

CHANG CHÜN-MAI: A MORAL CONSERVATIVE  
IN AN IMMORAL AGE

By

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## ABSTRACT

Chang Chün-mai, known in the West as Carsun Chang, played a prominent role on the political stage of wartime China. As educator, philosopher, and politician, he vainly attempted to alter the course of China's political and cultural development. Although commonly referred to as a liberal-democrat, this study shows Chang to be more of a traditionally-minded conservative. Masked by the heavy use of a liberal-democratic vocabulary, Chang maintained a firm commitment to principles that owed much more to conservative Chinese tradition than to Western liberalism.

The fact that Chang Chün-mai did rely so heavily on liberal-democratic arguments and came to be known by some as the Father of the Constitution tends to cloud his real intent. It is argued here that his efforts to bring a Western-style constitution to China can better be understood by recognizing two major points: first, Chang, as well as many others, used the constitutional issue in an attempt to force Chiang Kai-shek to share political power; and, secondly, the constitutional issue provided Chang with the conceptual and institutional vehicle for rebuilding the socio-political relationships between the various elements of Chinese society which had existed before the Republic. Within the latter goal, Chang also sought to create a position of influence and prestige for the class of intellectuals of which he was a part.

This study explores one dimension of Chinese conservatism. It shows Chang Chün-mai as a neo-traditionalist whose behavior was guided and limited by his image of the Chinese cultural tradition--limitations which significantly contributed to his failure. Examining Chang's actions in

wartime China sheds more light on the reasons for the failure of the so-called "third force" elements that stood between the Kuomintang and the Chinese Communist Party. Chang held himself aloof from the great mass of his fellow countrymen, he championed a political position which failed to offer a clear alternative to the authoritarian government of Chiang Kai-shek, and his philosophical and conservative viewpoint prevented him from carrying his political opposition to a point which seriously challenged Chiang Kai-shek. Although this study does conclude that Chang's idealized image of the Confucian gentleman (chün-tzu) acted as a handicap in the political milieu of wartime China, it confines that conclusion to a given time and place, and under particular circumstances. It emphatically does not purport to discount the viability or appropriateness of traditional Chinese values in the modern world, or with some form of democratic system.

Far from exhaustive, this study is, at best, partial. It is meant to explore a dimension of the Chinese effort to reconcile themselves and their culture with a changing environment. Source materials are limited and not without inconsistencies. A major drawback is that much of the Chinese-language material concerning Chang Chun-mai is lauditory in nature and biased in his favor. If time permitted, a more thorough study of the personal accounts of other actors involved would no doubt yield a more balanced picture. Further, the circumstances under which much of the wartime materials were written required a good deal of circumspection on the part of the writers, and therefore, requires a good deal of "reading between the lines" by the modern reader. I have tried to keep my conclusions reasonable without imparting my own ideas to a difficult translation.

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## ABBREVIATIONS

<u>CCMCCTL</u>	<u>Chang Chün-mai chuan-chi tsu-liao</u>
<u>CCMHSNPCPCK</u>	<u>Chang Chün-mai hsien-sheng nien-piao chien-pien ch'u-kao</u>
CCP	Chinese Communist Party
<u>CKMCSHTCC</u>	<u>Chung-kuo min-chu she-hui tang chuan- chi</u>
<u>CTCKSLTK</u>	<u>Chin-tai chung-kuo shih-liao ts'ung-k'an</u>
<u>KKJTPTHCHT</u>	<u>Ko k'ang-jih tang-p'ai ti hsüan-ch'uan huo-tung</u>
KMT	Kuomintang
<u>WYSSTH</u>	<u>Women yao suo shuo ti hua</u>

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## CHAPTER ONE: INTRODUCTION

The political history of China during the mid-twentieth century is understandably dominated by its two most prominent actors; the Nationalist Party or Kuomintang (KMT) and the Chinese Communist Party (CCP), one the vanquished, the other the victor. A focus on the duel between these two parties has often left the impression that the only real alternatives open to China in the 1930's and 1940's rested with the KMT and the CCP.

We are certainly aware that neither the KMT nor the CCP were homogeneous units. Each contained a variety of intellectual currents which, at times, worked against the leaders of both parties. The World War Two State Department dispatches of John Service and John Paton Davies, and the wartime accounts of Theodore White and Jack Belden, have been joined by the later works of Harold Issacs, Lloyd Eastman, Joseph Fewsmith, and others to more fully reveal the diversity within the KMT in particular. But what of those other currents of intellectual and political thought that stood between the KMT and the CCP? Chester Tan and Ch'ien Tuan-sheng have spoken of them in the context of more comprehensive works; Lawrence Shyu and A. Shaheen have added their contributions to our knowledge of certain elements of this "middle group," but as yet no one has attempted a definitive study of the impact and significance of this group--not to mention a comprehensive examination of their philosophical and political contribution to modern China.

This study does not presume to attempt such a comprehensive task. What it does attempt, however, is to add, in some small measure, to our understanding of one part of this "middle group." It is hoped that through this approach we might be better able to understand why these elements were relegated to such minor roles in the political denouement of

the 1940's.

Among those who stood between the KMT and the CCP were some who embraced a more traditional, conservative stance; some of this group have been rather casually dismissed as irrelevant or anachronistic. To a degree this is understandable, since their subsequent disappearance from the political scene tends to confirm our suspicions that they were somehow "out of step" with modern China. But did these traditionally-minded conservatives fail for the above reasons or for others? Were they victims of political machinations, or did they fail because of their own inconsistencies or shortcomings?

Of this group, Chang Chün-mai, teacher, philosopher, constitutional expert, and politician, was perhaps representative. He is illustrative of a generation of Chinese intellectuals who spent their youth in Imperial China and came to maturity in Republican China--intellectuals whose education and experience often combined traditional and modern, Chinese and Western. Chang was by no means a revolutionary; he tried to work within the existing political system--following guidelines from the traditional heritage, while being confined by the limitations imposed by the KMT. He rejected the one-party dictatorship of the KMT and the "dictatorship of the proletariat" alike. Chang proposed an alternative course for modern China, one which he believed was true to the spirit of Chinese tradition yet adapted to the needs of the modern world.

Chang Chün-mai was active in a variety of fields: publishing, writing, education and politics. Taken together they illustrate a quite traditional mode of behavior. His life illustrates a conscious desire to fulfill his self-perceived role as a Confucian gentleman, a modern chün-tzu. While touching briefly on several of these areas, I will concentrate

on Chang's activities in the political arena, specifically his efforts to give China a modern democratic constitution. On this latter point, Chang's conception of a constitution can best be understood when viewed from a traditional standpoint. While cloaked in modern vocabulary, Chang's constitutional proposals were designed to mend the sociopolitical fabric of China. His goals were not to bring something foreign to China, but rather to rebuild the essence of a sociopolitical system that had worked in China for centuries, and had been destroyed by the Revolution of 1911.

The issue of conservatism in China has been broached before. In her pioneering study of the T'ung Chih Restoration, for example, Mary C. Wright showed the ability of the Ch'ing Government to rise to the challenge of the Taiping rebels, institutional decay, and a host of other economic and political ills. The T'ung Chih Restoration was, as its name implies, a conservative attempt to restore the vigor of Imperial authority and institutions. Daniel Bays went on to look closely at Chang Chih-tung, a somewhat later conservative, who tried to preserve China culturally and politically by his famous marriage of the Chinese *t'i* ("essence") and the Western *yung* ("function"). More recently, writers such as Hao Chang, Charlotte Furth, Benjamin Schwartz, and Guy Alitto have tried to give the study of Chinese conservatism more comprehensive treatment. Guy Alitto, in particular, has turned his considerable energies to the study of Liang Shu-ming, the philosopher and founder of the Rural Reconstruction Association.

While more heavily influenced by Buddhism than Chang Chün-mai, Liang Shu-ming was also deeply concerned with the health and survival of Chinese culture, and felt that one key to China's salvation was the preservation of selected parts of the traditional heritage. A major element of Liang's

program to save China were the model villages organized under the direction of his Rural Reconstruction Association. His goal was to simultaneously revivify the communal virtues explicit in the traditional heritage, while bringing the benefits of modern scientific agriculture to rural China.

As Liang Shu-ming was concentrating his efforts in rural China, Chang Chün-mai was busy focusing his energies within the elite strata of Chinese society. Chang might be seen as tangentially related to Liang Shu-ming, rather than as an advance along a continuum of conservative evolution. Each man had found a different focal point in their common effort to save China as a cultural and political entity from the forces of domestic chaos and foreign aggression.

This study will focus on Chang Chün-mai's work in the national-level political arena. In doing so I will also question the commonly held Western belief that Chang Chün-mai was a Western-oriented liberal-democrat. Chang Chün-mai is known to most in the West as Carsun Chang, the author of The Third Force in China, written in the early 1950's after his self-imposed political exile from the Republic of China. In that English-language work, Chang portrayed himself to his predominantly American audience as the leader of the Chinese anti-communist, anti-fascist, liberal-democrats. Placing himself in opposition to both the communist dictatorship of Mao Tse-tung and the one-party dictatorship of Chiang Kai-shek, Chang assumed the mantle of leadership of China's last hope for democratic government. I believe that this study will show that Chang was much less "Westernized" than some believe, and that his commitment to liberal democracy was extensively colored by his conservative, traditional bent.

This study is an initial effort which of necessity has focused on Chang Chün-mai's efforts to bring a constitution to life in China--only a small segment of his interest. Neither does this study pretend to be an in-depth study of Chang's philosophical thought; his philosophy and its Western inputs have been introduced only so far as is necessary to understand Chang's basic motives and drives. A clearer, and perhaps truer picture of Chang Chün-mai must await the research the subject deserves.

To understand Chang Chün-mai and the type of conservatism that he represented, we need to examine certain major currents in modern Chinese intellectual history and try to juxtapose these with the political issues of the day.

The traditional Chinese virtues of conciliation and compromise, amply expressed in terms of values and behavior, only served to give form and regulation to a rich history of intellectual challenge and confrontation. For centuries, orthodox Chinese scholars had wielded their pens in defense of their respective interpretations of the Confucian reality. These battles, however, were waged with one overriding principle in mind: regardless of one's ordering and emphasis of the Confucian cosmology, those elements per se went unchallenged. As an explanation of the ultimate causes and the ultimate meaning of life and as a vehicle for the preservation of Chinese culture, Confucianism, of one sort or another, was for centuries accepted as an integral part of the Chinese cultural tradition.

The study of modern Chinese intellectual history, however, reveals new currents of thought which forcefully and sometimes convincingly eroded Confucianism's facade of immutability. The traditional view that the state, the culture, and the arts were an organic whole, mutually dependent, and in tune with heaven began to weaken. The years 1898 and

1919 are seen by some as "watersheds in the history of China's intellectual break with the values of Confucian civilization."<sup>1</sup> Whereas the earlier date can be seen as a reform effort aimed at inherited antiquated institutions, the later date was a profound attack on the Chinese moral and social order.

#### NEO-TRADITIONAL INTELLECTUAL CURRENTS

Between 1898 and 1919 there developed a wide range of conflicting intellectual currents in China. Competing for a chance to be heard were republicans, anarchists, socialists, monarchists, and more. Before 1919 and the totalistic iconoclasm that accompanied it, certain neo-traditional intellectual currents competed for influence. These various schools of neo-traditionalist thought each sought the causes and solutions to China's problems, not the least of which was the seemingly immediate threat to the existence of the Chinese state.

Among these neo-traditionalists were those such as Chang Ping-lin and Liu Shih-p'ei, who were prominent in the "national essence" school of thought (Kuo-ts'ui hsüeh-p'ai). The National Essence Movement found adherents among classical scholars and political activists who believed that the very substance of Chinese culture was to be found in unique racial and historical ingredients. The perceived threat posed to the existence of Chinese culture by the "foreign" Manchu regime, the advocates of Westernized modernization, and later by the iconoclasts of the May Fourth period, produced a sense of militant nationalism in followers of the "national essence" movement.<sup>2</sup>

While Chang Ping-lin held that the Confucian classics were history, plain and simple, and sought to replace Confucianism with a belief in the "national essence," he was opposed by another group of neo-traditionalists

with quite different goals. K'ang Yu-wei and T'an Ssu-t'ung were leaders of the movement to make Confucianism China's state religion.

In trying to explain the abysmal condition of Chinese institutions and morality, K'ang Yu-wei claimed that the original teachings of Confucius had been perverted over the centuries by the substitution of textual forgeries for political reasons, or by basic misunderstandings of the originals. K'ang claimed that the true body of Confucian canon was contained in early Han texts. Through this strategy, K'ang could acknowledge that there was "something wrong" with China, but this illness of the spiritual and political body could not be blamed on the "genuine" principles of Chinese culture. This so-called New Text Confucianism was seen by K'ang as offering a natural corollary to secular government; New Text Confucianism could, as religion did in the West, uphold social morality. K'ang's New Text interpretation also cast Confucius as a reformer and Confucianism as a philosophy of change. In this way Confucianism could offer the spiritual foundation necessary for a changing and modernizing China.

Led by Liang Ch'i-ch'ao after his return to China after the Revolution of 1911, yet a third group of neo-traditionalists was promoting its formula for the solution of China's pressing social and political problems. Where "national essence" intellectuals had seen China's spiritual legacy embodied in race, history, and art, Liang found the enduring and unique quality of Chinese civilization in what he termed the "national character" (kuo-hsing). Every nation, according to Liang, had a nature, unique to itself, and to be found in its people. China's "national character," as idealized by Liang, was "familism" (chia-tsu ch'u-i), whose virtues "encouraged a spirit of collective solidarity and self-

sacrifice in building the future, and confirmed the moral legitimacy of a political elite based on talent . . ."<sup>3</sup>

Neo-traditionalists of every stripe deserve credit for at least fulfilling the dictates of their roles. The whole fabric of Chinese society was under stress, and Chinese intellectuals were looking for answers. They were putting their energies to the solution of a problem to be found in any healthy society; "to distinguish between those elements of the past that must be preserved in order to prevent chaos and decadence and those which must be abandoned in order to prevent rigidity and stultification."<sup>4</sup> While this is normally an ongoing, measured process, the intellectual and political crises in China added a dimension of immediacy and urgency.

Against the background of these neo-traditionalist intellectual currents arose a dynamic and increasingly strong current of opposition; an opposition which went well beyond the limits set by the neo-traditionalists. Rejecting the arguments of those who believed in a "national essence" or a "national character," as well as those who touted Confucianism as a religion, this group called for a complete renunciation of Chinese tradition and culture. Leading this intellectual countercurrent were such iconoclasts as Ch'en Tu-hsiu, Hu Shih, and Lu Hsün.

Taking an organismic view of China's Confucian tradition, Ch'en, for example, was unable to salvage anything of value from Chinese culture. His approach rejected as ludicrous Chang Chih-tung's mid-nineteenth century maxim to "take Chinese studies as the fundamental structure, Western studies for practical use" (t'i-yung). No such selective borrowing could overcome Ch'en's belief that China's current malaise was the expected outcome of the fundamentally perverse nature of traditional

institutions, morals, and culture.

Using a very broad brush, Ch'en found nearly all aspects of Chinese tradition to be derivatives of Confucianism. In his view, Confucianism was inappropriate for the modern world because it ran counter to the modern way of life whose essence was equality and independence.<sup>5</sup>

Hu Shih, a leader of the literary reform movement and, at one time, an advocate of total Westernization, joined Ch'en in a joint statement which made their position clear: "The old literature, old politics, and old ethics have always belonged to one family, we cannot abandon one and preserve the others."<sup>6</sup> These positions, coupled with Lu Hsün's appraisal that Chinese history was "cannibalistic,"<sup>7</sup> offended the entire spectrum of neo-traditionalist thought.

If the neo-traditionalists and the iconoclasts of the May Fourth era had anything in common it was their awareness of the immediacy of the threat to China, and a desire to find a solution that would preserve China as a discrete entity. While the neo-traditionalists sought the solution through the preservation of some aspects of Chinese tradition, the iconoclasts saw the answer in the adoption of a totally "new culture" unsullied by the weaknesses of the past.

As the contest between the iconoclasts and the neo-traditionalists intensified with the upheavals of the May Fourth period, a group of neo-traditionalists coalesced into what Hao Chang has identified as New Confucianists.<sup>8</sup> Chang sees this group as reflecting a response to the intellectual assault of the iconoclasts. Where the "national essence" school of thought "defined Chinese national identity in terms of general cultural or racial traits, the New Confucianists were inclined to identify Chinese civilization with one particular traditional trend, namely,

Confucianism."<sup>9</sup>

In Confucianism, New Confucianists saw something of transcultural worth; values and concepts which had universal validity. Instead of the New Text Confucianism of K'ang Yu-wei, the New Confucianists identified Sung-Ming Neo-Confucianism as the embodiment of the true spirit of Confucianism. In taking this intellectual stand which tried to bridge past and present, as well as serve as a guide to the future, the New Confucianists saw themselves as the modern defenders of the neo-Confucian ethicospiritual symbolism.<sup>10</sup>

In trying to discern why New Confucianists came to their particular intellectual stance, Hao Chang presents an analysis from the standpoint of China's "crisis of meaning and the reaction to scientism."<sup>11</sup> The crisis of meaning which Chang describes was an intense spiritual, and, we might also suspect emotional, disorientation.<sup>12</sup> As in every society, Chinese had tried throughout their history to answer man's fundamental questions about the meaning of life and the world. In approaching these questions Chinese tradition had gradually encompassed an accepted set of symbols and concepts which ultimately became a part of the Confucian tradition. In the late nineteenth-century, however, intellectual currents both from within China and from the West began to challenge the central moral-political values of the Confucian tradition. This challenge not only threatened the Confucian moral order, but also disputed its underlying metaphysics.

The most serious challenge, in the eyes of New Confucianists, came from scientism; the belief that science could provide not only the symbols and concepts, but also the methodology to answer natural, human, and social questions. Scientism, whose appeal was widespread after 1919, was offering a complete rational philosophy as a replacement for Confucianism.

Among this group of New Confucianists which emerged in the post-May Fourth era, were Liang Shu-ming, the philosopher and leader of the Rural Reconstructionists, T'ang Chün-i, also a philosopher, and Chang Chün-mai, who in addition to our previous description, was also head of the Democratic Socialist Party. Casting themselves as defenders of tradition did not at all mean New Confucianists had to reject science; scientism as an all-inclusive philosophical system was their antagonist, not science. Time and again these New Confucianists were willing, in fact, to adapt science or other modern concepts and institutions to their purpose; as a way of looking at life, at man, and understanding them, however, they found science woefully inadequate.

Related to the intellectual struggles of the post-1911 period was the search for a "new political system that would bring prosperity, stability and strength to the Chinese nation."<sup>13</sup> This national-scale problem was inextricably tied to the much larger universal philosophical questions that preoccupied Chinese intellectuals. That this should be so is not surprising. From a traditional standpoint the intimate link between good government and conforming to the universal moral order was well established. Government, in its organization and behavior, reflected the universal harmony and ordering of the universe. The link between philosophy and government forged and exemplified by generations of scholar-officials insured that questions of government fell within the purview of Chinese intellectuals. Also, the intellectual crisis was, to a significant degree, linked with Western imperialism. The tenets of scientism and Western rationalism had threatened China intellectually, while Western arms threatened China politically.

What form should China's new government take? Although some

reformers had earlier suggested a constitutional monarchy, the proposals lost all meaning after 1911.<sup>14</sup> The Revolution had established a basic direction for the development of government in post-imperial China. It had been, after all, "republican," and Sun Yat-sen had hurried back to China to act as the republic's first president, if only shortly. Aside from Yuan Shih-kai's ill-advised attempt to exhume the monarchy, China seemed set on a course that would eventually lead to some form of democratic constitutional government.

Various warlord governments toyed with constitution-making, but in a China divided into warlord fiefdoms these exercises were relatively meaningless. The ostensible unification of China under the banner of the KMT, however, gave constitutionalism its first real hope of success. As the party of the late Sun Yat-sen, now termed the Father of the Country, the KMT carried a special stamp of legitimacy. With its military power and hands on the reins of government, that legitimacy took on new meaning. The Party canon, consisting of the Will and teachings of Sun, now became the orthodoxy. The evolution of China into a democratic nation would, for the next two decades, follow the guidelines set by Sun.

At this point the crisis of meaning, which had its roots before the fall of the Ch'ing, and the political crisis precipitated by the revolution came together. New Confucianists in particular were, at one and the same time, seeking a reaffirmation of traditional symbols and values, and trying to establish a new political framework in which those values could operate.

As mentioned earlier, the New Confucianists, culturally conservative as they were, were not opposed to things modern. Constitutional democratic government was seen as one modern Western element that could and should be imported. In particular, Chang Chün-mai believed that he

had found the source of wealth and power precisely in constitutional government.<sup>15</sup> Attempts such as this to meld Chinese and Western concepts had been made before. Luminaries such as Yen Fu, K'ang Yu-wei, and Liang Ch'i-ch'ao had all tried to bring together the best of East and West.

It needs to be stressed that Chang's promotion of democratic constitutional government was an institutional measure, not one which fundamentally challenged his New Confucian credentials. As Joseph Levenson has cautioned, "Chinese reformers viewed the West and its intellectual claims with a good deal of ambivalence, . . ."<sup>16</sup> And so it was with Chang Chün-mai; he never revealed any infatuation with the Western values of individualism and competition. His infatuation was with a Western model of government that could provide Chinese with an appropriate setting or stage on which traditional Chinese values could reassert their claim to validity and demonstrate their efficacy in solving modern problems.

This drive to bring together the best of East and West, so clearly seen in Chang Chün-mai, was, as Levenson pointed out, not without certain inherent tensions. It required, among other things, an indirect denial of the age-old Confucian maxim that all under heaven was an integrated, interconnected, mutually supportive whole. Chang Chih-tung's t'i-yung dichotomy sought to separate spirit and matter into discrete spheres and deny that the latter could be a product or reflection of the former. In accepting foreign factories, arsenals, machinery and technology, Chang Chih-tung necessarily had to posit that they were outside of and untainted by the culture which had produced them.

While Levenson believes that early synthesizers such as Chang Chih-tung embraced Confucianism both as "history" and as "value," the same

could not be said for those who followed him. Whereas Chang's attachment to tradition was intellectual, that of later Chinese would become romantic. Twentieth-century nationalists, in particular, could no longer embrace Confucianism because of its "value"--its practicability to the modern world--but touted it for its traditional content. Nationalists, such as Chiang Kai-shek and Chang Chün-mai, who were driven ostensibly by a desire to do away with the evils of Imperial China, still found themselves defending tradition. This paradoxical position could only be held by separating the tradition from the institutions it had spawned. Mary Clabaugh Wright noted this phenomenon in Chiang Kai-shek. She observed that for "Chiang the Confucian way of life [had] lost its traditional rational and universal qualities and [had] become imbued with a romantic nationalism. It [had] supreme value because it [was] Chinese, the source of our great past, the promise of our great future."<sup>17</sup> Nationalists of this stripe could now "prescribe fidelity to what history [had] established as Chinese. They [could] never admit that a Chinese scholar careless of tradition [could] be a Chinese nationalist."<sup>18</sup>

There are two parallel currents to Chang's approach; permanence and change: permanence as exemplified in the continuation and preservation of certain traditional strains of thought and culture, change as seen in the overlay of new modern political institutions. The resemblance here to the t'i-yung formula of Chang Chih-tung is undeniable. It can only be said that, in Chang's case, his many years spent abroad in study and teaching, his wide-ranging contact and collaboration with Western intellectuals, and his selective use of Western philosophy all tend to blur the line between a strict t'i-yung dichotomy. Chang Chün-mai had certainly moved further towards the Western yung than Chang Chih-tung ever dreamed possible.

Aside from Chang's interest in traditional values and modern institutions, there is strong evidence to believe that he yet reserved a place in his new scheme of government for a new elite; one which could replace the old scholar-bureaucrat of imperial days with a dynamic, forward-thinking, modern-educated social leader--a man very much like himself, in fact. This highlights a third, related, crisis faced by a large segment of the Chinese intelligentsia. Aside from the philosophical and political crises, many Chinese intellectuals also found themselves facing a personal crisis; a crisis which undermined their position and function in Chinese society.

