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**DIALOGUES IN ARTS AND SCIENCE**

# **MAY FOURTH AND THE CHINESE PAST**

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## *May Fourth and the Chinese Past*

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Much of what we once thought we knew about China now seems little more than a set of stereotypes, yet the influence of this so-called knowledge has been pervasive. In many if not most cases, these stereotypes offer a very negative view of the Chinese past. These misconceptions often emerged first in the perspectives of outsiders, but the extraordinary success of the foreign powers in eroding the Chinese sense of national identity and self-confidence led many Chinese to accept what these outsiders said about China as accurate. Chinese denigration of their own past came to a head during the May Fourth movement, the galvanizing intellectual movement of the first third or so of the 20<sup>th</sup> century. May Fourth was driven by a passionate desire to reinvigorate China by whatever means proved necessary. If that required a complete cultural and political transformation, that was not too much. The goal was to remake what many had come to see as a moribund civilization, and thereby to resuscitate and revitalize it. As Chinese intellectuals undertook a complete reassessment of the Chinese past, they began to adopt the negative views espoused by foreigners, and came to the conclusion that virtually nothing about the Chinese past offered an adequate foundation for the future.

Dean Chen Duxiu (1879-1942) of Beijing University issued a clarion call

for a revolution in moral values, institutions, and habits of mind, proposing that China should emulate not just the methods and the ideas but the dynamism of the West. Yet “the West” was not only the object of envious admiration. It was at the same time the object of great ambivalence, in part because the horrors of the first world war raised questions about the desirability of the democracy, organized religion, individualism, science, and technology that seemed to define powerful Western countries. Thus as much as Chinese longed to cast off the yoke of the past, they remained uncertain of the best direction for the path forward.

May Fourth intellectuals’ rejection of Chinese tradition led them to characterize that yoke in particular ways. Consider, for example, the influential claims they made about the universal oppression of Chinese women in traditional times. The study of women’s history in China, still relatively new, had formed an integral part of the growing nationalism of the times. Patriots identified Chinese women as backward and dependent, for centuries the victims of crushing patriarchal oppression. At the same time, they understood the condition of women as a metaphor for China itself, for it was not hard to draw an analogy between Chinese women, crippled by footbinding, and China itself, which they came to regard as crippled by tradition and brutalized by foreigners. This highly compelling view of Chinese women’s lives fit well into May Fourth intellectuals’ iconoclastic impulses but, as Dorothy Y. Ko convincingly demonstrated twenty years ago, it was not completely accurate. Just as Chinese civilization had never been the monolithic and unchanging phenomenon for

which it often was taken, the sweeping assumptions made about women in traditional China were misleading because they disregarded the lived experience of women themselves, as well as variation across social classes. To be sure, Chinese women had to function within a Confucian framework that seemed jarring when contrasted with the new norms of May Fourth, but within that framework at least some found ways to lead richly fulfilling intellectual and personal lives. Even though their physical freedom was curtailed, their thoughts and their words carried them beyond the inner sanctum of their homes. They became writers and poets and formed literary associations and friendships with other women, albeit sometimes at a distance. They--and in some cases the men in their lives--understood their inability to participate directly in political life, however unacceptable it might be in modern terms, as a liberating force. In short, the oppression undoubtedly suffered by many Chinese women in the past was better understood if not treated as undifferentiated.<sup>1</sup>

Although the percentage of those thus empowered by classical literacy was small in terms of the female population as a whole, these elite women were disproportionately significant precisely because of their class status. Thus the pessimistic May Fourth view of women's lives in traditional China was exaggerated, in part to make the transformation of culture that intellectuals sought to bring about seem even brighter. That view became part of the generally accepted understanding of the past.

Another such misunderstanding related to the question of law in tradi-

tional China, in which context May Fourth intellectuals readily adopted Western condemnation of Chinese tradition. From the late 18<sup>th</sup> century, foreigners had begun to formulate the view that Chinese law was arbitrary and excessively punitive and that it was deficient because it lacked any semblance of civil law. As such, they claimed, it was fundamentally incommensurable with the norms of civilized nations. A consequence of this view, whether or not it was an intended one, was that it made it easier to justify first the morally questionable opium trade and then imperialism itself. Thus in a series of cases in Guangzhou in the early 19<sup>th</sup> century that involved crimes committed on Chinese soil by British and other foreign sailors against Chinese, the British claimed that Chinese law and legal practice was so primitive that their nationals must be exempted from it and receive special treatment. These claims underlay the post-Opium War insistence on extraterritoriality, according to which British and eventually most other foreigners were exempt from Chinese law on Chinese soil. In fact, however, traditional Chinese law was in many respects highly subtle and well elaborated. It had a well developed law of contracts, for example, and in criminal jurisdiction differentiated carefully among different circumstances in applying punishment. In homicide cases, for instance, traditional Chinese law required judges to apply different rules that depended on whether a death was accidental, occurred by misadventure, was premeditated, intentional, was committed in an affray or as a crime of passion and so on. Indeed, when compared with contemporaneous British laws that, for example, called for execution or at best life exile to Australia as a punishment for stealing a sheep, Chinese law did not

seem particularly outrageous. But set in the context of criticizing the past, the assumption that traditional Chinese law was backward and as such incompatible with modernity struck a chord with May Fourth reformers, even though extraterritoriality was a major source of Chinese distress about infringements on their sovereignty.<sup>2</sup>The view that the old legal norms were worthless became a given, with the result that radical law reform formed part of the larger May Fourth project of change. Only later did earlier legal models regain enough legitimacy to resume their place in China.<sup>3</sup>

History always involves a conversation with the past, in the present, about the future. It is dynamic, for new perspectives lead us in unexpected directions. Chinese intellectuals' desire to create a fundamentally new cultural politics during the May Fourth period sometimes led them to set up "straw men" that were relatively easy to demolish, but those straw men gained a substance that has taken decades to dismantle. This situation does not detract from the central insight of May Fourth, namely that nothing, however sacred, should be exempt from scrutiny in the quest to strengthen culture. This legacy is still with us today.

1 Dorothy Ko, “Introduction: Gender and the Politics of Chinese History,” in *ibid.*, *Teachers of the Inner Chambers: Women and Culture in Seventeenth-Century China*. (Stanford: Stanford University Press, 1994): 1-28. For some foundational early 20<sup>th</sup> century texts in Chinese feminism, see Lydia He Liu, Rebecca E. Karl and Dorothy Ko, eds., *The Birth of Chinese Feminism: Essential Texts in Transnational Theory* (New York: Columbia University Press, 2013).

2 Li Chen, “Precarious Empire: Law, Sovereignty, and Cultural Politics in the Sino- Western Encounter, c.1740s-c.1840s,” forthcoming.

3 See Philip Huang, *Chinese Civil Justice, Past and Present*. Lanham, MD: Rowman and Littlefield, 2010.