the politically acceptable relationship between the individual and the state'.[85] Jack Donnelly also argues that 'Civil rights such as freedom of conscience, speech, and association may be a bit more relative', but radical relativism 'is as inappropriate as radical universalism'.[86] Nonetheless, the discourse of cultural relativism has aroused the interest of journalism historians who are writing the intellectual history of press freedom. Many have demonstrated that the meaning of press freedom differs from one

81 Henkin, 'Epilogue', pp. 308-312.
82 Bruun and Acobsen, *Human Rights*, pp. 1-18.
83 Cited in Tomuschat, *Human Rights*, p. 55.
84 See Mauzy, 'Human Rights'. Also see Sim, 'Asian Values'.
85 Davidson, 'East versus West'.
86 Donnelly, *Universal Human Rights*, pp. 69-97.

cultural context to another.[87] As András Koltay also argues, press freedom 'does not have a uniform, universal concept; it does not have boundaries that could be identically drawn everywhere or such a definable system of conditions under which it could be operational everywhere'.[88] There could be an 'American type of press freedom', a 'British style of press freedom', and many others.[89]

For our purposes, let us now focus on the Chinese case alone. In *The Intellectual Foundations of Chinese Modernity*, Edmund Fung argues that translingualism and specific historical context are the two major elements needed to understand Chinese conceptions of liberalism.[90] As we will see in the following chapters, these two elements remain a pertinent and efficient framework for us to make sense of the Chinese history of press freedom. Given the fact that press freedom is a concept transplanted into China from overseas, the conceptual history of press freedom in modern China actually entails two interrelated issues – the transnational knowledge transfer of the concept on the one hand, and the development of the concept on the other. In order to make sense of this history, apart from scrutinizing social agents' practices and articulations, we must pay attention to the linguistic and historical context. As we will see in this book, language was an important factor for Western social agents introducing scattered thoughts of press freedom into China. The lack of a shared linguistic context made the initial introduction slow. Language was also an important factor in the Chinese intelligentsia's understandings of the Western conception of press freedom. Through translation, knowledge of press freedom was able to flow into China. Yet, as we have discussed above, the translation and the reception of a concept entails selection based on 'schematic expectations' and 'existential foundations', which further shaped the early Chinese understanding of press freedom. The historical context, or in Fung's words the 'historical contingency', includes the changing social, cultural, and political aspects of Chinese life. This does not imply that the economic aspect is not important. Yet as we will see in later chapters, despite print capitalism having developed fairly sufficiently in republican China,[91] it was the socio-cultural and political context that was entangled more with the Chinese development and conceptions of press freedom.

87 For example, see Burrows, *Power and Press Freedom*; Czepek, *Press Freedom,* pp. 231-259; Kammen, *Spheres of Liberty*; Koltay, 'Concept of Media Freedom'.

88 Koltay, *Freedom of Speech*, p. 92.

89 For example, see Christ, *Assessing Media Education*, p.87; Newman, *Journalist in Plato's Cave*, p. 153; Babcock and Freivogel, *Mass Media Ethics and Law*.

90 Fung, *Intellectual Foundations*, pp. 141-146.

91 Reed, *Gutenberg in Shanghai*.

## Outline of the Book

This book traces the conceptual trajectory of press freedom in the modern Chinese context.[92] Chapter 1 examines the introduction of the Western concept of press freedom into imperial China. The initial introduction of freedom of the press was a product of the transnational interaction between China and the West in the nineteenth century. From the 1830s, Western businessmen, European Protestant missionaries, and Chinese diplomats introduced scattered ideas of press freedom into China from Western countries, though these ideas had very little influence at the time. In this chapter, I document this initial process of conceptual transplantation and summarize the differing interpretations of freedom of the press through an in-depth textual analysis of primary sources. Chapter 2 reveals the knowledge transfer of press freedom through cultural interactions between China and Meiji Japan at the turn of the twentieth century. Compared with the scattered ideas imported initially from the West, the Japanese origin of Chinese press freedom was more influential, and the concept became popular amongst Chinese intellectuals at that time. In this chapter, I uncover the influence of factors from Meiji Japan on the formation of the Chinese conception of press freedom and explain linguistic complications resulting from this knowledge transfer between Japan and China.

The conceptual history of press freedom entails the reception and interpretation of the concept in a new context. Chapter 3 explores the reception of the Western concept when Chinese intelligentsia first encountered it at the turn of the twentieth century. I argue that during this process of knowledge transfer the meaning of press freedom as received by Chinese intellectuals was different from Western interpretations at that time. I will explore how the introduction of this concept was closely related to the developing realities of Chinese society and how it echoed Chinese social and cultural pursuits in the late nineteenth century. The specific socio-cultural milieu in turn made Chinese intellectuals only partially receive – and proactively misinterpret – the liberal meaning of Western press freedom.

The remaining chapters move on to explore the diverse Chinese discourses of 'freedom of the press' during the first half of the twentieth century. Chapter 4 discusses Sun Yat-sen's thoughts on liberty and his intellectual legacy on official discourses of press freedom in the first half of the twentieth

92 The term 'modern China' as used in this book refers to the period in Chinese history from the end of the Qing dynasty until the establishment of the People's Republic of China in 1949. It is used to denote the historical period rather than to speak of contemporary China in the 21st century.

century. This chapter shows that Sun Yat-sen's anti-liberal thoughts were reflected in the area of national news policy and journalism theory. The '*San-min* Doctrine of Journalism' was formulated and came to dominate the official discourse. This later became the theoretical foundation legitimizing the policy of press censorship under the Kuomintang government. Chapter 5 begins by tracing the expressions of 'press freedom' in Chinese constitutional documents spanning from the 1910s to the 1940s. I argue that even though the concept of press freedom was enshrined in the Chinese Constitution, it was an empty phrase in practice. The chapter goes on to trace the knowledge of press freedom as expressed in school textbooks during that period. It shows that principles of press freedom were mentioned briefly but incoherently in textbooks and were not taught well in classrooms. The chapter then illustrates the indifferent attitude of the Chinese public towards press freedom by scrutinizing conversations recorded in diaries and articles published in newspapers at that time. Chapter 6 elaborates on the divergent conceptions and attitudes towards press freedom amongst the more educated class in the 1920s and 1930s. Debates were centred on two issues – 'people's rights versus human rights' and 'freedom versus limitation'. This chapter shows that contested interpretations were based on the different socio-cultural backgrounds and personal biases of the concerned parties. Chapter 7 builds on the previous chapter, focusing on calls for press freedom in the 1940s. The last call for press freedom in the republican era echoed social movements that emerged from changes in the domestic and international situation. However, the diverse articulations that resulted were based on differing political interests. As such, 'freedom of the press' in these discourses was intended as an instrument to fulfil the political ends of its proponents.

The final chapter of this book concludes that the social and cultural context significantly shaped unique conceptions of press freedom and in turn that the interaction of divergent interpretations impacted the people's experience of free press and free speech in the distinct periods of modern Chinese history. It also provides some remarks on the relevance of this history to the situation in contemporary China.

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