"Traditional Chinese society was composed of three political strata: the imperial court, the gentry-administrative-literati class, and the common people. . ."<sup>19</sup> Most intimate was the relationship between the imperial court and the gentry-administrative-literati class.

While Chinese emperors indeed held a monopoly on the use of force, their use of it was not, generally, as arbitrary as it might seem. The relationship between the emperor and the scholar-bureaucrats who staffed his government was, in many cases, dependent upon the character of the emperor. A strong-willed, forceful emperor could consolidate more power in his own hands, where a weak, timid emperor might defer to his advisors and staff.

The Han era, generally, could be said to be characterized by a somewhat balanced relationship between the emperor and the scholar-bureaucrats. Han emperors were, to be sure, omnipotent, but they were amenable to moral remonstrance. Officials of the period never tired of reminding the emperors that "the state was the empire of the Emperor Kuo, it did not belong to the individual ruler."<sup>20</sup>

Reminding emperors of their responsibility to a higher duty could be a potentially effective means of curbing imperial prerogatives. The wielding of power, besides being based on custom and precedent, was also heavily influenced by Confucian moral principles. Theoretically, the emperor accepted the notion that he needed the assistance and counsel of wise officials, that these officials should criticize him, and that he should accept their remonstrances.<sup>21</sup> The only protection these officials had, and the source of their influence and authority, was Confucianism. "Central to that influence was [their] monopoly control of the abstract theory and the technical vocabulary that governed the whole universe of moral, social, and political attitudes and relationships."<sup>22</sup> As caretakers of Confucian ideology, defenders of the faith, if you will, these officials could act as a counterbalance to the arbitrary power of the throne.<sup>23</sup> Concurrent with their moral authority, governmental institutions developed that gave real power and decision-making authority to the scholar-bureaucrats. The Imperial Censore which, theoretically, had the power to investigate and charge any person within the realm, including the emperor, and the office of Prime Minister are cases in point.

The effectiveness of this moral and institutional counterbalance was greatly reduced by the time of the Ming dynasty (1368–1644), however. The imperial institutions which had given the scholar-bureaucrats power and influence were abolished. The reforms instituted by Emperor T'ai-ts'u eliminated the Secretariat, the Chief Military Commission, and the Censore. These changes effectively concentrated power in the emperor's hands, and significantly altered the relationship between the emperor and the scholar-bureaucrats. The system T'ai-ts'u initiated inclined later emperors towards "capricious and ruthless exercise of their authority over

the officialdom."<sup>24</sup>

With their positions separated from the top levels of government, the scholar-bureaucrats had to rely solely on persuasive remonstrance to check emperors' abusiveness. T'ai-tsü further proscribed his advisors' freedom of action by attacking the Mencian precepts which had justified the officials' remonstrances. T'ai-tsü created a special board of scholars which purged eighty-five passages from Mencius' works which he found offensive to a rulers' prerogatives.

Not surprisingly, it was Mencius that Chang Chün-mai appealed to in his reconciliation of Confucianism with democracy. In a fashion, Chang was attempting to resurrect the ruler-minister relationship that had existed before the time of T'ai-tsü. The fall of the Ch'ing empire in 1911 brought with it the destruction of the sociopolitical and cultural-moral orders. As Lin Yu-sheng has observed, the concept of universal kingship, so intimately supported by Confucianism, had held together the sociopolitical and cultural-moral orders. Even in the face of centrifugal forces in the late Ch'ing, the court's integrative function had been the glue that held the empire together. The empire's demise, Lin concludes, had particularly devastating consequences for Chinese society.<sup>25</sup> Tied as closely as they were to the empire and the court, the gentry-administrative-literati class, for example, were left without position, status, or function. They did not disappear as a class, they simply became irrelevant.

As the gentry-administrative-literati class was being eclipsed, another, "new Western-oriented intelligentsia was emerging in the cities, in the new schools and universities, and among students sent abroad."<sup>26</sup> "No longer educated for office, intellectuals more and more stood outside

the mainstream of political power . . ."<sup>27</sup> And while it was only natural for these new elites to seek a role and a justification for themselves, there were no institutions which could utilize their expertise or give them the influence and authority they desired.

This new breed of elites, in addition to addressing the important philosophical and political challenges of the day, were also building a case for their own existence. By placing themselves between the center of authority and the people, by acting as the spokesman for democratic constitutional government, by supporting the creation of new institutions which gave them position and influence, by acting as a moral check on government, and by mastering the vocabulary and claiming the authority to interpret the tenets of constitutional democracy, the new intelligentsia were carving a new niche for themselves in modern China. Chang Chün-mai is a clear example of this emerging group of new elites; blending traditional and modern, Chinese and Western.

Chang's behavior is as revealing as the content of his writings. Following his career seems, at first, to involve successive changes of focus; one period seems dominated by political activity, the next by educational pursuits, the next literary activities, academic study, and so on. Only when one recognizes that Chang's focus never wavers with respect to his goal does the task become clearer. It is only the avenues Chang uses to reach his goal that change. Chang is a man in pursuit of a moral goal, for himself and for China. These successive shifts in focus observable in Chang were nothing new to Chinese culture. Arthur Wright long ago observed that Chinese culture had developed a "variety of alternatives to those who were driven from the arena of power."<sup>28</sup> Somewhat analogous to the Confucian scholar-bureaucrat who, driven from Court, turned to Taoist seclusion or poetry, Chang Chün-mai likewise

turned to less controversial pursuits when his activities in one arena angered his powerful antagonists.

Central to understanding Chang Chün-mai is the recognition of his self-perceived role. As a culturally conservative New Confucian, he not only idealized certain neo-Confucian precepts, but he also idealized the role of the Confucian gentleman (chün-tzu). According to Confucian dogma the "highest ideal of Confucianism-inner sagehood and outer kingliness commanded a Confucian to both engage in internal moral self-cultivation and to exert external influence upon others for the construction of the universal moral community."<sup>29</sup> In this context Chang's seemingly abrupt swings in focus and activity are more easily explainable. Thomas Metzger observed that ". . . Confucian thought generally wavered between the poles of self-cultivation and political action."<sup>30</sup> It could be added that Confucians, as well, wavered between those poles. As is the case with Chang Chün-mai, when one avenue of action was exhausted or frustrated he, without pause, shifted to another. "The range of services that Confucianism sought to deliver . . . included regulation, education, and the resolution of crises."<sup>31</sup> Chang's pursuits easily covered all these and more.

Whether Chang Chün-mai ever referred to himself as a Confucian, of any stripe, is irrelevant; his actions and assumptions clearly indicate behavior that is consistent with traditional patterns. John Dardess has shown that "the overall behavior of those who considered themselves Confucians was consciously aimed at, and in some ways achieved, a self-definition and a social role in which one can see a logical consistency."<sup>32</sup> Even if Chang did not openly acknowledge his behavior as "Confucian" or "traditional," it was only too clear to others. His

political antagonists judged Chang to be little better than an anachronism, and felt that he "had spent his whole life studying the halcyon days of Ch'in Shih Huang-ti and Han Wu-ti," and that "he completely represent[ed] the interests of the landlords."<sup>33</sup>

If we look for the "self-definition" and "social role" that Chang consciously aimed at, it is evident that it was as a member of an elite--a new elite certainly, but one whose role and relationships as a mediator between the "court" and the masses were quite traditional in nature. To be sure, Chang did set himself apart from the masses, he did view himself as a member of an elite group possessing certain expert knowledge, a view wholly consistent with Dardess' definition of Confucianism as a profession.<sup>34</sup> Chang was one of a "new literati" struggling to find a place for themselves in modern China. They would, as did their traditional counterparts, continue to act as mediators between the locus of power and the people, "to systematize . . . demands and provide solutions".<sup>35</sup> The major difference now was that the body of expert knowledge had changed somewhat from traditional times. Instead of purely traditional Chinese wisdom, this "new literati" (in Chang's case New-Confucianists) sought to "find a course of action from traditional China and from foreign scientific civilizations to save China . . ."<sup>36</sup>

Earlier we noted that Hao Chang had distinguished the New Confucianists' reaction as against scientism rather than against science. Not wanting to seem backward or obscurantist, Chang Chün-mai was ready to use science to his own ends. Perhaps to justify his own desires he observed that "today, science has reached the point where every kind of knowledge has become a specialty, every kind of skill has become a special ability. National affairs can no longer be dealt with by people with only general knowledge."<sup>37</sup> And what kind of expert knowledge would Chang be

talking about? In a country trying in many ways to emulate the West, what kind of learning was most appropriate? The answer, of course, is obvious. Without pointing to himself, Chang suggests that those possessing this expert knowledge be given "status and position."<sup>38</sup> With possibly just a bit of nostalgia Chang went on to suggest that once educational background and experience were set as standards, the government might use some kind of examination to further differentiate these experts.<sup>39</sup>

Even as Chang envisioned the new chün-tzu's fulfilling their service ideal, others, less convinced of his sincerity, mocked him for his expectation that "everyone should revere those statesmen of high virtue and knowledge,"<sup>40</sup> or that "the success or failure of all things is dependent on a hero to resolve them."<sup>41</sup>

Much of what Chang Chün-mai tried to do in the way of creating democratic institutions in China can be seen as efforts to reestablish a sociopolitical structure that would accommodate his generation of elites. His use of terms familiar to Western democratic tradition, however, should not be misread as a deep commitment to populism. The basic strains of paternalism inherent in the Confucian tradition were clearly visible in Chang's efforts to build a replacement for the institutional structure of Imperial China. Through such efforts Chang sought to rationalize the relationships between the various political elements of modern China, and to regain the harmony and order that would bring peace and prosperity to China.

## CHAPTER ONE

NOTES

<sup>1</sup>Charlotte Furth, "Intellectual change: from the Reform movement to the May Fourth movement, 1895-1920," in John K. Fairbank and Denis Twitchett, eds., The Cambridge History of China, Vol. 12, Republican China, 1912-1949, Part I (Cambridge: Cambridge University, 1978-1983), p. 322.

<sup>2</sup>Ibid. pp. 354-361; Also see Lawrence A. Schneider, "National Essence and the New Intelligentsia," pp. 57-89; Martin Bernal, "Liu Shih-p'ei and the National Essence, pp. 90-112; and Charlotte Furth, "The Sage as Rebel: The Inner World of Chang Ping-lin, pp. 113-150 all in Charlotte Furth, ed., The Limits of Change: Essays on Conservative Alternatives in Republican China (Cambridge: Harvard University Press, 1976).

<sup>3</sup>Furth, "Intellectual change," p. 362-363.

<sup>4</sup>Page Smith, The Historian and History (New York: Alfred A. Knopf, 1964), p. 150.

<sup>5</sup>Lin Yu-sheng, The Crisis of Chinese Consciousness: Radical Antitraditionalism in the May Fourth Era (Madison: University of Wisconsin Press, 1979), p. 73.

<sup>6</sup>Chow Tse-tung, The May Fourth Movement: Intellectual Revolution in Modern China (Cambridge: Harvard University Press, 1964), p. 289

<sup>7</sup>Ibid. p. 308.

<sup>8</sup>Hao Chang, "New Confucianism and the Intellectual Crisis of Contemporary China," in Furth, Limits of Change, pp. 276-302.

<sup>9</sup>Ibid. p. 277.

<sup>10</sup>Ibid. p. 278.

<sup>11</sup>Ibid. p. 280.

<sup>12</sup>Ibid. pp. 280-282. Hao Chang identifies three elements to this spiritual disorientation: moral, existential, and metaphysical. The moral disorientation was a result of the radical iconoclasm of the May Fourth era which rejected the whole Confucian moral tradition. The existential disorientation resulted from the crumbling of traditional religious beliefs which had heretofore given Chinese emotional shelter. The metaphysical disorientation sprang from the assault on the traditional metaphysical world view of religion and philosophy by science.

<sup>13</sup>Lloyd E. Eastman, The Abortive Revolution: China Under Nationalist Rule, 1927-1937 (Cambridge: Harvard University Press, 1974), p. vii.

<sup>14</sup>Yuan Shih-k'ai's imperial presumptions some years later were shared by few and could hardly be said to represent a legitimate current of thought.

<sup>15</sup>Chang Chün-mai, "Kuo-chia wei shen-me yao hsien-fa?" in Chung-kuo min-chu she-hui tang chuan-chi (n.p.: Ts'ai-sheng she pien-chi pu, 1946), p. 5. Hereafter CKMCSHTCC. Also see Philip C. Huang, Liang Ch'i-ch'ao and Modern Chinese Liberalism (Seattle: University of Washington Press, 1972), and Benjamin Schwartz, In Search of Wealth and Power: Yen Fu and the West (Cambridge: The Belknap Press, 1964).

<sup>16</sup>Furth, "Intellectual change," p. 324.

<sup>17</sup>Mary Clabaugh Wright, The Last Stand of Chinese Conservatism: The T'ung-Chih Restoration, 1862-1874 (Stanford: Stanford University Press, 1957), p. 307.

<sup>18</sup>J.R. Levenson, "'History' and 'Value': Tensions of Intellectual Choice in Modern China," in Arthur F. Wright, ed., Studies in Chinese Thought (Chicago: University of Chicago, 1953), p. 171.

<sup>19</sup>Robert Bedeski, State-Building in Modern China: The Kuomintang in the Prewar Period (Berkeley: University of California Press, 1981), p. 164.

<sup>20</sup>Hans Bielenstien, The Bureaucracy of Han Times, Cambridge Studies in Chinese History, Patrick Hanan and Denis Twitchett, gen. eds. (Cambridge: Cambridge University Press, 1980), p. 143.

<sup>21</sup>Ibid.

<sup>22</sup>John W. Dardess, Confucianism and Autocracy: Professional Elites in the Founding of the Ming Dynasty (Berkeley: University of California Press, 1983), p. 288.

<sup>23</sup>Y.C. Wang, Chinese Intellectuals and the West: 1872-1949 (Chapel Hill: University of North Carolina, 1966), p. xi.

<sup>24</sup>Charles O. Hucker, The Ming Dynasty: Its Origins and Evolving Institutions (Ann Arbor: Center for Chinese Studies, University of Michigan, 1978), pp. 96-97.

<sup>25</sup>Lin, Chinese Consciousness, pp. 11-17. Furth also observed these "devastating consequences." He noted that the collapse of the concept of universal kingship and its attendant institution, which had symbolized the interdependence of the Chinese value system and the socio-political order, was "profoundly dispiriting." See Furth, "Intellectual change," pp. 350-351.

<sup>26</sup>Bedeski, State-Building, p. 164.

<sup>27</sup>Furth, "Intellectual change," p. 322-323.

<sup>28</sup>Arthur F. Wright, "Values, Roles, and Personalities," in Arthur F. Wright and Denis Twitchett, eds., Confucian Personalities (Stanford: Stanford University Press, 1962), p. 15.

<sup>29</sup>Lin Yu-sheng, "The Suicide of Liang Chi: An Ambiguous Case of Moral Conservatism," in Furth, Limits of Change, p. 160.

<sup>30</sup>Thomas A. Metzger, Escape from Predicament: Neo-Confucianism and China's Evolving Political Culture (New York: Columbia University Press, 1977), p. 79.

<sup>31</sup>Dardess, Confucianism and Autocracy, p. 54.

<sup>32</sup>Ibid. p. 6.

<sup>33</sup>Hsia K'ang-nung, Lun Hu Shih yü Chang Chün-mai, (Shanghai: Hsin-chih shu-tien ch'u-pan, 1946), p. 51.

<sup>34</sup>Dardess, Confucianism and Autocracy, pp. 7-8.

<sup>35</sup>Guy Alitto, The Last Confucian: Liang Shu-ming and the Chinese Dilemma of Modernity (Berkeley: University of California Press, 1979), p. 199.

<sup>36</sup>Wen-hua chiao-yü yen-chiu hui, Ko k'ang-jih tang-p'ai ti hsüan-ch'uan huo-tung (n.p.: Wen-hua chiao-yü hui ch'u-pan, 1941), p. 197. Hereafter KKJTPTHCHT.

<sup>37</sup>Ts'ai-sheng she, Women yao suo shuo ti hua, (n.p.: Ts'ai-sheng she ch'u-pan, 1946), p. 16. Hereafter WYSSTH.

<sup>38</sup>Ibid.

<sup>39</sup>Ibid. p. 18.

<sup>40</sup>Hsia K'ang-nung, Lun Hu Shih yü Chang Chün-mai, p. 62; p. 64.

<sup>41</sup>Wen-hua chiao-yü yen-chiu hui, KKJTPTHCHT, p. 211.

## CHAPTER TWO: EARLY EDUCATION: BEGINNING OF A SYNTHESIS

For the generation of the 1880's the declining years of the Ch'ing dynasty held both great uncertainty and great promise. Some would no doubt feel at a loss to explain the disintegration of a political system they were intimately linked to by education, position, or class. Others, who, for whatever reasons, were able to bridge the chasm between Imperial China and a "national" China, would find opportunities to be in the forefront of those leading China into the twentieth century. This latter group of men and women represented both the more "radical" and the more "progressive" elements of the spectrum of political thought in China. Some would provide the leadership of the May Fourth Movement, others would help conceive and bring to life the Chinese Communist Party, while others, more conservative by nature, would try a new rapprochement with Western culture that was related to, but distinctly different from, the earlier efforts of the "Self-Strengtheners."

As a member of the 1880's generation, Chang Chün-mai represents the latter, more conservative element. His early years were fairly typical of the adjustments and challenges faced by his contemporaries. Forced by circumstances, as much as driven by desire, Chang's early education set a pattern of fusing traditional and modern, Chinese and Western, that would continue throughout his life.

Chang's family was, by all indications, a respectable one; natives of Chiangu province, his ancestors had been scholars since the seventh century, his grandfather had traveled widely and studied broadly, especially in the area of Sung Confucianism.<sup>1</sup> Much like the son of a scholar in older times, Chang received his early education at home under the guiding hands of prominent local Confucian scholars.<sup>2</sup> Chang began

reading at six, and by eleven had been given the fundamentals of a standard Confucian education. His tutors had led him through The Four Books, the Collected Works of Tseng Kuo-fan (Ts'eng Wen-cheng kung ch'üan-chi), Ku Yen-wu's A Record of Daily Knowledge (Jih chih lu), and introduced him to Tz'u chih t'ung chien, a 294 volume chronicle by Ssu-ma Kuang covering a period of 1362 years down to the period of the Five Dynasties.<sup>3</sup>

An education so heavily infused with Confucian ethics and morality, combined with the natural influence on early development of a tradition-laden home environment, gave Chang a worldview, traditional in nature, that became a touchstone to which he would return again and again throughout his life. In view of Chang's later writings, it seems clear that his appraisal of Western philosophy and his synthesis of Western and Chinese thought were largely guided by using these early-learned principles as a standard. The importance of those early years at home, absorbed in the study of classical texts cannot, in Chang's case, be overlooked.

The influence of early education is, of course, a complex variable whose effects are not uniform. In some cases, such as Lu Hsün, Ch'en Tu-hsiu, or initially at least, Yen Fu, the mature individual rejected his early education and denounced it, sometimes in the most vile terms.<sup>4</sup> In contrast, Chang's embrace of the Confucian world-view was, if anything, reinforced as he grew older. His life shows a steady and consistent pattern of behavior strikingly similar to that of a "model" Confucian. In a rebuttal to Hu Shih's iconoclasm he once said that "Confucius is the pillar of China. . ."<sup>5</sup> and wondered if Hu Shih really understood the great sage. And years after the "loss" of China to the Communists Chang authored a seminal work on Neo-Confucianism that revealed his strong

affinity for the thought of Wang Yang-ming.

With his home education finished and a solid Confucian foundation in place, young Chang was enrolled in one of the "new schools" which had multiplied in the latter half of the nineteenth century. These "new schools" sought to combine Chinese learning and Western science to train a new generation of Chinese intellectuals who, armed with the best of both cultures, would lead China in its quest for wealth and power. The decision to place Chang, the eldest son, in such a school must surely have been a serious and relatively bold one for the family. As Chang later commented, "at that time . . . most people felt that studying in a foreign-style school was tantamount to not studying at all."<sup>6</sup> Credit should be given to Chang's mother who, apparently, was the force behind the decision. She certainly could not have foreseen the coming abolition of the Imperial examination system, but she was able to see clearly in what direction China's future lay. So, in 1897 Chang was packed off to Shanghai and entered the Institute of Modern Languages (Kuang-fang Yen-kuan).

Despite its appellation as a school of "foreign learning", the institute did not neglect more traditional courses. While Chang studied English four days a week, he continued to study Chinese the other three days. During the four days of English classes Chang was also expected to master mathematics, chemistry, physics, and world history. His Chinese classes still, to a degree, followed the traditional pattern of reading historical anecdotes and writing essays.<sup>7</sup> Only twelve, Chang was already an amalgamation of modern and traditional; his education had brought together and fused the "new learning and the old ethics".<sup>8</sup>

During the next four years, as Chang finished his middle school

education, he was by no means isolated from or immune to the events about him. Like many others, he must have watched with keen interest the tide of reform that was rising against the Empress Dowager, Tz'u Hsi. The reformist ideas of K'ang Yu-wei and Liang Ch'i-ch'ao struck a responsive cord in Chang Chün-mai; they planted a seed and sparked his interest in a way that would only become apparent in the future.<sup>9</sup> K'ang and Liang's emphasis on gradual reform and modernization, with a strong strain of Confucian moralizing, melded well with the thrust of his "new" education and satisfied his need to reconcile the past with the future.

It is impossible to say what effect the failure of the Hundred Days of Reform and the flight from China of K'ang and Liang had on Chang. One can only imagine that the pictures of K'ang and Liang, along with their arrest warrants, that hung above school doors in China, must have given Chang pause to reflect and wonder about the future of the Empire.

Still following, more or less, a traditional pattern, Chang returned to his home prefecture and sat for the provincial exams in 1902. The evidence suggests that Chang sat for a traditional style exam, composing essays based on quotations from the Classics. Chang did well enough to earn a hsiu-ts'ai degree.<sup>10</sup> Continuing his education, Chang spent a half year at the China Institute (Chen-tan hsüeh-yüan), which he left for lack of money, and then enrolled in the Nanking kao-teng hsüeh-hsiao. It was not long, however, before Chang's maturing consciousness and China's own crisis would lead him in new directions.

The encroachment of Russia into Chinese territory fueled the flames of a growing nationalism in China. Humiliated only a few years earlier by Japan, Russia now added to China's humiliation by occupying large areas of Manchuria. Chang Chün-mai began to express his own sense of nationalism and outrage, as well as a willingness to take action; while

still a student, he tried to enlist in the volunteer army of Niu Yung-chien.<sup>11</sup> Though nothing came of Chang's military intentions, he was stimulated to seek his own future and the salvation of China through new avenues.

Russia's defeat by Japan in 1905 stunned the world. For Japanese and Chinese it was simply electrifying. Asians saw the Japanese victory as proof that the Western powers were not invincible; it was possible for an Asian nation to modernize and become equal with the West. Japan's greatest success, though, was that it had been able to adopt a Western-style constitution and become strong industrially and militarily while yet preserving its traditional heritage. Hatred and past humiliations aside, many Chinese found that the Japanese had given them back a sense of pride and hope. They now looked to Japan for clues and guidance to China's own redemption. Chang Chün-mai, no less than others, saw Japan as the place to be; in the period around 1905 the Chinese student population in Japan had grown to about 13,000, a 1,300 percent increase since 1900.<sup>12</sup> In the spring of 1905 then, Chang, only recently married and just twenty-one, set sail for Japan.

Originally, Chang had gone to Japan as an overseas student sponsored by his home prefecture. According to the conditions of his stipend, he was to study the natural sciences. Unfortunately, Chang could work up no interest in his courses, and soon left the government-approved school. Although he quickly gained entrance to Tokyo's Waseda University, his studies in political science did little to impress the provincial authorities back home who cut off his stipend and effectively left him destitute.<sup>13</sup>

After the failure of The Hundred Days of Reform, Liang Ch'i-ch'ao had

also gone to Japan. As a student, Chang had been content to follow the reformer through his writings in the New People's Miscellany (Hsin-min ts'ung-pao). But now the necessity of earning a living provided the impetus which brought Chang and Liang together. Chang began writing for the New People's Miscellany and for the university newspaper. Materially, these were not the best of times. Chang, who was helping to support his younger brother who was also studying in Japan, was barely able to exist on what he earned writing and what his family could contribute. He and his brother lived mostly on sweet potatoes, the cheapest food available. Intellectually, however, these were fruitful times. Not only did Chang begin a life-long relationship with Liang Ch'i-ch'ao (which has been described both as a master-disciple and as a father-son relationship), but, he was now free to give full vent to his intellectual curiosity.

University life in Japan for overseas Chinese students was not a retreat to the hallowed halls of learning; rather, it put them in the vanguard of the various movements to save China (whether through reform or revolution). These young students involved themselves in a host of activities within the university and without. Students organized study groups that discussed everything from poetry to politics, reform to revolution. As Chang puts it, ". . . everyone was interested in politics, no one thought of education as an end in itself."<sup>14</sup> In other words, these students were in Japan to gain the tools, the skills, to affect change in China. Waseda University was also a center of the "New Village Movement" inspired by Tolstoi and Kropotkin. No evidence suggests that Chang participated in any way in the movement, but the voluntaristic communal aspects of its philosophy may have added to and helped define Chang's own, later, socialist agrarian policies.<sup>15</sup>

The most significant aspect of Chang's tenure in Japan is his

association with Liang Ch'i-ch'ao. Through Chang's work on the staff of Liang's New People's Miscellany in 1907, he was brought into the mainstream of those advocating reform through constitutional government, rather than through violent revolution. For almost a year, before the journal ceased publication, Chang, writing under the pseudonym Li Chai, was able to begin to define and give expression to his political views. Chang also joined the Political Information Society (Cheng-wen she), which had been established in Tokyo by friends of Liang's. The society's charter called for "implementing a parliamentary form of government, establishing a 'responsible' government [probably a responsible cabinet system], establishing laws and the independence of judicial authority, the affirmation of local self-government, a program of cautious diplomacy, and the protection of equal rights."<sup>16</sup> Chang was a contributor to the Society's journal Discourses on Politics (Cheng Lun), and helped handle the affairs of the society in Japan after its headquarters moved to Shanghai. The Political Information Society was suppressed by the Manchu government in 1908, and Chang's involvement with the group seems to have ceased shortly thereafter.<sup>17</sup>

Almost impossible to gauge accurately is the influence Liang had on Chang's intellectual development. Liang's own intellectual evolution charted a course that swung from anti-Manchu agitator to conservative reformer, from revolutionary to constitutional monarchist.<sup>18</sup> It was Liang, the reformer, who had first attracted Chang Chun-mai during his middle school days, and it was Liang, the proponent of parliamentary government, whom Chang met in 1906.

While not part of this study, it should be noted in passing that to label Chang Chün-mai as a "supporter" of Liang Ch'i-ch'ao,<sup>19</sup> as some have,

is to say very little at all. That Liang had a profound affect on Chang there can be little doubt; their thinking is similar in many areas. At the time Chang worked on Liang's New People's Miscellany, they both firmly embraced peaceful reform as the most efficacious means of rectifying China's ills. Both shared the dilemma of how to reconcile the conflicting meanings of Confucian principle and democratic government.<sup>20</sup> Liang's ideas on economics, which "favored the development of private capital under state control--a kind of 'state reformism' characterized by public ownership of utilities, factory laws, regulation of monopolies, progressive income taxes and similar measures . . ."<sup>21</sup> bear a striking resemblance to Chang's brand of "state socialism" that would appear in the 1930's.<sup>22</sup> The notion that cultures could be creatively blended was, in the early twentieth century, also a notion that both men could use effectively.<sup>23</sup> Chang, in fact, would continue to use this device long after Liang had rejected Western civilization in toto.<sup>24</sup>

To recognize their similarities though is only to highlight their differences. The most striking and the most pertinent to this study are their contrasting views on sovereignty, human rights, and constitutional government. As Liang Ch'i-ch'ao moved away from his early belief in popular sovereignty, the notion "that people might be sovereign through some form of legislated a priori rights [became] an idea incompatible with his own belief that political utopia would be arrived at through a historical process of human "self-actualization."<sup>25</sup> Chang had no quarrel with the importance of self-actualization—Neo-Confucianism gave ample support for it—but Chang added the existence and protection of human rights as a prerequisite to its realization.

Self-actualization implies the existence and function of free will. Free will, in turn, was viewed by Chang systemically—it could not operate

freely in one sphere while being denied in another. In worldly terms, free will was expressed in an individual's ability to operate freely within his environment. This included the economic, religious, artistic, social, and political spheres of everyday life. As an individual operated in these various spheres, he realized spiritual freedom and moved towards self-actualization. Man's environment, as the reciprocal of this equation, reflected man's spiritual freedom in "politics, ethics, and law, and maintained the existence of the nation.<sup>26</sup> As the environment changed, it further allowed greater freedom for the expression and expansion of spiritual freedom. This cyclical self-perpetuating relationship lead to self-realization for the individual, and a state in harmony with man and the universe.

Chang linked personal freedom, spiritual freedom, and political freedom. Man's basic freedoms, which he would later call people's rights, were the basis of all other freedoms.<sup>27</sup> Chang further saw these freedoms--human rights--as the foundation of any truly democratic constitution.<sup>28</sup> In other words, if Liang's "historical process of human self-actualization" were to lead to a political utopia, it would, by Chang's lights, require a priori human rights to allow its operation.

In the 1920's, shortly before his death, Liang rejected constitutionalism as "inadequate for China's needs, because it was Western, legalistic, anti-Confucian, and a proven failure in the political life of China . . ."<sup>29</sup> Though both men had viewed constitutions as a means of strengthening and rationalizing the state, Chang also viewed them as instruments of balancing power and protecting human rights. Both men undoubtedly looked at constitutions in terms of methodology; constitutions were Western instruments for applying Chinese

concepts (another expression of t'i-yung). The hitherto failure of constitutionalism in China did not lead Chang to reject it as Liang had done, instead he found fault with its application and with the sincerity of those who had promoted it.

The high hopes that Liang Ch'i-ch'ao had had for his "new citizen" disappeared in his later years. The masses' lack of education and public spirit, in Liang's view, made the assumption of their sovereignty ludicrous. Liang, in the preamble to his own draft constitution, had stated specifically, "the sovereignty of the Republic is vested in the state . . . and is not vested in the people." <sup>30</sup> This was a direct denial of a fundamental Western democratic principle. While Chang had his own doubts over the ability of the people to fully comprehend and exercise their sovereignty immediately, he never wavered in his support of the basic principle. The preamble to Chang's constitution is diametrically opposed to Liang's and places sovereignty squarely within the hands of the people.

By examining only these three factors, human rights, sovereignty and constitutional government, it is clear that Chang was more than simply a supporter or follower of Liang Ch'i-ch'ao; he was his own man with views that clearly separated him from Liang. In short, to identify Chang too closely with Liang Ch'i-ch'ao is to obscure their substantial differences. Perhaps it should simply be said that Chang and Liang shared a common propensity in their approach to political activity: "the avoidance of extremes, a conciliatory middle of the road stance which often left [them] isolated from the real sources of political power."<sup>31</sup>

#### A MODERN CHÜN-TZU EMERGES

The next twenty years would further broaden and shape the man who

would enter the political arena in the 1930's. Chang Chün-mai's experiences and education would arm him with a set of values, perceptions and assumptions that would determine the manner and character of his political participation. These perceptions and assumptions, coupled with a strict personal moral code, would color Chang's expectations about his political adversaries and about what he could reasonably accomplish.

Although labeled a radical revolutionary by the Ch'ing court, Liang Ch'i-Ch'ao found himself supporting the Ch'ing reform program in 1906 and, had he been welcomed, would have returned to China to work with the Court. Similarly, Chang Chün-mai did not equate his reform position to any disloyalty. His opposition to the ruling Ch'ing and his support of constitutional government in no way mitigated his respect for other traditional symbols. On the contrary, it only illustrated the growing duality of Chang's character and education. His early immersion in Confucian texts gave traditional symbols a continuing appeal.

The admixture of Chinese and Western elements gave Chang both an appreciation and respect for Chinese tradition and culture, and the perspective and reason to isolate and evaluate its components. Unlike Ch'en Tu-hsiu, Chang was able to differentiate between a failing ruling house and those elements of tradition that had supra-dynastic value. Somewhat analogous to ancient scholars who could focus their loyalty on ideology and institutions rather than on a ruling emperor,<sup>32</sup> Chang focused on components of Chinese tradition (namely Neo-Confucianism) whose value transcended temporary illnesses of the body politic.

It is not surprising, therefore, that when Chang returned to China in 1910 he sat for the Imperial examinations for returned students. He did well in the examinations, was awarded the chin-shih degree, and installed

as a compiler in the Hanlin Academy.<sup>33</sup> There is no record of what further expectations Chang had in Imperial service, but with the Wuchang Uprising in October of the following year it became a moot point.

Taking his leave of the uncertainties of Peking, Chang returned to his native Chianqsu and quickly involved himself in a bevy of political and literary activities. He helped to found the Republican Construction Discussion Association (Kung-ho chien-she t'ao-lun hui) in Shanghai. Correspondence with Liang Ch'i-ch'ao in Japan about the need for a new political party to revitalize the reform movement led to the founding of the Democratic Party (Min-chu tang). Later, as a representative of that party, Chang went to Japan to accompany Liang on his triumphal return to China.

Following the example of many others, Chang founded his first magazine, Young China (Shao-nien chung-kuo). Unfortunately, his first efforts in publishing led to his first political setback.<sup>34</sup> In a December, 1912 issue of Young China, Chang rather rashly and naively delineated the major crimes of Yuan Shih-Kai. Yuan, not a man used to accepting criticism from an upstart like Chang Chun-mai, issued an order for Chang's arrest.<sup>35</sup> A warrant for one's arrest in modern China (a situation which hasn't changed up to the present) was cause for some alarm. Looking back on those days Chang would later say that "there was no way . . . that I could safely live in Peking."<sup>36</sup> At the urging of Liang Ch'i-ch'ao and other friends Chang quickly made arrangements to leave the country.

Perhaps at his own suggestion, and the fact that Chang knew some German, he embarked for Germany as the European correspondent of the Constitutional News Association (Hsien-fa hsin-wen she). It was not Chang's intention to become a journalist, nor did it absorb him on a full-

time basis; rather it provided him with a small income and allowed him to keep his hand in politics. So, like an ancient scholar-official who had fallen from favor at Court, Chang retreated to the wilderness and threw himself into study. By March of 1913 he was enrolled at Berlin University pursuing a Doctorate in political science. This "retreat" to an academic life was, for Chang, simply another avenue to contribute to the effort to bring order and reason back to China; it was no less valid or meaningful than other forms of participation. The same drive to "save China" that had galvanized students in Japan continued to push Chang in Berlin.<sup>37</sup>

As Chang finished his studies in Berlin, Yuan Shih-k'ai was finishing his plans for reviving the monarchy in Peking. Chang certainly had heard of Yuan's plans and had deep feelings against a revival of the monarchy. When Chang heard the news of Yunnan's secession proclamation, he resolved to return at once to China and take part in the overthrow of Yuan.<sup>38</sup> This is about as close as Chang ever got to anything resembling "revolutionary" behavior.

And how did Chang pursue his goal of overthrowing Yuan Shih-K'ai? Did he join the more militant followers of Sun Yat-sen? No. Thoroughly consistent with his past behavior, he became active in Liang Ch'i-ch'ao's Research Clique, a group which sought to influence Peking politics through informal channels.<sup>39</sup> As an assistant editor of the Shanghai newspaper China Times (Shih-shih hsin-pao), he worked closely with Chang Tung-sun, the well-known philosopher. And in his role as educator, he lectured at Peking University.

Throughout the period 1916 to 1918 Chang seemed to jump from one activity to another, or to carry on several activities simultaneously; no

single organization or political forum seemed able to monopolize his concentration. His approach to political opposition was to spread his efforts across a broad front of political, educational, and literary activities.

But pervading all concerns was the awareness that philosophic and moral considerations were basic. Amidst all of these activities, Chang and Liang, still found the time and resources to found the Pine Society (Sung She). The Society was to conduct scholarly research within and actively exchange knowledge with outside scholars.<sup>40</sup> The Pine Society was not a whimsical diversion from more important tasks, but underlined Chang's assumptions about how understanding and influence came together. As we will see later, Chang placed great faith in the ability of education and discussion to resolve disagreements and influence events.

Another imperative in the Neo-Confucian worldview was the need to regularize, extend, and preserve that unique body of thought that gave them their moral license and their direction; earlier we noted Chang's self-perceived role as a modern chün-tzu, fulfilling among other things his service ideal. "The moral cultivation of any individual person cannot be sufficient . . . the fulfillment of one's moral life depends upon one's willingness to dedicate oneself to helping others achieve moral self-fulfillment."<sup>41</sup> One important way of accomplishing these goals was through academies or institutes. These institutions served a multiple purpose. First, "teachers were not simply to be moral guides, but, it was hoped, chün-tzu and sages--indispensable active agents in the symbolic ordering of the world."<sup>42</sup> Secondly, as teachers performed this function, they also fulfilled their own drive toward inner self-realization. Thirdly, these institutions served as a training ground for cadre; young men who would form the backbone of the civil service. Providing, on the

one hand, expert knowledge applicable to government and, on the other hand, seeding government with men of high moral character, thus fulfilling the Confucian tenet that held that "society could only be harmonized and set in order when men who have approached the ideal of self-realization are in public office."<sup>43</sup> This outlook saw in "government an agency to bring to bear on society as a whole influence of superior men through the power of moral example and of education."<sup>44</sup>

That there was an acute need for a new generation of cadre, Chang had little doubt. At one time he went so far as to blame all of China's current problems on the bankruptcy of the scholars and officials.<sup>45</sup> He charged scholar-officials with "cheating, jealousy, hypocrisy, seeking personal gain through public office, scheming and manipulation, baseless pride, avoiding work, and not accepting responsibility."<sup>46</sup> A far cry from the "model" Confucian Chang and other Neo-Confucianists had in mind.

The institutes that Chang Chün-mai was involved with were probably patterned after those that Confucius frequently developed; a mixture of the "features of a perpetual resort camp, a library, a seminar, and a club. Living together amid scenically beautiful and scholastically adequate surroundings the students and teachers made their influence felt through their writings and their example, whenever one of their number returned to public life."<sup>47</sup> This may seem passive to the Western observer, but in China their influence was quite real.<sup>48</sup>

Chang felt that Chinese schools had reached their zenith during the Sung and Ming; schools of those times were also self-supporting and thus free from outside political interference. The schoolmaster's responsibility, Chang emphasized, was twofold: to discuss knowledge and learning, while never forgetting to cultivate moral character and to train

the personality.<sup>49</sup> Education, in Chang's view, had key social responsibilities; in the present, education was the force which molded not only the individual, but also the national character. A nation's character, like man's held only the potential for good. Chang felt that "a good education can make . . . national character change for the better, a bad education can make it change for the worse."<sup>50</sup> In the longer course of history, education was the force and the vehicle which allowed a culture to continuously develop.<sup>51</sup> By "preserving the good parts of ancient men's knowledge and learning,"<sup>52</sup> education provides a culture with a stable base upon which to build.

In 1923, Han Kuo-chun, the civil governor of Chiangsu province, invited Chang to head the National Institute of Self-Government (Kuo-li tzu-chih hsüeh-yuan) at Shanghai.<sup>53</sup> Chang reorganized the institute, which became the National Political University (Kuo-li cheng-chih ta-hsüeh), and in 1925 moved it to Wusung.<sup>54</sup> Chang's faith in the ability of debate and discussion to lead to agreement and the resolution of conflict is obvious in his willingness to give conflicting opinions a forum at National Political University. At one point, even Wen I-to, the leftist writer and poet who had castigated the "Confucian values of 'moderation' for having induced the population to accept a life between hunger and death,"<sup>55</sup> taught at the university. As a counterpoint, Chang himself lectured on the materialist conception of history as well as on current political affairs and philosophy.<sup>56</sup> Taking time from his duties at the university, Chang also traveled to Wuhan to lecture on the importance of the relationship between philosophy and politics.<sup>57</sup>

Chang's belief that a university such as his could affect the external world was amply demonstrated by the rapidity with which the Kuomintang closed it once it fell within their power. The growing tension

in the political atmosphere in late 1926 once again prompted Chang to use a pseudonym for safety's sake.<sup>58</sup> After the publication of his views on the Kuomintang-Communist coalition in Wuhan, the KMT felt the university had moved too far to the left and closed it.

Eight years later Chang Chün-mai found himself in Canton. With the support of General Ch'en Po-nan, who was associated with the Southwest Political Council, he founded the Hsüeh-hai shu-yüan. The Hsüeh-hai shu-yüan was also an example of Chang's synthesis of Chinese and Western education. The institute was really a reflection of Chang's own makeup. Besides Sung and Ming rationalism, Western philosophy and logic were also taught. The library had good holdings in Western literature, philosophy, and political science.<sup>59</sup> The institute's aim was to "research the profound meaning of the ancients' pursuit of perfection, and, at the same time, to absorb Western knowledge."<sup>60</sup> By bringing East and West together, Chang believed he could make them both better.<sup>61</sup> "The object of this institute," declared the institute's charter, "is to arouse our national culture, to add Western concepts and methods, and blend them harmoniously to rebuild the foundation of a new Chinese culture."<sup>62</sup> The institute's instructors were to use the methods of Western learning, but to cultivate character, they would use the prescriptions of China's former Confucian doctrine.<sup>63</sup> This was a rather short-lived venture, as when Chiang Kai-shek moved to suppress the Southwest Political Council, Ch'en Po-nan was a loser, and so was the institute. Chiang closed it in mid-1936.

A third and final attempt to realize a true Confucian-style academy was made in 1939. This was not wholly Chang's effort, since the project was funded by the Kuomintang government and the school was staffed by loyal Kuomintang instructors.<sup>64</sup> It was in the mountains just below Tibet

that the new Institute of National Culture (Chung-kuo min-tsu wen-hua shu-yuan) was established. A more beautiful setting would be hard to imagine. The charter for the institute could not be a clearer statement of the on-going attempt to imaginatively blend Chinese and Western thought. The charter reads that the purpose of the institute is:

1. To give college graduates a place to pursue scholarship without worrying about making a living.
2. Mutual respect between students and teachers to cultivate talent.
3. To cultivate frugality and the power of observation.
4. Whereas most colleges stress the attainment of knowledge, this institute emphasizes morality and wisdom.

The curriculum, in part, was as follows:

**Research Work:**

- A. Study of the Classics
  - 1. Logical conception of each writer, concept of law, political thought, economic thought, and scientific method.
- B. History
  - 1. Ancient and modern
- C. Social Science
  - 1. Political Science, economics, sociology, anthropology, problems stemming from the country's environment
- D. Philosophy
  - 1. Understanding Western philosophy
  - 2. Establishing a philosophy for China
  - 3. Recover the national spirit
  - 4. Adopt the spirit of Western philosophy
  - 5. Promote a new spiritual direction for China.<sup>65</sup>

The curriculum outlined above clearly illustrates a facet of the tension produced by trying to reconcile the best of the East with the best of the West. As can be seen by the addition of Western-style social sciences and philosophy courses, the synthesis had gone far beyond Chang Chih-tung's marriage of Eastern spirit and Western matter. Also obvious

are what appear to be glaring contradictions in trying to "recover the national spirit" and yet, "adopt the spirit of Western philosophy" and "promote a new spiritual direction for China." Did one not deny the other?

It is difficult to know what Chang had in mind here, and, particularly difficult to see how he divided the essence of national spirit from its direction. In view, though, of Chang's lifelong commitment to "democratic" reforms and constitutional government we might suggest what he had in mind.

The "national spirit" that Chang sought to recover was probably an expression of those things that gave Chinese their Chineseness: those elements of race, history, and culture which were unique to the Chinese--those same elements earlier identified as the "national essence." Included here also would be those values and mores inherited as part of the Confucian tradition. What China suffered from, however, was the lack of a sociopolitical system which could muster and concentrate the innate strength of the national spirit: a system which could give full vent to the latent potentialities of the Chinese. Here, then, the West could provide an institutional model and a philosophical element that would act as a catalyst to release those latent potentialities.

Constitutional democracies could help to harmonize society by providing the arena for and the lines of communication between the various segments of society. The spirit of democratic government, with its attendant emphasis on the protection of human rights, would release the individual so that he might advance in his quest for self-realization. This was no mere attempt to copy the West. Disillusioned as were many by the failure of the West so brutally revealed in World War I, Chang Chün-mai, we might assume, expected constitutional democracy in a Chinese

setting to blossom into something of unparalleled perfection. The West's capitalistic foundation and emphasis on the supremacy of the individual would always act as brakes to limit the advance of Western civilization. China, on the other hand, would point man in the proper direction to assume his proper place in the someday-to-be-realized ta-t'ung (great harmony).

Whether Chang was ever able to adequately rationalize the contradictions of his synthesis to his students will remain unknown. It should be clear, however, that his appeal was highly intellectual and directed at a narrow audience. The minutiae of his synthesis could have little appeal to the mass of Chinese.

As with the Hsüeh-hai shu-yüan in 1936, the Institute of National Culture ran afoul of the KMT. Chang Chün-mai was accused of inciting a student demonstration in the summer of 1942. The Institute was closed and Chang was kept in Chungking under semi-restraint.

The problems which Chang Chün-mai encountered between his institutes and the government were neither unique nor new to Chinese history. Academies (shu-yüan) during the Ming dynasty, for example, went through several periods of imperial suppression. The suppression of academies showed that the throne recognized them as political as well as educational groups. The association of academies during the Ming with political factions and their overt political agitation led to their suppression.

Much like Ming rulers, the Nanking Government viewed academies as separate political organizations outside of the one legitimate national polity. Nanking's efforts to co-opt men like Chang Chün-mai by providing funds, facilities, and teachers, mirrored the Ming program to transform private academies into official or semi-official schools.<sup>66</sup>

These schools represent an integral part of Chang Chün-mai's program for national salvation. Like traditional academies, these institutions were to play an active role in society by bringing together the philosophical and the scientific, the spiritual and the temporal. Their curriculum not only demonstrated the intimate and indivisible relationship between philosophical absolutes and temporal phenomenon, but also the legacy of Chang Chih-tung's attempt to reconcile the Chinese t'i with the Western yung. The fact that, at their height, the National Political University had only 150-160 students and the Institute of National Culture about 100<sup>67</sup>—only 13 of the students in the latter case closely associated with Chang Chun-mai<sup>68</sup>—suggests that these academies were restricted to a very small elite group and did not represent any attempt at mass popular education.

The goal of these academies was no less than to produce chiün-tzu; modern-day scholar-officials who could bring their special talents and moral force to bear on social problems. All this is an example of one segment of the "new intelligentsia," adrift in the intellectual confusion of the post May Fourth era and its attendant "crisis of meaning," unsure of what their roles were to be,<sup>69</sup> searching for their own and China's salvation.

The final and possibly the most important addition to Chang's philosophical make-up, was the result of disillusionment and betrayal; disillusionment over the failure of the West's much vaunted system of international law, and the betrayal of China by her wartime allies at the Paris Peace Conference.

When Chang had left Europe he was convinced that Germany would lose World War I. At the time, he had strongly advocated China's entry into the war on the side of the Allies as a way of gaining release from the

unequal treaties.<sup>70</sup> As one of the victorious Allies, many Chinese believed, China would not only gain equal status and respect, but would also realize the return of Chinese territory in Shantung earlier ceded to Germany.

Chinese, unfortunately, had not allowed for the duplicity of their allies, France and England, who, during the war, had made secret agreements that transferred the German concessions to, of all people, the Japanese. Appeals to international law and fairness among allies fell on deaf ears in Paris. The Chinese, who had expected so much, were left powerless in the face of brute force. The anger and frustration of Chinese at this new humiliation boiled over and climaxed in the May Fourth Incident. In a display of China's emerging nationalism, students, merchants, and workers joined in demonstrations and anti-Japanese boycotts. Who could begin to convince Chinese that Woodrow Wilson's platitudes of justice and fraternity were anything but cruel deception?

Badly shaken in his esteem for the West and its institutions, Chang searched for an explanation for the want of morality in Paris and the reason for the terrible destruction the West had visited upon itself. He concluded that science, the very element that seemed to characterize Western culture, was also its undoing. Chang began a search for a new philosophical formula that would minimize the importance of science.<sup>71</sup> The institutions that had seemed to give the West its strength had, as well, revealed their flaws. International law, which had seemed to incorporate Western rationalism was shown by the action of China's allies to be nothing but a pious sham and a system designed to support and perpetuate the dominance of the West. Chang saw it now as just so many "empty words",<sup>72</sup> and rejected it.

Chinese were not alone in their disillusionment with modern scientific society; some Europeans, as well, shared their revulsion at the destruction and slaughter of World War I. Some asked how Western civilization, founded as it was on science and reason, could bring itself so close to its own destruction. Two such men were the Frenchman, Henri Bergson, and the German, Rudolph Eucken. Chang met them both and both would make major contributions to Chang's emerging synthesis of Neo-Confucianism and Western idealism. The center of gravity of Chang's focus was shifting even more strongly to philosophical concerns. Chang's reaction against science and his turn to philosophy was much like that of Bergson. The stunning defeat by Germany in 1870 had left France confused and unstable. Bergson, much like Chang searched for something to compensate France for her failure on the battlefield, something that would give her confidence in her survival and assurance of ultimate victory. He arrived at what he called "elan vital", the all-conquering will.<sup>73</sup>

Bergson's reaction to the intellectualism and anti-metaphysical trends of his day was an attempt to "establish the primacy of mind over matter".<sup>74</sup> Science, according to Bergson, was limited in its ability to perceive reality, it could enumerate, but it could not feel. "Feeling belonged to another province of the mind--intuition", and "intuition was the only means for perceiving the heart of things".<sup>75</sup> This "heart of things" is beyond the realm of scientific measurement or explanation. In Bergson's view, science is blind to the forces of feeling and experience which do so much to shape reality.

Eucken, also classed as an "idealist," shared much with Bergson, especially his emphasis on the importance of will and intuition. "Man's soul", Eucken maintained, "differentiated him from the rest of the natural world and [that] the soul could not be explained only by reference to

natural processes."<sup>76</sup> This reinforced Bergson's views on the limitations of scientific measurement.

The European idealists did not appeal to Chang because of their originality, but because they provided an equivalent to the Confucian foundation of his childhood. Neo-Confucian perceptions and explanations still provided the sounding board for Eucken and Bergson. When these "foreign" concepts found equivalents in Neo-Confucianism, they were accepted, and the resultant synthesis enriched.

While never saying as much, Chang's perception of the universe and its ultimate form is reminiscent of K'ang Yu-wei's Ta-t'ung, and almost certainly shows an affinity for Wang Yang-ming's concept of the unity of the universe with man at its center.<sup>77</sup> A product of Chang's early training was his belief that the physical world, the spiritual world, and the consciousness of man were interrelated parts of a larger reality; a reality which held the potential for a world characterized by harmony, benevolence, and well-being. Drawing on Bergson and Wang Yang-ming, Chang saw man as an active agent in the world; Chang accepted the ability of human consciousness, or human will, to influence reality. In other words, reality did not exist entirely outside of consciousness.

It seems likely that Chang Chün-mai saw the ease with which the intuition of Bergson and Eucken could be melded with Wang Yang-ming's concept of liang-chih (innate Knowledge). Both appear to give man the innate ability to distinguish right from wrong. This intuitive ability, which all men possess, is what Chang Chün-mai seems to appeal to when he applies his philosophy to politics. "He looked at all men from the Mencian viewpoint that all men are born good, and thought that everyone was like himself. . ."<sup>78</sup> In Chang's view, if liang-chih was universal, it

would ultimately lead all men to the same conclusions.

What Chang could not find in Bergson or Eucken, he took from other philosophers. One example was Hegel's theorem that "existence is all-inclusive. . . it comprises within it the state of not-being as well as of being. The idea that everything contains within itself its own opposite [and that] it is impossible to conceive of anything without conceiving at the same time its opposite . . ."<sup>79</sup> found its equivalent in the yin and yang of the I-Ching (Book of Changes). And reaching even further back, Chang compared Plato and Mencius, showing that "the sages of East and West shared the same nature."<sup>80</sup>

The synthesis that Chang developed was, in nature, similar to that of earlier Chinese, and, in the sense that Chinese philosophy provides the base to which Western philosophical concepts were added, Chang fits into the well-known t'i-yung formula. In qualifying this classification, it needs to be said that Chang's understanding of Western philosophy was more genuine and sophisticated than his predecessors. Additions from the West were an integral part of his synthesis, not simply footnotes to lend authority.<sup>81</sup>

The degree to which Chang had borrowed from Eucken, Bergson, and other European philosophers was revealed in the famous science and metaphysics debates of 1923. Before an audience at Ch'ing-hua University, Chang "launched a vigorous attack on the validity of 'scientific method' as it was currently being applied by Chinese Marxists and others to China's social and economic problems."<sup>82</sup> If China's problems were to be solved, argued Chang, one needed to "go back to the ultimately undiscoverable causes of life to which only intuition could give answers;"<sup>83</sup> since science, or a "scientific attitude" was objective, logical, analytical, causative and uniform, it could not hope to answer

questions about life, which was subjective, intuitive, undetermined, and unique.<sup>84</sup>

Chang was using Eucken and Bergson to show that human questions were beyond the pale of science; only intuition could unlock the secrets of life. By proclaiming the supremacy of intuition, will, and conscience, Chang was rejecting scientism and, by implication, defending Confucianism.<sup>85</sup>

The significance of Chang's synthesis and his extended experience abroad is in its application to political problems in China. This application has two major aspects: first, that Chang's Mencian view of human nature, his faith in the ability of intuition to reveal truth, and his conviction that these principles are universal, determined the form and parameters of Chang's political participation; and, secondly, that these same underlying assumptions shape the character of the political document that Chang sought to make the law of the land. Ultimately, the question that begs answering is whether Chang's synthesis, as it is manifested both in his methods of political participation and in his constitutional draft, was an appropriate response to China's intellectual and political crises.

#### PHILOSOPHY JOINS POLITICS

Chang Chün-mai was quite active in the 1920's; in addition to his directorship of the National Political University, he continued to lecture, write, and comment on current events. In 1924, in a lecture delivered in Wuhan, Chang reminded his audience that "philosophy must not forget politics, and politics must not forget philosophy."<sup>86</sup> Two years later Chang was commenting on the unfolding Northern Expedition which had just occupied Wuhan. Although I have not seen Chang's comments which

appeared in the China Times, it may have been their sensitive political nature which prompted him to use the pseudonym of Chang Shih-lin.<sup>87</sup>

Growing KMT dissatisfaction with Chang was apparent in the closing of the National Political University. That dissatisfaction intensified the following year with the appearance of Chang's thoughts in The New Way--again Chang was using the older pseudonym of Li Chai. At this time Chang was also lecturing on the history of European political thought at the Chih-hsing hsüeh-yüan [related to Wang Yang-ming's Chih-hsing ho-i (the unity of knowledge and action)?].<sup>88</sup>

Between 1927 and 1930 Chang was shaken by two events: the death of Liang Ch'i-ch'ao, and his kidnapping by KMT agents. The death of Liang, of course, was a heavy emotional blow to Chang who enjoyed a close personal relationship with Liang. A more frightening and, as it was meant to be, intimidating event was his kidnapping--snatched off the streets of Shanghai, thrown into a car, blindfolded, and finally held incommunicado for some weeks. The KMT was apparently, according to Chang, displeased with his comments in The New Way.<sup>89</sup>

Which event weighed more heavily on Chang is difficult to know, but, in any event, he left China in 1930 and returned to his old haunts in Germany. After lecturing on Chinese philosophy at Jena, and collaborating with his old friend Eucken on a book entitled The Question of a Philosophy of Life (Jen-sheng kuan ti wen-t'i), Chang felt it safe to return to China in 1931.

Tempering his return to China with caution, perhaps, Chang eschewed a political commentary and, instead, lectured on Hegelian philosophy at Yenching University. It would not be long, however, before Chang felt compelled to once again turn his eye to other concerns.

## NATIONAL SOCIALIST PARTY

We saw how Chang's educational work was an effort to bring together theory and practice in the political arena; his graduates were expected to harmonize Chinese and Western learning, and then take them into the real world. Another, more direct approach to political participation was Chang's experiment in organizing a political party.

Chang's approach to party politics was colored by his earlier experience with the Political Information Society, and with Liang Ch'i-ch'ao's Research Clique. These had been relatively informal groups that, especially in the case of the Research Clique, sought influence through behind-the-scenes activities on a personal level. The National Socialist Party (Kuo-chia she-hui tang) which Chang helped organize in 1932, was the offspring of a much more loosely organized group which first appeared in the spring of 1930. That first unnamed group was little more than an informal discussion group composed of a few bankers and university professors.<sup>90</sup>

Consistent with Chang Chün-mai's elitist and academic approach to solving political and social problems, the National Socialist Party (NSP) was still a far cry from the Western concept of a political party.<sup>91</sup> In its early days the NSP was chiefly composed of Chang's students and fellow professors. Instead of an organization concerned with direct political action, the NSP confined itself to publishing the party journal, Renaissance (Ts'ai-sheng), and acted more like a group of scholastics come together to discuss and debate the issues of the day.<sup>92</sup> In terms of function, Chang's NSP met fairly well one author's criterion for an opposition party; that is, the NSP did criticize the government and administration, try, in its own way, to check the use of governmental power, articulate the interests of a group, and harness the interests of

group loyalties to the nation.<sup>93</sup>

In the Chinese context, especially, the functions of criticism and checking the use of governmental power were closely linked. Public criticism was believed by many to have the ability to muster "public opinion" and use it against the government. The critical element in that equation is the necessity of having a government, as Chang would have put it, with a "sense of shame." Having been properly rebuked, the supposition goes, the government would realize its error, concede its faults, and alter its policy. Had governments with a "sense of shame" been common in twentieth-century China, the gambit might have worked.

Organizationally, the NSP was ill-suited to realize its objectives: first, up to 1938 the party was, as were other opposition parties, illegal under the Nanking Government and so remained a secret organization. This fact alone was not crippling, but for a group advocating unity, compromise, and cooperation, it is difficult to see how they hoped to do these things and still remain underground. It would be difficult to point to any accomplishments of the NSP before the Sino-Japanese War, other, perhaps, than to employ the energies of its members. Second, being a collection of bankers, professors, and students, none of whom devoted their energies full-time to the party, the NSP lacked the qualities of stability and endurance needed to realize its goals.<sup>94</sup> The party organization was so loose as to prompt Ch'ien Tuan-sheng to describe the leadership of the NSP as an "anarchy under the titular leadership of Carsun Chang."<sup>95</sup> One of the most serious handicaps of the NSP was its lack of desire or even ability to seek any kind of mass support. The reasons for this are twofold: first, NSP membership was dominated by educators and intellectuals who, rightly or wrongly, reserved for

themselves the responsibility, conferred upon them by their special qualifications, to lead the masses towards democracy. As mentioned earlier, Chang Chün-mai had expressed this "responsibility" in modern terms by pointing to the need for experts to assume leadership roles. Chang, and many of those within the NSP who shared this disposition, took a dim view of mass movements. "They believed that the power to implement constitutional government was not in the majority of the people, but, rather, in the wise and virtuous; those who understood the constitution, those who had the will to implement the constitution, and in those whose hands the constitution would be put into practice."<sup>96</sup> Instead of working to enlist mass support, Chang and the majority of the NSP, generally, confined their recruitment efforts within their own social class. When they ventured outside their own class, they sought those who could provide influence, protection, or financial support: General Ch'en Po-nan, who provided the funds for Chang's Hsüeh-hai shu-yüan, and the Yunnan warlord General Lung Yün who gave protection to anti-Chiang Kai-shek elements in 1944, are two good examples.<sup>97</sup>

Second, the intellectual and scholastic approach Chang and the NSP took to political activity could do little to inspire peasant support even if they had tried. Chang's disposition towards gradual evolutionary change ill-suited the temper of the masses that the Communists seemed so well able to read. Estimates vary widely on the total membership of the NSP--this is probably due to the extremely loose organization of the party and the fluctuating commitment of some of its members--it seems reasonable, however, that those sources suggesting a membership of several hundred are acceptable.<sup>98</sup>

Reflecting the duality of Chang's own personality and training, the NSP sought to "find a course of action from traditional China and from

foreign scientific civilizations to save China (t'i-yung?).<sup>99</sup> The party tried to popularize Chinese history as one way of "reviving the people's self-confidence and building up character, a matter of supreme importance."<sup>100</sup> This kind of approach to political activity proved to some observers that Chang and the NSP had no plan for "positive action" to solve China's problems.<sup>101</sup> If Chang was set on merely influencing present events, the observation would have been true. But Chang had his eyes on a larger more profound goal. He was out to influence, even change, attitudes; he was bent on a program that would alter the very perceptions of Chinese. This was a spiritual or philosophical goal first, a political program second.

The sadness that surrounds Chang Chün-mai's political career comes, in part, from his involvement with his own National Socialist Party. Had the party remained as it had begun, a relatively small group of like-minded intellectuals, it may have ended as Chang had planned. Unfortunately, as the war progressed and after the victory over Japan, Chang's position, and that of the party, was enhanced. Domestic, and later foreign pressures, gave Chang and the NSP a notoriety and prestige far outweighing their actual importance. This development led some, who had but a passing commitment to Chang's ideals, to join the NSP.<sup>102</sup> These latter-day converts managed to tarnish the respectability and bring suspicion upon the motives of both the party and its leader.

The National Socialist Party gained a reputation among its opponents as merely a group of office-seekers,<sup>103</sup> and Chang was labeled a party boss, who was simply using the party as a way of gaining position and wealth.<sup>104</sup> Chang himself even lamented to a friend that he dreaded seeing party members, for all they ever wanted was an introduction or

position.<sup>105</sup> His brother commented after Chang's death that the party Chang had founded became incompatible with his character.<sup>106</sup>

Part of Chang's problems with his party are certainly due to his own misunderstanding; having borrowed the concept and organization of a political party from the West, he tried to run it like a scholarly debating society or a traditional Chinese political clique centered on a shu-yuan. The failure of the NSP highlights one of Chang's fundamental problems; his understanding of Western democratic institutions and political behavior was, for all his experience abroad, superficial. Chang was the perennial observer, never a participant. His theories and conceptions about how democracies operated were never tested. On one of his trips to London Chang had visited Parliament. He came away with the notion that English parliamentary government worked because of the ability of reasonable men to come together to debate and resolve their differences in a public forum. Somehow, he also came to believe that, in wartime, the United States Congress suspends elections and the freedom of speech in order to unite the country.<sup>107</sup>

Equally as serious were Chang Chün-mai's violations of his own prescriptions for party activity. As early as the 1920's Chang had outlined what a political party ought to do. He concluded that a party should engage in no scheming with the military. Its weapons were its tongue, its pen and ink, and the creation of public opinion. Expenses should be self-generated, they should not come from the government. A party should hold a spirit of cooperation, refrain from buying voters or legislators, and internal party strife should not be settled by calling on foreign financial or military support.<sup>108</sup> Chang's lapses were in his relationships with anti-Chiang Kai-shek warlords, and, surprisingly enough, in his acceptance of financial support from the KMT. Both of

these transgressions cost the NSP and Chang independence and credibility.

For all it cost him, the National Socialist Party did provide Chang with something of overriding value; a vehicle that could gain him access to national-level politics and a voice in the counsels of government. The NSP was not the center of Chang's political life, nor the sole avenue of his political participation. The party never fulfilled any of the grand intentions Chang held for it, but, at the least, it did give him the platform from which to push his constitutional demands. And, in that sense, the National Socialist Party was a success.

## CHAPTER TWO

NOTES

<sup>1</sup>Ch'eng Wen-hsi, "Chang Chün-mai hsien-sheng nien-piao chien-pien ch'u-kao," hereafter CCMHSNPCPCK, in Chu Ch'uan-yü, gen. ed., Chang Chün-mai chuan-chi tsu-liao, 6 vols. (Taipei: T'ien-i ch'u-pan she, 1979), 2:251. Hereafter CCMCCTL.

<sup>2</sup>Howard Boorman and Richard C. Howard, eds., Biographical Dictionary of Republican China, 4 vols. (New York: Columbia University Press, 1967-1971), 1:30.

<sup>3</sup>Chang Kunq-ch'üan, "Wo yü chia-hsiung Chün-mai," in Wang Yün-wu, et al., eds., Chang Chün-mai hsien-sheng ch'i-shih shou ch'ing chi-nien lun-wen chi (Taipei: Chang Chün-mai hsien-sheng ch'i-shih shou-ch'ing chi-nien lun-wen chi pien-chi wei-yüan hui, 1956), pp. 102-105.

<sup>4</sup>Although rejecting the outer forms of traditional culture, and specifically the Confucian tradition, iconoclasts such as Lu Hsun and Ch'en Tu-hsiu were yet unable to escape the effects of their early education. See Lin, The Crisis of Chinese Consciousness.

<sup>5</sup>Ch'eng Wen-hsi, "Chün-mai hsien-sheng chih yen-hsing," Wang Yün-wu, et. al., eds., Chang Chün-mai hsien-sheng ch'i-shih shou-ch'ing chi-nien lun-wen chi (Taipei: Chang Chün-mai hsien-sheng ch'i-shih shou-ch'ing chi-nien lun-wen chi pien-chi wei-yüan hui, 1956), p. 31.

<sup>6</sup>Quoted in Ch'eng Wen-hsi, "Chang Chün-mai hsien-sheng nien-piao ch'ang-pien," in Chu, CCMCCTL, 2:275.

<sup>7</sup>Ibid.

<sup>8</sup>Chang, "Wo yü chia-hsiung Chün-mai," p. 104.

<sup>9</sup>Boorman, Biographical Dictionary, 1:30.

<sup>10</sup>Ch'eng, "Chang Chün-mai hsien-sheng nien-piao ch'ang-pien," p. 277.

<sup>11</sup>Ibid. p. 278.

<sup>12</sup>Andrew J. Nathan, Peking Politics, 1918-1923: Factionalism and the Failure of Constitutionalism (Berkeley: University of California Press, 1976), p. 12.

<sup>13</sup>Ch'eng, "Chang Chün-mai hsien-sheng nien-piao ch'ang-pien," p. 279.

<sup>14</sup>Chang Chün-mai, "Wo ts'ung she-hui k'o-hsüeh t'iao-tao che-hsüeh ching-kuo," Yü-chou hsün-k'an ("The Universe") vol. 3, no. 11 (Dec. 5, 1935):10.

<sup>15</sup>Wolfgang Bauer, China and the Search for Happiness, trans. Michael Shaw (New York: The Seabury Press, 1976), p. 361.

<sup>16</sup>Ch'eng, CCMHSNPJPCK, p. 254.

<sup>17</sup>Ibid. p. 255.

<sup>18</sup>Wang, Chinese Intellectuals and the West, pp. 221-223.

<sup>19</sup>Boorman, Biographical Dictionary, 1:30.

<sup>20</sup>See Frank Fe Wong, "Liang Ch'i-ch'ao and the Conflict of Confucianism and Constitutional Politics" (Ph.D. dissertation, University of Michigan, 1965).

<sup>21</sup>Wang, Chinese Intellectuals and the West, p. 248.

<sup>22</sup>Wei Chu-hsien, Chung-kuo ko tang ko p'ai hsien-k'uang (Chungking: Shuo-wen she ch'u-pan, 1946), pp. 8-9.

<sup>23</sup>Jonathan D. Spence, The Gate of Heavenly Peace: The Chinese and Their Revolution, 1895-1949 (New York: The Viking Press, 1981), p. 170.

<sup>24</sup>Furth, "Intellectual change," p. 364.

<sup>25</sup>Ibid. p. 348.

<sup>26</sup>"Chang Chün-mai ssu-hsiang kang-yao," in Chu, CCMCCTL, 5:175.

<sup>27</sup>Sun Ya-fu, et al., ed., Chin-tai shih-liao ts'ung-k'an chi, Vol. 526: Chang Chün-mai hsien-sheng chiu-chih tan-ch'en chi-nien ts'e (Taipei: Wen-hai ch'u-pan, 1978), p. 7.

<sup>28</sup>Chang Chün-mai, "Jen-ch'üan wei hsien-cheng chih pen," in CKMCSHTCC, p. 13.

<sup>29</sup>Wong, "Liang Ch'i-ch'ao and the Conflict of Confucianism," p. 239.

<sup>30</sup>Ibid. p. 206.

<sup>31</sup>Ibid. p. 98.

<sup>32</sup>Bielenstein, The Bureaucracy of Han Times, p. 143.

<sup>33</sup>Ch'eng, "Chün-mai hsien-sheng chih yen-hsing," p. 13.

<sup>34</sup>Ch'eng, CCMHSNPJCCK, p. 255.

<sup>35</sup>Chiang Yün-t'ien, "Chang Chün-mai hsien-sheng i-sheng ta shih chi," in Chu, CCMCCTL, 1:21.

<sup>36</sup>Chang Chün-mai, "Wo ts'ung she-hui k'o-hsüeh t'iao-tao che-hsüeh chih ching-kuo," p. 9.

<sup>37</sup>Ibid. p. 10.

<sup>38</sup>Ch'eng, "Chün-mai hsien-sheng chih yen-hsing," p. 15.

<sup>39</sup>Wong, Liang Ch'i-ch'ao and the Conflict of Confucianism, p. 186. For details of the Research Clique, see Nathan, Peking Politics, p. 239.

<sup>40</sup>Ch'eng, CCMHSNPCPCK, p. 256.

<sup>41</sup>Chang, "New Confucianism," p. 296.

<sup>42</sup>Charlotte Furth, "Culture and Politics in Modern Chinese Conservatism," in Furth, ed., The Limits of Change, p. 38.

<sup>43</sup>Benjamin Schwartz, "Some Polarities in Confucian Thought," in David Nivison and Arthur F. Wright, eds. Confucianism in Action (Stanford: Stanford University Press, 1959), p. 52.

<sup>44</sup>Ibid.

<sup>45</sup>Ts'ai-sheng she, WYSSTH, p. 3.

<sup>46</sup>Ibid., p. 4.

<sup>47</sup>Paul M. A. Linebarger, The China of Chiang Kai-shek: A Political Study (Boston: World Peace Foundation, 1941), pp. 179-180.

<sup>48</sup>Chow, The May Fourth Movement, p. 12.

<sup>49</sup>Chang Chün-mai, "Hsi-yang ti ta-hsüeh ho wo kuo ti shu-yüan," Yü-chou hsün-k'an ("The Universe") vol. 2, no. 3 (June 5, 1935):18.

<sup>50</sup>Chang Chün-mai, "Chiao-yü chia yü kuo-min ch'i-chih ti pien-hua," Yü-chou hsün-k'an ("The Universe") vol. 3, no. 10 (Dec. 15, 1935):1.

<sup>51</sup>Chang Chün-mai, "Shu-yüan chih-tu chih ching-shen yü hsüeh-hai shu-yüan chih tsung-chih," Yü-chou hsün-k'an ("The Universe") vol. 4, no. 7 (March 15, 1936):13.

<sup>52</sup>Ibid.

<sup>53</sup>Boorman, Biographical Dictionary, 1:31.

<sup>54</sup>Chang had held the post of Deputy Director of the Wusung City Planning Department in 1922. It may be that Chang's political connections in that city were a factor in the move there of the National Political University.

<sup>55</sup>Spence, The Gate of Heavenly Peace, p. 299; p. 212.

<sup>56</sup>Ch'eng, CCMHSNPCPCK, p. 258.

<sup>57</sup>Ibid.

<sup>58</sup>Ibid. p. 259.

<sup>59</sup>Hsieh Yu-wei, "Wo yü Chang Chün-mai hsien-sheng," in Chu, CCMCTL, 1:37-39.

<sup>60</sup>Chang, "Shu-yüan chih-tu", p. 17.

<sup>61</sup>Ibid.

<sup>62</sup>Ibid.

<sup>63</sup>Ibid.

<sup>64</sup>Boorman, Biographical Dictionary. 1:22.

<sup>65</sup>Ch'eng, "Chün-mai hsien-sheng chih yen-hsing," pp. 30-31.

<sup>66</sup>John Meskill, "Academies and Politics in the Ming Dynasty" in Charles O. Hucker, ed., Chinese Government in Ming Times (New York: Columbia University Press, 1969), pp. 149-174.

<sup>67</sup>Shih I, "Wo suo chih-tao Chang Chün-mai hsien-sheng ti sheng-p'ing," (shang) Ts'ai-sheng ("Renaissance") vol. 4, no. 20 (Dec. 30, 1953):12-13. For additional details on the closing of the Institute of National Culture and Chiang Kai-shek's role, see Chou Hsiang-kuang, "Chi min-tsu wen-hua shu-yüan chih ch'uang-li yü feng-pi" Ts'ai-sheng ("Renaissance") vol. 4, no. 23 (Jan. 30, 1954):12-19.

<sup>68</sup>Carsun Chang, The Third Force in China (New York: Bookman Associates, 1952), p. 103.

<sup>69</sup>Lawrence A. Schnieder, A Madman of Ch'u: The Chinese Myth of Loyalty and Dissent (Berkeley: University of California Press, 1980), p. 88.

<sup>70</sup>Chang, "Wo ts'ung she-hui k'o-hsüeh t'iao-tao che-hsüeh chih ching-kuo," p. 11.

<sup>71</sup>Wang, Chinese Intellectuals and the West. p. 381.

<sup>72</sup>Chang, "Wo ts'ung she-hui k'o-hsüeh t'iao-tao che-hsüeh chih ching-kuo," p. 12.

<sup>73</sup>P.A.Y. Gunter, ed., Bergson and the Evolution of Physics (Knoxville: University of Tennessee Press, 1969), p. 17.

<sup>74</sup>James Deotis Roberts, Jr., Faith and Reason: A Comparative Study of Pascal, Bergson and James (Boston: Christopher Publishing House, 1962), p. 26.

<sup>75</sup>Henrey Thomas and Dana Lee Thomas, Living Biographies of Great Philosophers (Garden City, New York: Garden City Books, 1941), p. 313.

<sup>76</sup>New Encyclopaedia Britannica. Micropaedia. 15th ed.. s.v. "Eucken, Rudolph Christoph."

<sup>77</sup>Carsun Chang, The Development of Neo-Confucian Thought, 2 vols. (New York: Bookman Associates, 1962), 2:45.

<sup>78</sup>Chang, "Wo yü chia-hsiung Chün-mai," p. 104.

<sup>79</sup>Thomas, Living Biographies, p. 209.

<sup>80</sup>Ch'eng, "Chang Chün-mai hsien-sheng nien-piao ch'ang-pien," p. 272. Also, when Chang studied with Bergson in Paris, they often compared Chinese and Western philosophy. See Liang Ching-ch'ün, "Chün-mai hsien-sheng erh-san shih," in Chu, CCMCCTL, 1:67.

<sup>81</sup>See Chester C. Tan, Chinese Political Thought in the Twentieth Century (Garden City, New York: Doubleday and Company, Inc., 1971), pp. 254-255.

<sup>82</sup>Spence, The Gate of Heavenly Peace, p. 171.

<sup>83</sup>Bauer, China and the Search for Happiness, p. 364.

<sup>84</sup>Chow, The May Fourth Movement, pp. 333-334.

<sup>85</sup>Furth, "Culture and Politics," p. 37.

<sup>86</sup>Ch'eng, CCMHSNPCPCK, p. 258.

<sup>87</sup>Ibid. p. 259.

<sup>88</sup>Ibid.

<sup>89</sup>Chang, The Third Force, p. 24.

<sup>90</sup>Wen-hua chiao-yü yen-chiu hui, KKJTPTHCHT, p. 197. Also see Tan, Chinese Political Thought, p. 253.

<sup>91</sup>Chang's concept of a political party reflects his synthesis of Western and Chinese learning and experience. Organizationally, although very weak, there is some resemblance to a Western style political party. Functionally, however, the NSP exhibits none of the Western influence. See Shih I, "Wo suo chih-tao Chang Chun-mai hsien-sheng ti sheng-p'ing," (Shang) p. 15 for opposing view.

<sup>92</sup>Chang Chih-i, K'ang-chan chung ti cheng-tang ho p'ai-pieh (Chungking: Tu-shu sheng-huo ch'u-pan she, 1939) p. 79.

<sup>93</sup>Angela Sutherland Burger, Opposition in a Dominant-Party System: A Study of the Jan Sangh, the Praja Socialist Party and the Socialist Party in Uttar Pradesh, India (Berkeley: University of California Press, 1969), p. 19.

<sup>94</sup>Robert E. Ward and Dankwart A. Rustow, ed., Political Modernization in Japan and Turkey (Princeton: Princeton University Press, 1964), p. 389.

<sup>95</sup>Ch'ien Tuan-sheng, The Government and Politics of China (Cambridge: Harvard University Press, 1950), p. 355.

<sup>96</sup>Wen-hua chiao-yü yen-chiu hui, KKJTPTHCHT, p. 205. Also see "Democracy vs. One-Party Rule in Kuomintang China: The 'Little Parties' Organize," Amerasia 7 (Mar.-Dec.) 1943:112.

<sup>97</sup>Chang, K'ang-chan chung ti cheng-tang ho p'ai-pieh, p. 78.

<sup>98</sup>Ch'ien, The Government and Politics of China, p. 354; Wei, Chung-kuo ko tang ko p'ai hsien-k'uang, p. 1.

<sup>99</sup>Wang Chinese Intellectuals and the West, p. 197.

<sup>100</sup>James Shen, "Minority Parties in Asia," Asia 40 (Feb. 1940):81.

<sup>101</sup>"Democracy vs. One-Party Rule", p. 111.

<sup>102</sup>See Burger, Opposition in a Dominant-Party State, for her theory that those who are threatened with loss of status, role and function by policies of the dominant party will seek representation in opposition parties.

<sup>103</sup>Wen-hua chiao-yü yen-chiu hui, KKJTPTHCHT, p. 203; Ch'ien, The Government and Politics of China, p. 355.

<sup>104</sup>Hsia, Lun Hu Shih yü Chang Chün-mai, p. 53; p. 67.

<sup>105</sup>Liang, "Chün-mai hsien-sheng erh-san shih," p. 68.

<sup>106</sup>Chang, "Wo yü chia-hsiung Chün-mai," p. 104.

<sup>107</sup>Chang Chün-mai, reprinted from Ta-kung pao ("L'Impartial") Nov. 29, 1939, in Shen Yün-lung, gen. ed. Chin-tai chung-kuo shih-liao ts'ung-k'an, vol. 805, Hsien-cheng yao-kuan/Hsing-hsien shu-yao, pp. 87-114. Taipei: Wen-hai ch'u-pan she, 1966-. Hereafter CTCKSLTK.

<sup>108</sup>Shih I, "Wo suo chih-tao Chang Chün-mai hsien-sheng ti sheng-p'ing," (Shang), p. 15.

## CHAPTER THREE: CONSTITUTIONS AND STATE-BUILDING

China's experience with constitutions has been a checkered one. Although the need for a constitution was widely accepted, there was less agreement about the form of government that it would incorporate. Confounding the whole debate was the lack of commitment to liberal values by some, and the callous use of the constitutional movement for their own purposes by others.

It might be said, generally, that those holding power in China used constitutions and the promise of democracy as a ploy in their efforts to maintain their power and diffuse political opposition. Those without power used constitutions and calls for democracy as means of limiting the power of their opponents and gaining it for themselves. The Ch'ing Court had tried the former approach in its waning years, and Sun Yat-sen had tried the latter against Yuan Shih-k'ai.<sup>1</sup> Or, later, for example, Sun Fo and Wang Ching-wei used both approaches. They had cynically and opportunistically "advocated democracy when they were excluded from power. But, each, when in power had resisted the expansion of democratic procedures."<sup>2</sup>

No less than five constitutions were issued by successive governments between 1912 and 1927. None had much bearing on the course of politics, but they all reflected the general consensus that China needed a constitution. The drive to finally realize constitutional government gained new impetus with the ostensible "unification" of China by Nationalist armies under Chiang Kai-shek in 1927. Bringing a constitution to life under the Nanking regime fell into three distinct phases: between 1933 and 1939 under the direction of Sun Fo, the son of Sun Yat-sen; between 1939 and 1943 under the authority of the People's Political

Council; and, lastly, between 1946 and 1947 under the Political Consultative Conference. Each successive stage shows a dilution of Kuomintang dominance and increased participation and input by opposition elements.<sup>3</sup> This reflected neither the willingness of the KMT to share power, nor the effectiveness of opposition strategy, but rather, the consequences of forces beyond the control of either.

Constitutional development under the Nanking regime was motivated and channeled by a range of conflicting social and political currents. In the broadest sense, constitutions were seen by many as being prerequisites for modernity. The major Western powers all had some form of constitutional basis, and the example of Japan could only reinforce the belief that constitutions did bring unity, and modernity, and respect, and power. These were goals which were shared by Chinese across a broad spectrum of political beliefs.

Internally, the KMT needed to promote constitutionalism for several reasons: first, the KMT was never a monolithic party under the thumb of Chiang Kai-shek. In his role as "indisputable leader," (as explained below) Chiang needed to continually balance and maneuver between the heterogeneous elements that made up the upper levels of the Party as well as the government. Increasing pressure from the likes of Wang Ching-wei and Sun Fo to share power, prompted Chiang to press for a speedy inauguration of constitutional government as a way of maintaining party consensus.<sup>4</sup> Keeping the various provincial interests satisfied with their share of the political pie may also have been a factor. Since at least the Taiping Rebellion, regional forces had been expanding their power and prerogatives at the expense of the center. While Chang Chün-mai saw himself as a national politician, there were certainly many who took part

in the constitutional process as a means of protecting or enhancing regional power. One of the largest sections of the draft constitution, in fact, deals with the relationship between the provinces and the central government. With some confidence we may assume that Chiang Kai-shek also used the constitutional process as an avenue for channeling and controlling regional demands for political power. Secondly, in terms of day-to-day governing, Chiang needed to create a strong and viable state apparatus; a constitution would provide the legal framework for that apparatus and legitimize Chiang's authority. Thirdly, the ideological base of the KMT was relatively weak. The Three People's Principles provided a rough outline of a party ideology, but "this program did not have the power to arouse popular commitment. . ."<sup>5</sup> The highest leadership of the KMT adopted the vocabulary of the constitutional movement to gain an additional ideological prop, and to claim for itself the leadership of the progressive forces. And, lastly, Chiang used the constitutional process to assuage the anxieties of his ally, the United States. It became increasingly important to Chiang as the war progressed, to encourage the fiction in the United States that his government was democratic and, hence, deserving of support.

Bedeski's model of state-building based on the development of force, power, and authority provides a useful approach to understanding the interplay between Chiang Kai-shek and opposition elements. In his model, Bedeski shows that the driving force behind Chiang's actions was the effort to establish a sovereign political order. The Nanking regime had inherited a state apparatus that was only partially independent, a huge debt burden, and domestic chaos. Chiang was pursuing a policy that would centralize force in his own hands, realize power as expressed in law, and wield authority through the legitimization of power. No one could fault

Chiang for trying to pursue these goals. Bedeski's model is useful, but we need to recognize that beneath the legitimate drives of the Nanking regime was a callous use of democracy as a weapon<sup>6</sup>--a weapon used by both the KMT and Chiang Kai-shek.

It needs to be emphasized here that the Kuomintang, the Nanking government, and Chiang Kai-shek should be seen as separate, sometimes overlapping, sometimes antagonistic elements, each pursuing its own goals. In the broadest sense, the KMT and Chiang shared the goals Bedeski outlined. They diverged on the question of who would control the state apparatus that brought together force, power, and authority.

The KMT, heavily influenced by the Russian model, sought to create in China a party-state: a condition which would reserve ultimate authority over political, social, and ideological questions to the Party. Chiang, on the other hand, envisioned China as an authoritarian state with power concentrated in his hands alone. The constitution was only one of the arenas in which the contest for power took place. Joseph Fewsmith, for example, has shown another dimension of the struggle between Chiang and the KMT. In its attempt to extend party-rule, the KMT sought to absorb the independent Shanghai Chamber of Commerce into the party-run Merchant Association. In this case, the Shanghai Chamber of Commerce found an ally in its resistance to party-rule in Chiang Kai-shek. Chiang sided with the Shanghai Chamber of Commerce to undermine the KMT and its efforts to extend party-rule.

In terms of Chiang Kai-shek's aims, Fewsmith further offers a description of China under Chiang that fits his criteria for an authoritarian state. Fewsmith sees three factors as being critical to and defining an authoritarian state: an indispensable leader, a heterogeneous

elite, and a "mentality." Chiang Kai-shek, as the "indispensable leader," held together the myriad elements which made up the KMT and the Nanking government. By balancing favor and mutual suspicions, Chiang was able to not only hold his government together, but also to enhance his personal power. By being the locus of loyalty for all of the competing elite elements, and yet maintaining a certain "uncommittedness" to any single elite interest, Chiang became the sole link between the different parts of the coalition, and hence, indispensable.<sup>7</sup>

That the KMT and the Nanking government were comprised of a "heterogeneous elite" is well-known. The CC Clique, the Political Study Clique, the Blue Shirts, the co-opted ex-warlords, all gave Chiang Kai-shek their loyalty, but continued to intrigue against each other. Chiang enlisted their efforts to advance his own nation-building vision and dispensed favors and mediated between them to maintain a semblance of cooperation.

The mentality that Fewsmith describes is not ideology, but rather an intellectual attitude that is present-orientated: in other words, an attitude characterized by a pragmatism that can sanction contradictory policies with the same ideology.<sup>8</sup> In China's case, Fewsmith argues, the mentality was based in KMT ideology; the Three People's Principles, Sun's Outline for National Reconstruction, and the vast outpourings of Party ideologues were reduced to a "mentality" by their divorce from a concrete organization to enforce their meaning. The hierarchy of the KMT counted among the various competing elite interests in Republican China; it too, with other elite interests, competed for influence and power. In the Party's case, however, their position and authority was effectively undermined by Chiang Kai-shek. In the direct competition for state authority, the Party lost to Chiang. Chiang continued to need the Party

as a legitimating device, but by 1930 the Party organization had no independent authority of its own.<sup>9</sup> Chiang Kai-shek was pursuing his own aims of state-building which included the need to protect his administration from Party interference.<sup>10</sup> Once Chiang's own position was unassailable, that of the Party was reduced to propaganda work.<sup>11</sup>

This struggle did not end of course after 1930. The constitutional process was one area where the KMT, as well as non-KMT elements, continued to seek inroads into Chiang's position. Chiang, meanwhile, continued to encourage the factionalism that buttressed his position as "indispensable leader." His support of the constitution from the early 1930's, however, was simply a political act necessitated by circumstances.<sup>12</sup> "As the most ardent proponent of a strong central government. . . he relentlessly pursued a policy of weakening regional and centrifugal forces which inhibited the unitary state."<sup>13</sup> Chang Chün-mai and other opposition elements counted among those centrifugal forces, and were subject to any form of pressure, intimidation, or violence Chiang might wish to use.

Even though the Three People's Principles were a weak ideological base, they were not without prestige. Having been authored by a man of unimpeachable revolutionary credentials, the Principles gained a good deal of authority. Since Chiang Kai-shek had very little, other than his connection with the late Sun Yat-sen and his Principles, as a source of legitimacy and ideology, he clung to them with an almost religious fervor. As the self-styled inheritor and executor of Sun's mandate to "democratize" China, Chiang could not ignore the political imperative of making the transition to constitutional government, if only in form. While Sun's mandate was sufficiently vague to give him great latitude in interpretation, it still required him to keep alive the constitutional

drafting process. While the process was alive the constitution could be used as an instrument of peacekeeping within the KMT,<sup>14</sup> and as a way of dissipating the energies of opposition forces. By channeling the energies of the opposition, both within and without the KMT, into the constitutional process, Chiang was relatively free to pursue his own agenda of maximizing the center's power at the expense of all others.

Forces which Chiang could not control were such things as the rising sense of nationalism among Chinese, Japanese infringements on Chinese sovereignty, first, and outright invasion, later, and the need to foster a democratic image for the benefit of his major World War II ally, the United States. It was the pressure of these forces that moved Chiang to allow opposition participation in government, to allow, to a degree and for a time, the expression of opposition opinion, and to compromise on the substance of the constitutional draft. With the exception of the Communists, who had more than a million men under arms at the end of the war, the opposition did nothing which, of its own, could induce Chiang to compromise. The fatal flaw of opposition leaders lay in their inability to create forces which could be turned into political power. They could exploit conditions which worked against Chiang, but they could neither control nor sustain them.

If the infirmities of the opposition seem so clear today, why did they invest their efforts and risk their lives in a seemingly hopeless cause? The answer, in Chang Chün-mai's case at least, lies in his idealism and sense of mission. In his conscious role as a member of the elite, laden with all its traditional responsibilities, he was compelled to apply his energies to the solution of political and social problems. The "new literati", no less than the old scholar-official class, gained their raison d'etre from their role as mediators and adjudicators. As a

class they carried the responsibility to place themselves between the government (court) and the masses. As the bearers of "modern learning" they were uniquely qualified, so they felt, to review, debate, and judge the merits of any issue affecting society. Chang, as a New Confucianist with an overlay of Western idealism, was further driven by the Neo-Confucian imperative to employ his knowledge to the resolution of social problems. His idealism, coupled with his belief that human will could affect reality, gave him confidence in his ultimate success; his moral authority, in other words, could appeal to the intuition and reason of others, and, thus, be translated into political power. No man spends his life in what he knows to be a fruitless effort. To abandon his works, to disclaim a concern for social issues, to withdraw into himself, would have refuted the very premise of Chang's philosophy.

#### WORLD WAR II AND THE PEOPLE'S POLITICAL COUNCIL

The political landscape of China had changed considerably since the tumultuous days of the May Fourth era; gone were the "national essence" and "national character" movements, as well as the movement to make Confucianism a religion; passed on also were K'ang Yu-wei, Liang Ch'i-ch'ao, and Chang Pin-lin. Dominating the scene now were new groups which would help determine the future of China. Besides the "conservative" Kuomintang and the "leftist" Communist Party, was a significant "middle group"--sometimes referred to as the "third force." Making up this "third force" were such groups as the National Socialist Party, the China Youth Party, the Third Party, the Rural Reconstruction Association, and the National Salvation Association.

Farthest to the right, and politically very active, was the China Youth Party. Led by Tseng Ch'i, Li Huang, and Tso Shun-sheng, the Party

was strongly anti-communist and often found that it could cooperate with the Nanking Government. It did, though, maintain its independence from the Government and persistently pressed its claim to influence and representation in the government. In the constitution-drafting work of both the People's Political Council and the People's Consultative Conference, Chang Chün-mai often found an ally in Tso Shun-sheng.

The Rural Reconstructionists were much less politically active than the China Youth Party, but their leader, Liang Shu-ming, had a significant personal following and, as mentioned earlier, had much in common with Chang Chün-mai. These two men could also work well together.

The Third Party was principally made up of left-wing former members of the KMT who had suffered at the hands of Chiang Kai-shek during the KMT-CCP split in 1927. Considerably to the left of the dominant KMT CC Clique, but stopping short of embracing Marxism, Third Party members felt more comfortable maintaining an intermediary position between the two poles.

Widespread and possibly the third largest political group in China, the National Salvationists espoused a policy of resistance to Japan, patriotism, and liberal-democratic principles. Loosely organized in a variety of autonomous groups centered on students, workers, women, teachers, etc., the National Salvationists were never a formal political party. Generally leftist, they opposed the heavy-handed tactics of the KMT, which suspected they were a communist front organization. Its membership probably included some communists, but it was neither dominated nor controlled by them.

The diversity of this "third force" is obvious. But at times, and on specific issues, they could all find common cause. Amidst these elements

was Chang Chün-mai and his National Socialist Party. For our purposes, it should suffice to locate Chang roughly to the left of the China Youth Party, but to the right of the National Salvation Association.

Pressure on the Nanking regime to broaden its base increased in the early 1930's. Japan's invasion of Manchuria and the fighting in Shanghai inflamed and fed Chinese nationalism. Intellectuals, students, workers, merchants, and the media all rose in a surge of anti-Japanese sentiment. Chiang Kai-shek's policy of appeasement only seemed to make his one-party dictatorship less popular. As a sop to public opinion, Chiang resolved to establish some kind of people's representative council.<sup>15</sup> Increasing pressure both from the Japanese and from Chinese anxious to resist Japan, led the government to invite non-KMT elements, including Chang Chün-mai, to participate in reconciliation talks in mid-1937. These talks were an effort by Chiang to defuse the growing opposition to his policy of passive resistance to the Japanese. The talks, as well, were prompted by the shock of Chiang's kidnapping only six months earlier in Sian. That incident had been resolved by a "reconciliation" between the KMT and the Chinese Communist Party (CCP). The reconciliation called for an end to Chiang's anti-communist extermination campaigns and the establishment of an anti-Japanese united front.

The nationalism that Chiang was trying to deal with and harness also touched Chang Chün-mai. Throughout his life he had been conscious that his work and his study were in the service of China as a state, as well as China as a cultural entity. On this point, the protection of China as a sovereign state, Chang and the KMT could agree in principle, but differ sharply on policy. After the Tsinan Incident in 1928, when Japanese and Chinese troops had clashed in Shantung, Chang had bitterly condemned the KMT for its timid response. He called on the country to "rise up and

condemn [the KMT] for selling out the country and fawning on foreigners.<sup>16</sup> Earlier, he had clearly set himself against the KMT, judging their dictatorial government a complete failure, and calling on the KMT to abolish its one-party dictatorship.<sup>17</sup> The pressures on Chiang and the KMT to broaden its base and defuse dissent were surely considerable if they could prompt them to invite the likes of Chang to participate in the government.

As the Japanese invasion in July of 1937 spelled death and anguish for so many Chinese, it was also the life-blood of the anti-Chiang opposition. Before the invasion "almost any expression or activity critical or hostile to the government could expose the person responsible for it to prosecution."<sup>18</sup> Now, almost overnight, the government was forced to change its policy from appeasement to active resistance. The need for a broadly based anti-Japanese united front became immediate and unquestioned. Chiang needed at least the symbols of national unity.

In terms of superficial political gain, Chang Chün-mai and other opposition figures fared well immediately following the Japanese invasion. The government's first concession was to invite non-KMT elements to join the newly-created National Defense Advisory Council. It was, as the name implies, a strictly advisory body with no real power. Significantly, it did, for the first time, give political parties and groups other than the KMT a voice in the conduct of the government.<sup>19</sup> In addition, Chiang had given Chang Chün-mai's National Socialist Party a form of de facto recognition. During the first year of the war against Japan the opposition "enjoyed more civil liberty than at any time during the preceding decade . . . , there was a relative freedom of speech, publication, and assembly, undreamed of since 1927, . . ."<sup>20</sup>

But the opposition continued to press for an even greater role in the government, and they were successful, though not through their own efforts. The Japanese again provided the catalyst which boosted the opposition's stock. Pushing south and east, Japanese armies decimated Chiang's troops. By the end of 1937 the Chinese had lost 370,000 to 450,000 men, or between one-third and one-half of their fighting strength. China had lost all her important centers of culture, commerce, industry, and political power.<sup>21</sup> Worse still, the "intervention by Western powers failed to materialize . . . the gloomy outlook required the Nationalist Government to seek whatever support it could get from the people . . ."<sup>22</sup> As a result Chiang Kai-shek organized the group he had alluded to back in 1931 after Japan's incursion into Manchuria.

The National Defense Advisory Council was effectively expanded and evolved into the People's Political Council (Kuo-min ts'an-cheng hui). The PPC, as it came to be known, was much more broadly based than its predecessor; it included all major opposition groups and minority parties,<sup>23</sup> and could better claim to represent a united front. In logic only made possible by equating the Party with the public interest (kung), one KMT supporter claimed that the PPC was, in fact, a truly representative body because its members were selected by the KMT and not by the government. Since the KMT had been "entrusted" with the responsibility of putting political power into practice, the argument continued, to be chosen by the KMT was actually to be indirectly elected by the people.<sup>24</sup>

The creation of the PPC was a two-edged sword: on one hand, since all PPC resolutions had to be approved by the Supreme National Defense Council headed by Chiang Kai-shek, the Council, in essence, became a device through which Chiang "provided a safety-valve for opposition

without touching the apparatus of power.<sup>25</sup> On the other hand, by bringing together probably the best group of parliamentarians in China, which some believe reflected quite accurately the popular will,<sup>26</sup> and giving them a forum, Chiang was forced to defend the legitimacy of his policies in public. Opposition leaders were certainly aware that they were playing to a larger audience than just their fellow Chinese; American public opinion and the willingness of the American Congress to support China were affected by their perceptions of the health of democracy in China. Representative or not, the opposition had made considerable gain since the Japanese invasion. Also beyond doubt was also the fact that those gains were largely, if not wholly, attributable to the necessities of the war, not to opposition power.<sup>27</sup>

The significance of the PPC is that it widened dramatically the scope of participation in the constitutional drafting process. Previously, under the Nanking government, the constitutional draft was, basically, an issue between the Legislative Yuan and the Kuomintang.

Beginning in 1933 under the direction of Sun Fo, the President of the Legislative Yuan, drafting committees produced constitutions which tried to reconcile the various positions both within the KMT and the Legislative Yuan. Once a draft had been approved by the Legislative Yuan, a supposedly representative body, it was submitted to the Central Executive Committee (CEC) of the KMT, which was controlled by Chiang Kai-shek, for approval. If the draft was found unsatisfactory, it was returned to the Legislators with a list of guidelines for the needed revision. The Kuomintang gave the drafting work to the Legislative Yuan to give the appearance that the constitution was the work of a "people's representative" body. By holding veto power over any draft produced by

the Legislative Yuan, Chiang, through the CEC, could effectively guide the legislators to the desired end. Dutifully, therefore, the Legislative Yuan finally produced what Chiang wanted. On May 5, 1936 the so-called John Wu Draft, named after one of its authors, was promulgated and, forever after became known as the 5-5 Draft (5th day of the 5th month). The KMT called for the convening of the National Assembly the following year to formally adopt the 5-5 Draft as the constitution of China. The Japanese invasion made that impossible, however, and the constitutional process was temporarily suspended.

Bringing to life the dormant constitution was high on the agenda of the PPC. Within the Council a Committee for the Promotion of Constitutionalism was appointed by the Speaker, Wang Shih-chieh.<sup>28</sup> That the Committee was made up predominantly of Councillors of minor parties and independents is significant.

By its nature the PPC was, initially at least, fairly independent; it was by no means in Chiang's hip pocket. Mindful of the fact that he needed the semblance of a united front and a democratic government, Chiang had to give opposition elements access to government that they felt was meaningful. If the PPC had been entirely an exercise in "window dressing," the opposition would have balked at participating, and embarrassed Chiang. Chiang Kai-shek could set limitations on the scope of the PPC's activities, or as a final resort nullify its work, but the proceedings of the Council needed the air of democratic participation. For these reasons the selection of committee members within the PPC was beyond Chiang's complete control. It is possible that the heavy minority party and independent representation on the Committee for the Promotion of Constitutionalism was supported and even promoted by one such as Wang Shih-chieh as a lever in the on-going struggle between Chiang and the

KMT--it would not be the last time KMT members and the opposition could find common interests. To limit and circumscribe the committee's work as much as possible, however, Chiang Kai-shek would only permit it to use the 5-5 Draft as a blueprint from which only minor deviations would be allowed.<sup>29</sup> Despite serious handicaps the committee produced its draft constitution which it presented to the PPC on March 30, 1940. The draft was basically the work of Chang Chun-mai and Lo Lung-chi, who worked from the relative safety of Kunming under the protection of Chiang's erstwhile ally General Lung Yün.

Chang and Lo produced a draft which tried to balance the forces of authoritarianism and democracy. Like Chiang Kai-shek, they also needed to accommodate opposing forces , and yet realize their own objectives. On the one hand, most Chinese engaged in the political process shared the same general goals: a strong, economically advancing, and politically stable China. But the manner of achieving those goals, the relationships between the individual and the state and between the regions and the center, and the form and degree of political participation, were all questions of intense debate.

That Chiang Kai-shek had been forced to compromise seemed obvious; to what degree he was willing to compromise was as yet unknown. It was up to Chang and Lo to temper the authoritarian demands of Chiang and further their own democratic reforms. Thier perspicacity and political experience would determine the success or failure of their efforts.

#### CHANG APPROACHES THE CONSTITUTION

The debate over the form of the constitution had resolved itself into a contest between those promoting some form of authoritarian government, and those seeking something more akin to the democratic governments of the

United States, France, or England. Ideologues of both groups used basically the same vocabulary, and their ostensible goals were similar. Not until one examines their respective proposals for a constitution do their differences become clear. In general, Chiang Kai-shek and his KMT supporters tried to formalize, legalize, and extend an authoritarian system already in existence, while giving lip-service to non-KMT participation in government. The heavy strains of support for an authoritarian government or even a dictatorship within the KMT had been reinforced by the ascendancy of Chiang Kai-shek. With his military background and base of support in the military, it is not surprising that Chiang was a consistent advocate of fascism. "As late as 1935 Chiang was telling an assembly of Blue Shirts," the bully-boys, enforcers, and assassins of the KMT, "that what the country needed was fascism."<sup>30</sup> That China already had a dictatorship was painfully clear to Lo Lung-chi, an associate of Chang Chün-mai's and an attempted assassination target of the Blue Shirts, who felt that China did not have simply a party dictatorship, but rather, the dictatorship of a single man.<sup>31</sup> That Lo felt this way is not surprising. He was certainly aware that Chiang Kai-shek had emasculated the KMT and had effectively removed the Party from the center of government. While Chiang may not have qualified as a dictator in the strictest sense, he certainly sat at the pinnacle of power and had the final word on questions critical to his rule. Opposition leaders, on the other hand, tried to counter the legalization and extension of Chiang Kai-shek's rule by formalizing and legalizing checks on the government, hoping that circumstances or public pressure would cause Chiang to respect them.

World War II, when it began for the Chinese in 1937, provided the

catalyst which made opposition participation in government possible. Realizing his debt to the war, Fan Ch'ang-chiang observed that "implementing constitutional government and the war of resistance cannot be separated."<sup>32</sup> What he meant was that without the war there was no hope for constitutional government. Chang Chün-mai agreed. While supporters of Chiang Kai-shek argued that implementing constitutional government during wartime would disperse national power, Chang countered that, on the contrary, acting according to constitutional articles would concentrate national power.<sup>33</sup> Chang Shen-fu, also a NSP member, explained that during a war is the best time, in fact, to implement constitutional government. "The war of resistance," he went on, "has made our people realize that without a nation they cannot exist, they know that the individual and the nation have an intimate relationship."<sup>34</sup> What he was expressing, of course, was the phenomenon and the effect of nationalism in China.

A major hurdle for Chang Chün-mai, as well as for many other opposition politicians, was the legacy of Sun Yat-sen. Literally all political discussion, sooner or later, had to come to grips with Sun's eclectic, vague, and sometimes contradictory philosophy. Chiang Kai-shek and the KMT had canonized Sun's thought; it became the Bible for Party members and the orthodoxy of Republican China.<sup>35</sup> Sun was not deified for his charismatic qualities or the profoundness of his thought, but because he could serve as a symbol of unity.<sup>36</sup> Luckily, the vagueness of Sunist ideology also made it elastic enough to be used by all.<sup>37</sup> Even though Chang Chün-mai found Sun's theory of the division of powers to be contradictory, and even though he refused to bow to Sun's portrait before meetings of the PPC,<sup>38</sup> he, too, sometimes found it expedient to invoke Sun's name in defense of his position. The canonization of Sun's Three People's Principles, to some degree, acted as a brake on the

constitutional debate. By restricting the vocabulary and defining the limits of the debate, Sun's ideology may have hindered the development of democratic government, rather than advanced it.

Like other revolutionary ideologies, Sun's thought claimed to be absolute: it did not need, nor was it subject to external verification. As the only recognized standard of knowledge, Sunist ideology could not admit to an alternative source of truth. Fewsmith has shown how Sunist ideology established an identity between the Party and the public (*kung*): there could exist no contradiction between true knowledge and the public interest. Truth, the Party, ideology, and the public interest, then, were joined in a holistic unity which admitted no challenge.<sup>39</sup> While party discipline kept the ideology above discussion among members, the same constraints were generally effective outside of the Party as well. To criticize Sunist ideology too sharply or directly was to risk lèse majeste' and to speak heresy.

New Confucianists could look at constitutions in two ways: spiritually and legally. Spiritually, democratic constitutions could embody the essence of Confucian values;

the establishment of a democratic state would be . . . true to the spirit of *jen*. [Confucians viewed] democracy as the most effective antidote to the bane of Chinese political tradition--despotism . . . which they see as nothing less than the crudest form of human egoism (*ssu*). As such it goes against the spirit of public-mindedness (*kung*), which is essential to achieving moral solidarity. Democracy, conceived as an institution which takes political power out of personal hands and puts it under public control, is seen as the utmost fulfillment of the spirit

of public-mindedness . . . democracy as an institutional device to ensure political equality is in keeping with the Confucian belief that every individual has the potential to become a sage and hence should be respected as a morally autonomous being entitled to equal status with anyone else.<sup>40</sup>

Legally, the state was given form through a constitution. A modern constitution and its supporting body of philosophical justification provided the textual bedrock on which the state rested. It afforded a moral and legal authority of last appeal; like the Classics and their commentaries, a constitution could provide a refuge from, and a brake on the capricious use of power. A democratic constitution could provide the locus and the cement to unite government and the scholar-bureaucratic class cast adrift by the Ch'ing Dynasty thirty-five years before. Once again position, status, and authority would fall to those of special ability and education. Fairbank suggests that by thus "revitalizing their political community, [Chinese could bring] it closer to the perennial ideal of 'public-mindedness'."<sup>41</sup>

The state was primarily a spiritual entity in Chang's view. It is defined by a sense of nationalism that has a strong racial or ethnic component; people of the same blood, language, customs and history formed a basic unit that shared a common self-consciousness.<sup>42</sup> This common self-consciousness (nationalism) becomes the most powerful human concept in bonding people together.<sup>43</sup> The state, then, becomes the expression of "man's sentiment, reason, and will. It is in the state that true sentiment finds its expression in love of country, reason in creative thought and cultural achievements, and good will in intentions towards others."<sup>44</sup> A constitution, therefore, should express the values of the state. It acts as both a statement of ideals as well as a vehicle, a

means, for their fulfillment. In Chang's view, a constitution need not specifically define a system of government; it was first and foremost a "public foundation." As long as a constitution embodied the spirit of democratic government, small inconsistencies and contradictions necessitated by compromise were relatively unimportant in the short-run. The essence of a constitution, for Chang, was in its function as a framework, a set of rules, within which disputes could be solved and the final form of the state evolve.

Chang had said that to reform Chinese politics, one had to begin with people's attitudes; attitudes were more basic than systems. To create a democratic system without reforming people's attitudes was, for Chang, to state the equation backwards.<sup>45</sup> Attitudes could be reformed through education and practice. Indeed, the basic moral truths of Confucianism could only be grasped through practice.<sup>46</sup> A democratic constitution provided the basic rules and the "classroom" for the practice. Writing in Hsin Lu, Chang said that "[the people] must learn to swim, [they] should jump into the water . . ."<sup>47</sup> Participation in the political life of the nation was an expression of men's equality; participation could make men realize what their rights were, and dispel the traditional attitudes of subservience and submission to despotic power. Practicing democracy brought China closer to true democracy while changing attitudes and customs among Chinese--two inseparable goals.<sup>48</sup> Naturally, as attitudes are reformed the individual, incrementally, adds to his understanding of what we might call here, basic truths. In this sense, the practice of democracy, which gradually reforms attitudes and reveals truths, becomes a form of enlightenment; a process which becomes self-perpetuating and has ever-expanding effects--a kind of moral ripple-effect.

A people's attitudes and customs, so Chang believed, determined the kind of governmental organization that developed. If a new form of government were to be introduced, there would need to be a commensurate change in attitudes. Chang's Mencian approach to politics gave him confidence that laws could be used to mold men's minds, give rise to new customs, and encourage the emergence of men's basic good nature. Although Chang would not like the comparison, his embryonic democracy is, like Chiang Kai-shek's second-stage of government, a kind of tutelage leading to true democratic constitutional government.<sup>49</sup> The realization of democratic government needed a legal framework, but Chang saw the real stumbling blocks to be in men's imaginations.<sup>50</sup> Did men share a vision of what democratic government in China should be and a willingness to set aside their selfish concerns? If they did, then the realization of democratic government in China was, as Chang supposed, only a question of time.

Although idealism played a major role in Chang Chün-mai's thought and in his approach to constitutionalism, it did not blind him completely to the realities of politics. It would certainly have been preferable if all actors in the political arena respected the constitution and acted in a spirit of good will towards others. But, since this was not the case, the political system needed to incorporate a "levelling" mechanism; a means which balanced the power and influence of the actors and fostered a spirit of conciliation and compromise. The struggle boiled down to the question of where the real locus of power lay; was it in the hands of an individual, in some representative body, or in an interplay of the two? For all practical purposes, the constitution became a tool in the struggle for power.<sup>51</sup>

That government had certain legitimate and necessary functions, Chang

did not deny. The form of government, though, was important. From Chiang Kai-shek's point of view, government should be organized along lines that maximized the powers and prerogatives of the "leader," while minimizing the participation and interference of all others. Chang Chun-mai, meanwhile, wanted a system that granted the executive department its share of power, while distributing a counter-balancing share of power to other arms of government and the people. This would have the effect of making a despotism impossible, and, at the same time, promote the process of cooperation, give-and-take compromise, and the spirit of public-mindedness. A democratic form of government was also a means of avoiding or stopping armed conflict. Chang's disposition for peaceful, evolutionary change was rooted in his abhorrence of chaos. Revolution and war were inherently without order and reason. They symbolized a breakdown in the orderly flow of nature. Their courses could neither be controlled nor predicted. To a person such as Chang, who had an ordered explanation for the universe, there was little place for war and revolution. This was one of the flaws Chang saw in dictatorships; they create conditions conducive to civil war.<sup>52</sup> By suppressing avenues for the expression of dissent and the peaceful resolution of conflict, Chang reasoned, dictatorships actually push their opponents to the use of force.

It is interesting that two men like Chiang Kai-shek and Chang Chün-mai, both heavily influenced and respectful of the traditional culture, would come to such loggerheads. The difference in their positions represents a fundamental difference in their perspectives rather than their feelings. Chiang was acting and reacting as a Confucian ruler would. Chang Chün-mai, on the other hand, was basing his actions on the presumed interests of a class of elites that earlier would have been

labeled gentry-administrative-literati.

Chiang Kai-shek had himself named Tsung-ts'ai or Leader, a position only just below that of the canonized Sun Yat-sen. A typical Confucian ruler, Fairbank tells us, tends to rule for life. He was an autocrat; within his sphere he exercised arbitrary power even though he had to sanction it by the use of the classical ideology. The maintenance of his power rested on his maintenance of his ideological superiority in the established system of political thought. The Confucian ruler also brought men to accept his rule by his virtuous conduct and moral influence. Since such a ruler's prestige was so critical to his power, anything which distracted from it--such as criticism--was as serious as outright rebellion.<sup>53</sup> Confined by such an outlook, the Confucian ruler could never submit his decisions to review or veto by others. "he had to take his position and stand upon it as a superior leader, not as a 'servant of the people.' He was the One Man at the top, carrying the burden or responsibility and decision, and could not delegate it without forfeiting his title to power."<sup>54</sup>

As Fairbank pointed out, and Stanley Karnow detailed, such perceptions were not confined to the occupant of the Dragon Throne, but extended well beyond China. This "mandarin mentality" made even the idea of minority resistance reprehensible to the ruler.<sup>55</sup>

#### REVISION OF THE 5-5 DRAFT CONSTITUTION

As the PPC took up the task of revising the 5-5 Draft within the limits set by Chiang Kai-shek, certain problems became apparent: first, the issue of giving formal legal status in the constitution to the phrase "The Republic of China is a San Min Chu I Republic," secondly, the issue

of people's rights and their protection, and thirdly, resolving the issue of authority and power which basically involved the National Assembly, the Legislative Yuan, and the Executive. Other issues were certainly important, but these most directly yield insights into Chang Chün-mai's thinking, and illustrate the problems inherent in trying to formalize a politico-philosophical system such as his. Article One of the 5-5 Draft stated that "The Republic of China is a San Min Chu I Republic." Through this simple statement the 5-5 Draft made its obligatory bow to Sun Yat-sen and formalized the direct link between the revolution and the constitution. Further, it established the general ideological framework of the state. When searching for a clear, concise definition of what a "San Min Chu I Republic" is, however, it became apparent that Article One created more problems than it solved. San Min Chu-I had, after all, been the ideological base of the Nationalist Party (KMT), not a universally accepted manifesto.

If the principle that China was a "San Min Chu-I Republic" were given legal status of the highest sort, it would put the opposition in an even more difficult position. As China's official creed San Min Chu-I would put those who did not share a belief in it in legal jeopardy. One critic likened that situation to living in terror and watchfulness.<sup>56</sup> Justification for such fear had ample precedence. In February 1927, for example, some months before the split which ended the two-year cooperation between the KMT and the CCP, Chiang Kai-shek warned Party members that "whosoever goes against the aims and methods indicated by [Dr. Sun] will not be a comrade but an enemy who must not remain among us."<sup>57</sup> By the end of the year the communists had been purged from the KMT, leaving behind them between 10,000 and 30,000 of their dead comrades. The Government stepped up its legal efforts to suppress dissent as well; the Regulations

for Punishing Counter-revolutionaries were decreed in 1929 and the Emergency Law Governing Treason and Sedition was promulgated in 1931. The latter "prescribed capital punishment or life imprisonment for those who engaged in seditious propaganda by writings, pictures, or word of mouth, with the intent to subvert the Republic."<sup>58</sup> Further, in 1931 habeas corpus had been suspended in cases involving newspaper criticism of the government or of the Three People's Principles.<sup>59</sup> The government viewed both kinds of criticism in the same light it viewed subversion. That the Principles had been given semi-divine status was already a limiting factor on political debate. To give it constitutional sanction as well would give to those holding police power a formidable weapon. Chiang Kai-shek showed that it could be a convenient political cudgel to disarm or intimidate opponents by charging them with disrespect or even disloyalty. Chiang, in fact, used the Principles as a justification for increasing his repression of opposition.<sup>60</sup>

One can imagine the delicacy and circumspection with which Chang Chün-mai approached this problem. Unfortunately, at this point in the war, the opposition's leverage was still limited, and Chang was unsuccessful in his attempt to have the open-ended article removed. The best he could do at this time was to record an addendum to Article One. Chang added his voice to that of Tso Shun-sheng, a leader of the China Youth Party, in asking the highest organs of the Kuomintang, or Chiang, himself, to affirm, before the promulgation of the constitution, that Article One would not affect the unity of political parties, their basic philosophies, or their existence under the law.<sup>61</sup> This was a polite way of asking Chiang to forswear the use of Article One as a political weapon.

While the vocabulary of people's rights drew heavily on liberal Western tradition, it was also easily adaptable to the traditional Chinese beliefs of conservatives like Chang Chun-mai. That people's rights became an issue in modern China is not surprising. Those Chinese like Yen Fu, Liang Shu-ming, Liang Ch'i-ch'ao, and Chang Chün-mai, who saw the strength and spirit of Western nations in their democratic governments, recognized that at their root these democratic governments all took people's rights as fundamental and inviolate. People's rights, therefore, became a prerequisite to the building of a strong, modern nation-state.

To incorporate the notion of people's rights and the people's sovereignty into traditional thought was not terribly difficult. The notion that sovereignty should be held by all the people could be fitted within the traditional Mencian concept that the Mandate of Heaven could be withdrawn if the emperor were guilty of misrule. The people, acting as agents of heaven's will, could overthrow an unfit emperor and thus withdraw his mandate. While this concept of sovereignty may not satisfy some Western jurists, it does confer on the Chinese masses the ultimate moral authority for rebellion and revolt. Likewise, statements affirming basic human freedoms could be construed to express the Confucian attitude that since all men are capable of reaching sagehood, there exists a basic equality among men. This basic equality was easy enough to express in principle, but far less palatable in practice.

Following the age-old Chinese maxim that "society is governed by men and not by laws," students of constitutional law in early twentieth-century China saw the iron-clad protection of human rights as an obstacle to social progress. Critics of a rigidly defined, difficult to amend constitutional statement of people's rights argued that as the conditions of life in China improved, society would reflect a commensurate change.

The constitution would then fall out of step with the state and needs of society; reflecting old conditions and past reality, the constitution would act as a brake on further progress.<sup>62</sup> In other words, it was up to men to continually reevaluate and adjust law to promote social progress and meet exigencies of the moment. The constitution, in their eyes, should not inhibit the ability of men to govern. For the most part, later participants in the constitutional debate show a consistency in Chinese views on people's rights. With the exception of Lo Lung-chi, who felt that the freedom of speech was an inalienable right of the people, admitting no interference even by law,<sup>63</sup> most PPC councillors, Chang included, were unwilling to put people's rights completely beyond control or revision.

If Chang Chün-mai had a clear idea of the demarcation between governmental power and personal freedom, he did a distinctly poor job of conveying it to his fellow councillors or in defining it within the PPC draft constitution. Chang seemed unable to form a concise statement of the limits on human rights he had already conceded were necessary. In terms of Chang's approach to constitutional law this omission was no profound failure. In Chang's view the constitution was designed only to act as a set of general rules of behavior and to provide a stage for political action. In more specific terms, Chang was caught between his rhetoric and his true beliefs. Throughout Chang's political life he had used the issue of people's rights as a focal point. In his criticisms of the KMT he had called on the Government to respect people's rights. He had demanded that the people have the freedom to speak, and write, and publish, and to participate in government. Chang knew full well that should the government grant those freedoms to "the people", they would

effectively be enjoyed by a small minority, of which he was a part.

Interestingly enough, on the issue of people's rights, where we might expect to see the widest diversion of opinion between the "authoritarians" and the "democrats", we find, instead, remarkable agreement. Where we might expect to see the greatest revision of the 5-5 Draft, we see, instead, very little change. Here was a point on which Chang and Sun Fo, for instance, could, in principle, well agree. Sun had pointed out that in his view, "people's rights are relative, not absolute."<sup>64</sup> Chang agreed. He saw a reciprocal relationship between the people and the state, each needing the other for its existence. If the people's rights were to be infringed upon, the limits could only be judged by one criterion: the interests of the state. In other words, Chang concluded that individual freedom and state power had to seek a balance.<sup>65</sup>

As a student of history, Chang had seen the terrorism of the French and Russian revolutions, and ascribed it to an excess of freedom.<sup>66</sup> Excessive freedom could, like revolution itself, lead to the kind of instability and chaos that Chang wanted so to avoid. On the other hand, excessive restrictions of freedom, as seen in Germany and Russia, hampered the people's social development. Chang's ideal state would exploit the advantages of both dictatorship and democracy. The powers and freedoms of government and the people, each in their respective sphere, would be inviolate.<sup>67</sup> Finding this balance between power and freedom forced Chang to deal with the political reality of an oppressive one-party government, while remaining true to his basic beliefs.

Chang, and other non-KMT PPC councillors were not so much opposed to the power to limit people's rights, as they were to the manner and degree to which it had been used. In their protests some had pointed out that Sun Yat-sen had based his Principle of People's Rights (Min-ch'üan chu-i)

on a Russian model. In such a one-party state model, where the people's rights yielded to the state's rights, was it not a contradiction, the critics asked, for Sun to exalt both party government and people's rights?<sup>68</sup> Others pointed out that to give the National Assembly or the Legislative Yuan power to limit the people's rights was to elevate civil law above constitutional law.<sup>69</sup> These kinds of criticisms were directed at the ruling KMT and its controlled government organs, rather than at the principle of limiting people's rights.

The 5-5 Draft had guaranteed the people the freedoms of domicile, movement, speech, publication, correspondence, belief, assembly, and association. But after each guarantee was a qualifying clause which added that the aforementioned freedom could not be limited "except by law."<sup>70</sup> This of course made the initial guarantee, dependent on future legislation or executive decree, essentially worthless. If Chang had been fundamentally opposed to the qualifying clause he would surely have registered his opposition in an addendum. Conspicuously, however, he is silent. Only in a joint report to the PPC by some members of the drafting committee does Chang put himself on record. In the report Chang and his co-signers reveal their suspicion that the qualifying clause could become a legal limitation on the people's freedom, and could open a "convenient" door for the government. Admitting that the people's rights naturally had limitations, Chang and the other signers could only say that the qualifying clause was "inadequate protection of those rights." Nothing further than to suggest that limitations on people's rights should be in the constitution was offered.<sup>71</sup> The councillors wanted, at least, to keep the guarantees and limitations concerning people's rights out of the hands of the Legislative Yuan.

The awareness of the pliability of the Legislative Yuan and of its susceptibility to government control was widespread. Others, outside of the PPC, supported the councillors' maneuver. The Kwangsi Constitutional Government Advancement Association, in an open letter to the Government, stated its members' opposition to the use of law to restrict people's rights. The Association felt that to use laws in such a manner would result in a divergence of law and the constitution. They would support no restrictions on people's rights other than those passed by the National Assembly as amendments to the constitution.<sup>72</sup> While an official source claims that the intent of the PPC councillors was to use the qualifying clause to place the power of limiting people's rights in a representative body,<sup>73</sup> it seems more likely that, at the time and in the light of the councillors opinions recorded as an attachment to their draft constitution, their aim was to keep such power out of the hands of a "puppet" representative body. Whenever a representative body was formed along lines acceptable to the councillors and with adequate independence, they would probably have felt comfortable giving it the power to limit the people's rights.<sup>74</sup>

The non-KMT PPC councillors, Chang among them, found themselves on the horns of a dilemma. Had they not been in opposition to a one-party dictatorship, they probably could have accepted the qualifying clause as it stood. Since they were still the objects of legal political repression based on the qualifying clause, they naturally sought relief from it. The fact that Chang could proffer no alternative is actually a testament to his integrity. He registered his objections to the offending clause in principle, but offered nothing in its place because it would have been, first, dishonest, and secondly, impossible. To support a statement of inviolate people's rights would have violated Chang's own beliefs in the

necessary balance of power between the state and the people. To write a precise definition of the scope of people's rights would have been impossible; for definition of that nature fell within the realm of intuition. Any attempt to define in detail the limits of people's rights would be doomed to failure by the task's complexity and the inability of language to express the intuitive process.

In terms of people's rights the PPC draft constitution was essentially a holding action. Chang Chün-mai, for example, took the moral high ground and implied that the Government was not protecting the people's rights in a democratic spirit. At most this tactic could make the Government, in an effort to avoid further damage to the United Front, more cautious in its use of the law as a weapon of political repression. If the opposition could at least gain some ground here, while the real issues of power were decided elsewhere, the rhetoric was not wasted. One could conclude that had the opposition gained a measure of power and the make-up of the Legislative Yuan and National Assembly changed, Chang would have dropped the issue of the qualifying clause altogether. His opposition was not against the curtailment of people's rights through law, but rather against the capricious use of that power by government organs so easily manipulated by Chiang Kai-shek.

In wartime China rhetoric existed in particular abundance. The reasons, as noted earlier, had much to do with the operatic manuevers between Chiang Kai-shek and his opponents. Spurred by political and military factors, Chiang had allowed a degree of open dissent. The line between dissent and treason, however, was a fine and sometimes changing one, requiring the opposition to remain circumspect and cautious. The added requirement, that any Chinese constitution be true to the teachings

of Sun Yat-sen, forced KMT and non-KMT participants in the constitutional debate to defend positions which, at times, hinged on little more than semantic interpretation.

The question of including in the constitution the statement that China was a "San Min Chu-I Republic" had touched a most sensitive nerve. Once Chang Chun-mai and others of the opposition realized they could make no real inroad into the statements' sanctity, they essentially conceded defeat and moved on to aspects of KMT ideology that could be more easily undermined.

If Chang indeed wanted to produce a constitution that would provide a framework and guidelines for peaceful, orderly political activity, he had to go beyond philosophical platitudes. He needed, in some practical way, to create conditions that would make political activity fair, and free from capricious government interference. To accomplish this he needed to materially affect the balance of power in the constitution.

The legacy of Sun Yat-sen as expressed in The Three People's Principles and his five-power constitution, was a serious impediment to those seeking to institute real democratic government. Extravagant claims have been made showing that Sun's five-power constitution represented a quantum leap in constitutional theory. In reality it is something much less. Sun's idea of a five-power constitution, stripped of its high-sounding democratic verbiage, basically creates an authoritarian one-party state owing much to Russian influence. At the core of Sun's theory is his answer to the balance of power problem: the separation of power and ability (chüan-neng fen-k'ai). Sun had concluded that the greatest shortcoming of American style democracy was that the people, through their representatives, exercised only indirect political power; there was no real check on the power of the government. "Political powers" (cheng-

ch'üan) should, in Sun's view, be exercised directly by the people. In contrast, the government would be granted certain "governing powers" (chih-ch'üan) that would enable it to effectively run the day-to-day operations of the state. Vested in the people would be the "political powers" of election, recall, initiative, and referendum. Left to the government were the "governing powers" included in the executive, legislative, judicial, control, and examination departments.

Somehow, Sun placed these "political powers" in a representative body and blithely continued to call them direct powers. Sun's principle of the separation of power and ability is little more than a circular argument intended to minimize, if not remove, interference with government.<sup>75</sup> The remainder of Sun's theory revolves around the unremarkable melding of Western and traditional Chinese institutions. The five-way division of power is a composite of a western style executive, legislature, and judiciary coupled with a Control Yuan, reminiscent of the Imperial Censorate, and an Examination Yuan to carry on the spirit of a bureaucracy open to all through fair, open, and competitive examinations. In terms of the theoretical division of power, the National Assembly, the Executive, and the Legislative Yuan were the focal points. Chang Chün-mai considered Sun's five-power theory to be little more than the heritage of absolute monarchy.<sup>76</sup>

Under the 5-5 Draft the National Assembly, which held the four "political powers," would meet but once every three years, and then only for one month. Add to this the fact that the election machinery which produced national assemblymen was mostly in the hands of the KMT, and one is left with little more than a "ghost" assembly. This would be equivalent to a landlord making a quick call once every three years to see

if his house were still standing. Could anyone seriously have expected this sort of assembly to act as a responsible overseer of the government?

Chinese legislatures or parliaments, unlike those in the American model, were not, in the eyes of KMT ideologues, regarded as being in an adversary relationship with the executive. As explained by Hu Han-min ten years earlier, the Legislative Yuan was never designed to be a representative body, nor was it to be opposed to the executive. Hu saw the Legislative Yuan from two perspectives; one political, and the other, party. From the former the Legislative Yuan had a strictly legislative function; it acted as an arm of government through which laws, resolutions, and budgets flowed. It did not obstruct. From the latter, it acted according to the will of the party; any laws which were created in or passed through the Legislative Yuan had to be based on the teachings of Sun Yat-sen and resolutions of the KMT. Neither the organization of the Legislative Yuan, nor laws passed by it could contradict what Hu called the "principle of party control." To be more blunt, Hu stated that the will of the Legislative Yuan and of the KMT were one.<sup>77</sup> The fact that members of the National Assembly and of the Legislative Yuan had to be confirmed by the Central Executive Committee of the KMT acted as a final guarantee of their responsiveness to the party.

As chief executive, the president was commander-in-chief of the armed forces, could declare war, make peace, abrogate treaties, declare martial law, review criminal sentences, grant pardons, and appoint and remove civil and military officers. In practical terms, the president was unimpeachable. He was, according to the 5-5 Draft, responsible to no one but the National Assembly. That was tantamount to being responsible to no one since the National Assembly was by its make up and function unable to effectively exercise any power.

Given the limitations imposed on Chang and his fellow members of the constitutional drafting committee by Chiang Kai-shek, and the realities of what the National Assembly and the Legislative Yuan were, the committee found a novel answer to their problem. Rather than try to move power from the presidency to either the National Assembly or the Legislative Yuan--both tactics being relatively meaningless--the committee created an entirely new body. When Chang and Lo finished their drafting work in Kunming and the draft was presented to the government, it was met with howls of protest. The PPC draft constitution had effectively turned the relationship between Chiang Kai-shek and the National Assembly on its head.

Quoting heavily from Sun Yat-sen and his "Outline for National Reconstruction," from which the five-power constitution springs, the committee pointed out that the 5-5 Draft's greatest shortcoming was that it allowed the people no means of exercising their direct "political powers." Claiming, with tongue-in-cheek, to rectify this apparent oversight and make the constitution truly reflect Sun's teachings, the committee created a Recess Committee of the National Assembly (Kuo-min ta-hui i-cheng hui), which would meet when the National Assembly was in recess. Not only would the Recess Committee exercise most of the normal powers of the National Assembly, but it would assume other powers previously reserved to the Legislative Yuan. The committee's report explained that what some considered "governing powers" were actually "political powers" and therefore belonged to the people. Besides the power to declare martial law, grant pardons, declare war, make peace, and conclude treaties, the Recess Committee could also hold referendums on the budget and laws passed by the Legislative Yuan. Possibly in an effort

to lend support and put some backbone into the Control Yuan, the Recess Committee was empowered to accept impeachment bills from that Yuan. If such bills were directed against the president or vice-president and passed by two-thirds of the Recess Committee, the National Assembly would be called to decide the issue. If a like number of committee members passed an impeachment bill against the president or vice-president of the Executive, Judicial, Legislative, or Examination Yuan, they would be forced to resign forthwith. Not wanting to be wholly dependent on the Control Yuan, the Recess committee could itself initiate a vote of no-confidence against the above Yuan officials. A successful vote would require the officials' immediate resignation.<sup>78</sup> In a move directed more obviously at Chiang Kai-shek, the PPC drafters required that a presidential declaration of a state of emergency obtain the concurrence of the Recess Committee. This would have severely limited presidential prerogatives. Tung Pi-wu, a communist councillor, wanted to go even further and proposed that the president's power to declare a state of emergency be rescinded altogether.

Explaining their reasoning, the drafting committee pointed out that to expand the powers of the Legislative Yuan would be inconsistent with the teachings of Sun Yat-sen; to grant the Legislative Yuan "political powers" would violate the principle of the separation of powers. As for decreasing the number of delegates to the National Assembly or increasing the frequency of its meetings, again, Sun's teachings were clear, and could not be tampered with.<sup>79</sup> To protect the spirit of their new constitution, the PPC drafters took the power to interpret it out of the hands of the Judicial Yuan, and placed it into the hands of a committee made up of members of the Recess Committee, the Judicial Yuan, and the Control Yuan. Further, in an effort to chip away at the KMT-controlled

election process, the PPC drafters changed the basis for election to the National Assembly. Instead of the previous complicated formula based on population, they substituted one based on regional and professional divisions. Presumably, a regional electorate could dilute the KMT's control of provincial election machinery. The addition of professional categories of representation was, the drafters admitted unabashedly, a device to insure that the outstanding, the wise and virtuous, and those technically expert would have a chance of election. If the KMT could bend elections to their ends, the PPC drafters, so it seems, felt they could also.<sup>80</sup> While going out of their way to claim that the PPC draft constitution fully comported with the teachings of Sun Yat-sen, the drafters were actually doing their best to undermine them.

In substance the PPC draft constitution was nothing short of revolutionary. After Sun Fo, who as president of the Legislative Yuan had much to lose under the PPC draft, launched his attack on the constitutional draft, Chiang Kai-shek himself addressed the PPC.

In a short but firm speech, Chiang reminded the councillors that any acceptable constitution had to take into account the realities of China's present situation. In measured words, Chiang reaffirmed the unalterable fact that China was, and would continue to be, a "San Min Chu-I republic," and there could be nothing which contradicted the spirit of Sun's principles of the separation of power and a five-power government. Chiang rejected the PPC drafters' argument about the true definition of "political" and "governing" powers. Addressing himself directly to Chang Chün-mai and Tso Shun-sheng, Chiang drove home his point that there could be absolutely no addendums to San Min Chu-I.<sup>81</sup>

The actions of the PPC, from Chiang's point of view, were clearly

aimed at undermining his efforts to cope with the triple threat of Japanese invasion, communist subversion, and political disunity within his own ranks. The proposed creation of the Recess Committee not only threatened Chiang's attempt to realize power as expressed in law, but it challenged Chiang's authority because the legitimate use of power would be subject to oversight by a representative body. This was something that Chiang simply could not accept; it challenged his fundamental views on authority and power. His classical education and his extremely conservative interpretation of Confucianism, coupled with his military background, left Chiang with no understanding of the "art of using power in a democratic government."<sup>82</sup> The actions of the PPC drafters violated the long-standing KMT principle that "the exercise of executive power must not be limited by inflexible regulations."<sup>83</sup> Chiang had reiterated this principle in his speech to the PPC, and Sun Fo supported him.

To bring the PPC more into line with his own thinking, Chiang increased its membership from around two hundred to about two hundred and forty.<sup>84</sup> Whereas the First Council had only about seventy KMT representatives, Chiang persistently added KMT members so that by 1943 the percentage of non-KMT representation had decreased.<sup>85</sup> As a prominent member of the opposition, Chang Chün-mai had been given a seat on the PPC's presidium. His effrontery in having so much to do with a constitutional draft so opposed to Chiang's interests earned him special treatment. In addition to his other missteps Chang had also helped to found the Federation of Chinese Democratic Parties<sup>86</sup>, which Chiang Kai-shek suspected of having communist leanings. The incident mentioned earlier that led to the closing of Chang's National Culture Institute in the summer of 1942 could only have reinforced Chiang's opinion that Chang Chün-mai had overstepped his bounds. By the meeting of the Third Council

in late 1942 Chang had been removed from the Council's presidium, and, as a further inducement to his rehabilitation, he and Lo Lung-chi, were kept in Chungking under surveillance and semi-restraint.<sup>87</sup>

The relative freedom of the period 1937-1938 was coming to an abrupt end. The relative stability of the Japanese front and the increased communist-KMT frictions worked to draw the government's attention inward. The PPC draft constitution was quietly referred to a government committee for review and, as Chiang planned, burial. Officially, the constitutional issue was a dead letter from 1940 to 1943. In November 1943 a new group was established within the PPC. The loopholes which had allowed the first drafting committee to embarrass the government were closed. This new group, the Association to Assist in the Inauguration of Constitutionalism, included government leaders, as well as councillors, and Chiang Kai-shek served as its president.<sup>88</sup> The Association reviewed the 5-5 Draft and the earlier PPC draft constitution. In its report to the PPC in 1946 the Association generally repudiated the work of the earlier drafters and presented Chiang with what he had wanted in the first place, a relatively untouched, cosmetically altered 5-5 Draft.<sup>89</sup>

As far as the constitutional issue was concerned, Chang Chün-mai was relatively quiescent between 1942 and 1946. He more or less conceded that democratic reform was impossible through the PPC. His efforts at constitution drafting had been little more than an exercise in futility. Chiang Kai-shek had let him go through the motions, but nothing of significance had been allowed to be implemented. Following his period of house arrest, which may have lasted into 1944, Chang redirected his activities to the China Democratic League. The League, which sprang from a reorganization of the Federation of Democratic Parties in 1944, tried to

place itself between the KMT and the Chinese Communist Party (CCP). By acting as a medium through which the KMT and the CCP could negotiate, the League hoped to moderate their respective positions and gain influence for itself. In any event, in November 1944 Chang made one of those abrupt changes in focus such as had occurred earlier in his life. Abandoning the leadership of the National Socialist Party, his League activities, and his participation in the PPC, Chang left China to lecture in India. After a series of lectures at Indian universities, Chang continued on to the United States where he took up his writing at Columbia University. In terms of direct personal participation, Chang had simply turned his back on Chinese politics.

It would require the combined forces of a worsening domestic situation in China and the deteriorating relationship between China and the United States to give Chang once again the leverage he needed to participate in a revived constitutional process.

#### A SECOND ASSAULT ON THE TSUNG TS'AI

The relationship and frictions between Chiang Kai-shek and the American government have been well documented elsewhere. Suffice to say that the strains and contradictions of the relationship were cause for a major rethinking of China policy in Washington by 1947. Immediately following the end of World War II, the United States increased its pressure on the Chinese government to seek an end to armed hostilities with the Chinese Communists. In a policy statement issued in December 1945 President Truman declared that the United States held it essential that "a national conference of representatives of major political elements be arranged to develop an early solution"<sup>90</sup> to China's problems. The declaration went on to encourage the Government of China to broaden its

base by bringing in other political elements.

The reoccupation of Manchuria by Nationalist troops and increasing clashes with Communist forces created greater demands for American financial and material aid. In a major effort to find a solution to the China problem and disengage American troops, Truman dispatched General George Marshall to China. Besides Marshall's prestige as the President's personal envoy, his position was further buttressed by his power to withhold American aid to Chiang. Marshall's mission was to end the KMT-CCP fighting and build some form of coalition government in China.

Earlier, seeing that the PPC was of little further significance, Chinese, such as those in the China Democratic League, had called on the Government to organize a new conference that would bring together the KMT, the CCP, and representatives of all other political elements. Such a conference was agreed to, in principle, at high-level KMT-CCP negotiations, but Chiang had been reluctant to see it through. Not until the Marshall mission was announced, along with the explicit American policy of mediation, did Chiang begin arrangements for the conference.<sup>91</sup>

The new conference, dubbed the People's Consultative Conference (PCC), was composed of thirty-eight delegates, twenty-two of whom were former PPC councillors.<sup>92</sup> When the conference opened on January 11, 1946 Chang Chün-mai was in England. By the time Chang received his invitation and could return to China, the conference had already been in session a week. Nonetheless, Chang lost not a moment, and immediately opted for a seat on the Constitutional Investigating Committee. The committee was made up of Sun Fo, Wang Ch'ung-hui, John C.H. Wu, Wu T'ieh-ch'eng, and Wang Shih-chieh representing the KMT; Chou En-lai and Ching Pang-hsien joined for the CCP; Tseng Ch'i and Chen Chi-t'ien attended for the China Youth Party; and Chang Chün-mai, Lo Lung-chi, and Chang Po-chun

represented the Democratic League.<sup>93</sup> These twelve men were to carry on the work of the Association to Assist the Inauguration of Constitutionalism which had died a natural death with the PPC.

World War II did much to reinforce Chang's support for the principle of democratic government. Four decades earlier Chang had attributed Japan's success and its victory over Russia to its adoption of a democratic constitution. The victory of the democratic allies over Japan and Germany, whose democracies had both been subverted and corrupted, proved to Chang the innate strength of democratic government. While dictatorships could, in the short run, do some things more efficiently than democratic states, they could not, in Chang's opinion, fully muster the spiritual and creative forces of their people. The victory of the Allies had, in Chang's mind, resolved the debate over which system, democracy or dictatorship, was superior. The defeat of fascism proved to Chang that the dominant trend in the world was towards democracy. Bringing democracy to China, therefore, was an important part in the effort to modernize China and bring it into the mainstream of world progress.<sup>94</sup>

While Chang's thinking on certain specifics of democratic government changed over the years, he never wavered in his belief that a democratic constitution could help to bring together the best of East and West. Chang never rejected the fundamental virtues of Chinese culture; rather, he sought their preservation and expansion through democratic government. To westernize China was never Chang's aim. Quite the contrary; by utilizing democratic constitutional government Chinese could give free expression to their own unique cultural heritage. On a more practical, immediate side, Chang continued to press for limitations on executive

prerogative, respect for the rule of law, and an expanded role in government for non-KMT elements.

As he approached the constitution Chang was aware that if any constitution were to have a real chance of success in China, it needed the support of the two strongest military camps, the KMT and the CCP. Also, any constitution that sought legitimacy as a democratic document needed the support of the so-called third-force elements: the small parties, the China Democratic League, and other non-KMT, non-CCP elements. While no single party or faction had the power to force a constitution on China, each did have the power to seriously undermine a constitution by non-participation. The problem, then, was to create a constitution that met the minimum demands of all three groups and yet, still embodied a coherent form of government that moved China closer to democracy.

As a starting point, Chang established three basic criteria: first, to reach a compromise between Sun's five-power constitution and European and American style democratic government; secondly, to reach a compromise between the good and the bad aspects of the KMT and the CCP; and, thirdly, to incorporate, as much as possible, the proposals of the other parties.<sup>95</sup> This was both a realistic and an honest approach to the problem. The question was whether Chang could make these compromises and yet retain the spirit and substance of both Chinese tradition and democratic government?

As the drafting committee set to work Chang sought to give it some overall direction by offering his fellow committeemen a twelve-point outline of "Principles for Revising the Constitutional Draft."<sup>96</sup> Among the important points of Chang's outline were: 1) before the realization of a system of general presidential election, the president would be elected by an election organ made up of prefectoral, provincial, and central government level assemblies, 2) the president would be recalled by the

same method as his election, 3) the exercise of the powers of initiative and referendum would be determined by law, 4) the members of the Legislative Yuan would be elected by the people directly, and its authority would be similar to that of assemblies in democratic countries, 5) the members of the Control Yuan would be elected by the provincial assemblies and by assemblies in the autonomous regions, 6) the president of the Executive Yuan would be responsible to the Legislative Yuan, 7) the freedom and rights enjoyed by the people would be guaranteed by the constitution and not infringed upon illegally, 8) the power to revise the constitution would be in a joint conference composed of the Legislative and Control Yuans. Any revision passed by this joint conference would be referred to the body that elected the president.<sup>97</sup>

These principles were accepted by the committee as a basis for its revision of the 5-5 Draft. This was important, for even though these principles had no legal force, and, in many instances, were fairly vague, they still provided some authority on which Chang could base his proposals. Taken together, the principles which Chang forwarded provided a base from which to alter the spirit and intent of not only the 5-5 Draft, but also Sun's five-power constitution.

Whether following Chang's principles or not, each member began presenting proposals and draft articles in which he had a special interest. Unfortunately, this approach to drafting a constitution sacrificed continuity and cohesion. While each part might have its virtues, brought together they were an ill-fitting mosaic. Sensing this confusion, Chang took it upon himself to write a complete draft. Chang felt that in approaching a constitution one needed a "range of vision." By this he meant an overall view of the document as a complete system.

With no apparent display of condescension, Chang felt that he, alone, had such a "range of vision."<sup>98</sup> Knowing that there was little point in pursuing the none too subtle stratagem of shifting power to some newly-created body, such as had been tried in the PPC's draft constitution, Chang set about readjusting power within the given parameters.

Unable to really make much of the National Assembly, Chang's strategy was similar to that of the PPC's draft constitution, if only more subtle; to minimize the National Assembly's role in government and shift its power elsewhere. Chang attacked the National Assembly from two angles: its inability to either act as a check on executive power, or to exercise the people's four "political powers." Since the proscription that the National Assembly could meet but once every three years seemed cast in iron, Chang continued to ask if such a body could really be expected to competently discuss national affairs, or, in any way oversee the government.<sup>99</sup> Under these conditions, Chang asked, would the president really be responsible to such a body?<sup>100</sup>

To lessen the possibility of bribery or intimidation, Chang urged that the power to elect the president be taken from the National Assembly and returned to the people.<sup>101</sup> Going a step further, he wanted the National Assembly to abandon its powers of initiative, recall, and referendum. In other words, to abandon all pretense of exercising "direct political power."<sup>102</sup> In a move familiar to corporate boardrooms, Chang sweetened this pill by elevating the National Assembly's status, that is to say "kicking it upstairs" where it could oversee and advise the Legislative Yuan, but exercise little real power.<sup>103</sup> Saying what Chang would not, Yeh Ch'ing, an alternate member of the KMT's CEC and a zealous supporter of Sun Yat-sen's Three People's Principles, observed that these changes in the National Assembly "were equal to its abolition."<sup>104</sup>

In his argument for removing "direct political powers" from the National Assembly, Chang tried to show that their exercise by that body was not in tune with the teachings of Sun Yat-sen. By pointing out the obvious, that the National Assembly was still a representative body, Chang demonstrated that the 5-5 Draft was trying to mix direct and indirect powers. Approaching obliquely, Chang characterized the results as "an indirect method of direct people's power."<sup>105</sup> This was clearly not, Chang claimed, what Sun had in mind. Now, having taken these "direct political powers" from the National Assembly and returned them to "the people," Chang introduced another element.

The principle of direct people's power was best shown in the example of Switzerland, which, Chang mentions, was the model for Sun's conception of a direct democracy. But, by comparing the area, population, and history of China and Switzerland, Chang concludes that, unfortunately, a system of direct political power was, at the present, not suited to China.<sup>106</sup> So, how to reconcile the need for the people to directly exercise their political power, as mandated by Sun's theory, and their present inability to do so? Chang seems to create a dilemma, and then find a solution through compromise.

The solution Chang proposes for his self-manufactured dilemma is to ostensibly let a large constituency (the provincial and prefectoral assemblies) directly elect the members of the Legislative Yuan. In this way "the people" exercise a degree of their political powers through election, and the Legislative Yuan becomes a truly representative body, temporarily exercising for the people their powers of initiative and referendum. Reassuring us that this is not his ultimate objective, Chang adds that once a complete census has been made, and the people's level of

knowledge has been raised, their political powers would be slowly given to them.<sup>107</sup>

Whereas the PPC draft constitution of 1940 had bypassed the Legislative Yuan and concentrated real power in the Recess Committee, Chang's draft refocused on the Legislative Yuan. This change of tack was probably due to the failure of the earlier strategy and the adoption of a more cautious approach. In fact, by manipulating the vocabulary of Sunist philosophy and making numerous small changes, Chang could reach the same goals the 1940 draft constitution sought with a far less "revolutionary" approach.

The keys to making the Legislative Yuan a meaningful body were first, in disposing of the National Assembly as a sump for political power, secondly, having the Legislators elected by provincial and prefectoral assemblies, rather than by the National Assembly, and thirdly, expanding the power of the Legislative Yuan. By giving the Legislative Yuan independence and power, Chang hoped to interject a counterforce into the Nanking government.

Quick to comment, Yeh Ch'ing found these proposals an anathema. He did not care for the notion that the Legislative Yuan should have any supervisory powers over government. He feared that such a body could control the president and fast become a "legislative dictatorship."<sup>108</sup> Further, Yeh Ch'ing was skeptical that legislators chosen by the people would be qualified. Legislators, according to Yeh Ch'ing needed to be well-educated and were best chosen by the National Assembly.<sup>109</sup>

Presidential powers as outlined in the 5-5 Draft were seen by some as little more than a cloak for a dictatorship. Therefore, tempering executive power and interjecting countervailing elements of political power into the decision-making apparatus were keys to "democratizing"

China's government.

The most worrisome aspect of executive power was that it was simply unchecked. No opposition leader took seriously the idea that the National Assembly could control the executive. The president's power to declare a state of emergency was relatively unlimited, and, the head of the Executive Yuan, as well as its various department chiefs and committee chairman, were responsible only to the president.<sup>110</sup> Executive power was effectively isolated from the other arms of government and immune to interference.

In coming to grips with this problem Chang Chün-mai was again seeking a balance. His goal was not to destroy executive power, nor was it to concentrate all power in the Legislative Yuan. Much like the framers of the American constitution, Chang sought a balance of power, giving to the executive branch its just and necessary powers, while preserving the prerogatives and protecting the interests of other political elements. In China's case, Chang was seeking to find once again the balance which had existed at earlier times between court and bureaucracy.

Chang's assault on executive hegemony focused on the Executive Yuan rather than on the president.<sup>111</sup> Whether one called that body below the president the Executive Yuan or the cabinet was irrelevant to Chang. In either case it needed to perform certain vital functions in relation to the president and the Legislative Yuan. The prescription Chang offered for dealing with the balance of power within a democratic state is revealing: it illustrates how Chang felt about the scope of executive and legislative power and the nature of their interaction.

To begin with, Chang clearly meant the executive organs of government to function as their name implies: to lead, to direct. To the Executive

Yuan, in particular, Chang gave the authority to set government policy. This was solely the purview of the Executive Yuan and should not, as in the United States, be interfered with by the legislature. Further, the various ministry heads could, as cabinet members, introduce legislation, attend sessions of the legislature, and explain their viewpoints to the legislators. In this way, Chang felt, the executive branch could most appropriately influence the legislature.<sup>112</sup>

To balance the exclusive power of the Executive Yuan to set policy, Chang introduced elements of the English cabinet system. By giving the Legislative Yuan the power to pass on a vote of confidence in the Executive Yuan, Chang added the element of "responsibility." Chang's first step was to require that presidential directives be countersigned by the head of the Executive Yuan and the cabinet member concerned. Then, by making the Executive Yuan collectively and individually responsible to the legislature, Chang established a check on the apparatus of executive power.<sup>113</sup> Unable to directly control the president, Chang tried to do it by hobbling the apparatus through which he exercised power.

Unlike the 1940 PPC draft constitution, Chang was able this time to write a series of articles that gave unqualified protection to people's rights. The well-known qualifying clause of previous constitutional drafts was dropped completely.<sup>114</sup> Chang further, and specifically, added that political parties, as well as religious groups, races and classes, were equal under the law. As good as all this sounded, however, even Chang's draft included the catch-all phrase in Article Twenty-Three that gave the government license to restrict people's rights in order to avert an imminent crisis, maintain social order, or advance the general welfare.

In effect, this left a statement that, on one hand, satisfied Chang's need for a concise statement of people's rights, and, on the other hand,

left an avenue for those most qualified to lead, control and direct society to add the nuances necessary to reconcile those rights with the needs of society. Given the plans Chang had for a greatly strengthened Legislative Yuan, Article Twenty-Three could less easily be used arbitrarily by the president or the Executive Yuan.

As drafted by Chang, the PCC Revised Constitutional Draft completely overthrew the spirit of the 5-5 Draft. In essence it was much like the earlier PPC draft, although more subtle. As was to be expected, the new draft met stubborn resistance and strong criticism. Yeh Ch'ing, for one, knew exactly what Chang was trying to do, and his criticism clearly reveals where he felt the threat was greatest.

After establishing his moral position by regurgitating the maxim that the five-power constitution could not be amended because it was part of the "will and teachings of the Father of the Country,"<sup>115</sup> Yeh Ch'ing focused on the Legislative Yuan. What the PCC had done, charged Yeh Ch'ing, was to create exactly what Sun had wanted to avoid: a representative government. Such a government was simply wrong, inferior, and unsuited to China's needs.<sup>116</sup> By concealing a representative government in the five-power constitution, Yeh Ch'ing implied that the PCC was "dealing insincerely with the KMT and cheating the Three People's Principles."<sup>117</sup> Coming to the nub of the question, Yeh Ch'ing concludes that "for the people to have power is good, but for the government to be without ability is even worse."<sup>118</sup>

Going into the PCC the KMT had wanted the constitution to reaffirm the principle that China was a San Min Chu-I Republic, and to establish a presidential form of government within Sun's five-power constitution.<sup>119</sup> For his part, Chang wanted the elimination of the phrase San Min Chu-I,

did not think the five-power constitution was particularly workable, and wanted a system somewhere between a presidential and a cabinet form of government. The result was something between both positions.

Settling for a compromise, Chang was able to water down the phrase "China is a San Min Chu-I Republic." After prolonged negotiations Chang prevailed on the KMT representatives to accept a revised Article One which read, "The Republic of China, founded on the basis of the San Min Chu-I, shall be a democratic republic of the people, to be governed by the people and for the people."<sup>120</sup> Although unable to dispense with the five-power constitutional structure, Chang was able, in good measure, to circumvent its obstacles to democratic government.

Although he had a draft which to a large measure satisfied him, Chang was still a long way from realizing its implementation. In March the Central Committee of the KMT disavowed the Consultative Conference. A tightening of KMT policy could be seen in police raids against the China Democratic League, a secret service attack against a meeting in Chungking celebrating the Consultative Conference, and the destruction of Communist newspaper offices.<sup>121</sup> When both the KMT and the CCP began reneging on previous commitments, Chang could feel his carefully crafted compromise coming apart. By April 1946 he had become so disillusioned that he thought his draft had become little more than "wastepaper."<sup>122</sup> The earlier rapport between the KMT and opposition elements was struck a heavy blow with the assassination in July of Li Kung-p'u, a member of the China Democratic League, and Wen I-to, the well-known left-wing poet.

Able to make no further progress with his draft, Chang went outside the PCC for support. He translated his draft into English and went directly to the American Ambassador Leighton Stuart. Taking his case to even higher levels, Chang also met with General Marshall. While nothing

concrete came of either attempt, we do know that at the end of his mission in China Marshall believed that the liberal members of the democratic opposition parties were the only alternative to the dogmatism of either the KMT or the CCP.

The assassinations of Li and Wen had a much stronger effect, though. President Truman used the murders as cause to warn Chiang Kai-shek that American opinion was shifting against China. Truman told Chiang that "it cannot be expected that American public opinion will continue in its generous attitude towards your nation unless convincing proof is shortly forthcoming that genuine progress is being made toward a peaceful settlement of China's internal problems."<sup>123</sup> In August Dean Acheson announced that "no more war weapons, including ammunition, would go to China until it formed a coalition government."<sup>124</sup> This external pressure was matched by a growing disaffection with Chiang's government within China.

In the year following the Japanese surrender, the Nanking government had found itself woefully incapable of dealing with the problems of peace. The Nanking government's return to areas previously occupied by the Japanese was marred by confusion and maladministration. Industrialists and businessmen in "free China" suffered when the government defaulted on wartime compensation. Their counterparts in the occupied zones suffered from the tremendous depreciation of puppet currency which they were forced to exchange at unfavorable conversion rates. The overall mismanagement of the economy prolonged the rampant inflation of the war years. Students and teachers were offended by the heavy-handedness with which the government sought to reestablish its control of the educational system. At another extreme, thousands of Taiwanese were slaughtered by Nationalist

troops in early 1947 for pressing their demands for representation in government. That year also saw the Anti-Hunger Anti-Civil War demonstrations. The result was the beginning of popular urban disaffection.<sup>125</sup> Chiang Kai-shek was trapped in a dilemma: "the only way [he] could retain the residual support [he] still enjoyed was by heeding the demands for reform and/or by seeking a peaceful accommodation with the CCP."<sup>126</sup> He did neither.

Knowing the American policy and the KMT's need for American material support, the CCP did its best to destroy any hope of coalition government, while leaving the KMT with the blame for its failure. Chiang was forced to look to the only other element that could soften the appearance of his one-party government and give the aura of a coalition: he reached out to the non-CCP opposition. It is not the intent here to try to trace the bargaining between the KMT and the non-CCP opposition. It is enough to say that concessions and promises by Chiang were sufficient to pull Chang Chün-mai with his Democratic Socialist Party and the China Youth Party out of the China Democratic League. Both parties agreed to participate in the upcoming National Assembly. This gave Chiang's government the appearance of a coalition and left the CCP, basically, alone in its refusal to participate. This strategy was not only playing to American and world opinion<sup>127</sup> and had little effect on Chiang's ongoing military strategy, but was also a continuation of his heretofore successful strategy of dividing his opponents and offering concessions to maintain some elite groups engaged in "controlled" opposition.

Suddenly, in late 1946 Chiang Kai-shek decided to use Chang Chün-mai's draft after all.<sup>128</sup> It was if it had been "reborn."<sup>129</sup> Even with minor revisions the draft constitution still embodied what Chang wanted. A year later, emerging from the committee process of the National

Assembly the substance of Chang's draft was passed after three readings as the Constitution of the Republic of China. Only time would tell Chang whether or not this was a victory.

## CHAPTER THREE

NOTES

<sup>1</sup>See Wong, "Liang Ch'i-ch'ao and the Conflict of Confucianism," pp. 67-68; and Spence, The Gate of Heavenly Peace, p. 94.

<sup>2</sup>Eastman, The Abortive Revolution, p. 178.

<sup>3</sup>Jeh-hang Lai, "A Study of a Faltering Democrat: The Life of Sun Fo, 1891-1949" (Ph.D dissertation, University of Illinois, 1976), p. 186.

<sup>4</sup>Bedeski, State-Building, p. 75.

<sup>5</sup>Tien Hung-mao, Government and Politics in Kuomintang China: 1927-1937 (Stanford: Stanford University Press, 1972), p. 27.

<sup>6</sup>Eastman, The Abortive Revolution, p. 178.

<sup>7</sup>Joseph Fewsmith, Party, State, and Local Elites in Republican China: Merchant Organizations and Politics in Shanghai, 1890-1930 (Honolulu: University of Hawaii, 1985, p. 170.

<sup>8</sup>Ibid. p. 171.

<sup>9</sup>Ibid. p. 11; also see Lloyd Eastman, "The Kuomintang in the 1930's," in Furth, The Limits of Change, pp. 206-207. Eastman notes that the "patrimonial concept of political leadership" led to a concentration of power at the very top of the regime. The result was that not only were the masses and non-KMT elite excluded from a political role, but also the vast majority of KMT members were reduced to passive subservience.

<sup>10</sup>Patrick Cavendish, "The 'New China' of the Kuomintang" in Jack Gray, ed., Modern China's Search for a Political Form (London: Oxford University Press, 1969), p. 161.

<sup>11</sup>Ibid.

<sup>12</sup>Ibid. p. 179.

<sup>13</sup>Bedeski, State-Building, p. 31.

<sup>14</sup>Ibid. p. 96.

<sup>15</sup>Lawrence N. Shyu, "China's 'Wartime Parliament': The People's Political Council, 1938-1945," in Paul K.T. Sih, ed., Nationalist China During the Sino-Japanese War, 1937-1945 (Hicksville, New York: Exposition Press, 1977), p. 274.

<sup>16</sup>Li Chai [Chang Chün-mai], "Pen-pao t'ung-jen tui-yü chi-nan shih-chien fa-sheng hou shih-chu chih chu-chang," Hsin Lu ("The New Way") vol. 1, no. 5 (Apr. 1, 1928):1.

<sup>17</sup>Li Chai [Chang Chun-mai], "I-tang chuan-cheng yü wo kuo," Hsin Lu ("The New Way") vol. 1, no. 2 (Feb. 15, 1928):28-31.

<sup>18</sup>Ch'ien, The Government and Politics of China, p. 370.

<sup>19</sup>"Democracy vs One-Party Rule," p. 98.

<sup>20</sup>Ibid. p. 99.

<sup>21</sup>Hsi-sheng Ch'i, Nationalist China at War: Military Defeats and Political Collapse, 1937-1945 (Ann Arbor: University of Michigan, 1982), pp. 42-43.

<sup>22</sup>Shyu, "China's 'Wartime Parliament'," p. 276.

<sup>23</sup>Besides the National Socialist Party, the China Youth Party, the National Salvation Association, the Rural Reconstruction Association, the Third Party, the Vocational Educational Society, and the Chinese Communist Party were represented in the PPC.

<sup>24</sup>Tu-li ch'u-pan she, Kuo-min ts'an-cheng hui (Chungking: Tu-li ch'u-pan she, 1938), p. 5.

<sup>25</sup>Linebarger, The China of Chiang Kai-shek, p. 72.

<sup>26</sup>Shyu, "China's 'Wartime Parliament'," p. 306.

<sup>27</sup>See Ch'ien, The Government and Politics of China, p. 370; Shyu, "China's 'Wartime Parliament,'" p. 298, p. 297; A. Shaheen, "The China Democratic League and Chinese Politics, 1939-1947" (Ph.D dissertation, University of Michigan, 1977), p. 15; and, Lawrence N. Shyu, "The People's Political Council and China's Wartime Problems, 1937-1945" (Ph.D dissertation, Columbia University, 1972), p. 27.

<sup>28</sup>A noted constitutional authority himself, Wang was a member of the Kuomintang and had held high government posts. He also had the prestige and independence to criticize Chiang Kai-shek when he was so moved.

<sup>29</sup>Shyu, "China's 'Wartime Parliament'," p. 300.

<sup>30</sup>Eastman, The Abortive Revolution, p. 40.

<sup>31</sup>Lo Lung-chi, "Wo tui Chung-kuo tu-ts'ai cheng-chih ti i-chien," yü-chou hsün-k'an ("The Universe") vol. 1, no. 3 (Jan. 5, 1935):1.

<sup>32</sup>Shen, CTCKSLTK, 805:116.

<sup>33</sup>Ibid. 805:89.

<sup>34</sup>Ibid. 805:116. Also see Ying Wei-min, "K'ang-chan yü hsien-cheng," in Shanghai chou-pao ("The Guardian") vol. 2, no. 11 (Aug. 24, 1940):274. Ying asserted that the people's level of knowledge had made great progress since the war began. He implied that the war had accelerated the rate of progress made by the people towards a readiness for constitutional government.

<sup>35</sup>Chang, The Third Force, p. 59.

<sup>36</sup>Bedeski, State-Building, p. 159.

<sup>37</sup>Eastman, The Abortive Revolution, p. 169.

<sup>38</sup>Interview with Chang Tun-hua (Chang Chün-mai's daughter) at Saratoga, California, Feb. 15, 1985.

<sup>39</sup>Fewsmith, Party, State, and Local Elites, pp. 90-98.

<sup>40</sup>Chang, "New Confucianism," p. 300.

<sup>41</sup>Furth, "Intellectual change," p. 345.

<sup>42</sup>Chang, K'ang-chan chung ti cheng-tang ho p'ai-pieh, p. 67.

<sup>43</sup>Wen-hua chiao-yü yen-chiu hui, KKJTPTHCHT, p. 198.

<sup>44</sup>Tan, Chinese Political Thought, p. 255.

<sup>45</sup>Chang Chün-mai, Li kuo chih tao, in Chang Chün-mai hsien-sheng chiu-chih tan-ch'en chi-nien ts'e, 2 vols. (Taipei: Chung-kuo min-chu she-hui tang chung-yang tsung-pu, 1976), 2:274.

<sup>46</sup>Chang, "New Confucianism," p. 300.

<sup>47</sup>Quoted in Hou Sheng, "Chün-mai hsien-sheng ti cheng-chih ssu-hsiang" (shang), Ts'ai-sheng ("Renaissance") vol. 4, no. 18 (Aug. 25, 1953):24.

<sup>48</sup>Chang, Li kuo chih tao, p. 143.

<sup>49</sup>Ibid. p. 91.

<sup>50</sup>Ibid. p. 94.

<sup>51</sup>Eastman, The Abortive Revolution, p. 141.

<sup>52</sup>Chang, "I-tang chuan-cheng yü wo kuo," p. 29.

<sup>53</sup>John K. Fairbank, China Perceived: Images and Policies in Chinese-American Relations (New York: Alfred A. Knopf, 1974), p. 108.

<sup>54</sup>Ibid. p. 109.

<sup>55</sup>Stanley Karnow, Vietnam: A History (New York: The Viking Press, 1983), p. 224, p. 235, p. 265, p. 267. Ngo Dinh Diem also saw opposition calls for reform as l'ese majeste', and had little regard for elections. His wife, Madame Nhu, promoted a sanctimonious program to protect traditional virtues that was similar to Chiang's New Life Movement of the 1930's.

<sup>56</sup> Chu Ch'ing-lai, "Suo-wei san-min-chu-i kung-ho kuo" in Min-kuo hsien-fa wen-t'i (Shanghai: Min-chih hsieh-hui, 1933), pp. 42-43.

<sup>57</sup> Sterling Seagrave, The Soong Dynasty (New York: Harper & Row, Publishers, 1985), pp. 219-220.

<sup>58</sup> Leslie Jean Francis, "The National Salvation Association: The Case of the Seven Worthies," ( Master's thesis, University of British Columbia, 1982), p. 49.

<sup>59</sup> Shyu, The People's Political Council. p. 158.

<sup>60</sup> Shaheen, The China Democratic League, pp. 63-64.

<sup>61</sup> Kuo-min ts'an-cheng hui shih-liao pien-tsuan wei-yüan hui, Kuo-min ts'an-cheng hui shih-liao (Taipei: Kuo-min ts'an-cheng hui shih-liao pien-tsuan wei-yüan hui, 1962), p. 167.

<sup>62</sup> Bau Ming-chien, Modern Democracy in China (Shanghai: The Commonwealth Press, Ltd., 1925), p. 338.

<sup>63</sup> Tan, Chinese Political Thought, p. 232.

<sup>64</sup> Shen, CTCKSLTK, 805:106.

<sup>65</sup> Chang, Li kuo chih tao. p. 98.

<sup>66</sup> Wen-hua chiao-yü yen-chiu hui, KKJTPTHCHT, p. 211.

<sup>67</sup> Chang, Li kuo chih tao, p. 149.

<sup>68</sup> Chu Ch'ing-lai, "Min-kuo hsien-fa yu kuo-min-tang tang-i" in Kuo-min hsien-fa wen-t'i, pp. 52-53.

<sup>69</sup> P'an Ta-kuei, "Hsien-fa shang ssu ta wen-t'i" in Kuo-min hsien-fa wen-t'i, p. 94.

<sup>70</sup> China Yearbook. 1937-1943: A Comprehensive Survey of Major Developments in China in Six Years of War (Chungking: Ministry of Information, 1943), p. 120. A copy of the 5-5 Draft which appears in Kuo Wei, ed., Chung-hua min-kuo hsien-fa shih-liao hsuan-chi (Taipei: Wen-hai ch'u-pan she, date unknown), pp. 47-59, and the March 30, 1940 PPC draft constitution which appears in Hu Ch'un-hui, ed., Chung-kuo hsien-tai shih shih-liao hsüan-chi (Taipei: Chung-cheng shu-chü, 1978), pp. 925-944 are used for comparison.

<sup>71</sup> "Wu-wu hsien-ts'ao hsiu-cheng li-yu pao-kao shu" in Shen, CTCKSLTK, 805:61.

<sup>72</sup> Lawrence K. Rosinger, "A Chinese Manifesto on Democracy. Translated with Notes and Introduction" Amerasia, vol. IV, no. 8 (Oct. 1940):372.

<sup>73</sup> Kuo-min ts'an-cheng hui shih-liao, p. 176.

<sup>74</sup>In this regard Coucillor Hsü Ch'ien is most specific: "People's rights are not absolute, but phrases such as 'shall not be limited except by law' must not lose the spirit of the constitution, and must not transfer constitutional power to the law . . ." See Shen, CTCKSLTK, 805:103.

<sup>75</sup>Chang Yu-yü, "Lun kuo-min ta-hui i-cheng hui", Shanghai chou-pao ("The Guardian") vol. 2, no. 4 (June 1, 1940):97.

<sup>76</sup>Chang, The Third Force, p. 61

<sup>77</sup>Hu Han-min. "Li-fa yüan ti hsing-chih ho ti-wei" in Wu-ch'üan hsien-fa wen-hsien chi-yao (Taipei: Chung-kuo wu-ch'üan hsien-fa hsüeh-hui, 1963), pp. 178-179.

<sup>78</sup>"Wu-wu hsien-ts'ao hsiu-cheng li-yu pao-kao shu" in Shen, CTCKSLTK, 805:62-63.

<sup>79</sup>Ibid. p. 63.

<sup>80</sup>"Kuo-min ts'an-cheng hui hsien-cheng ch'i-cheng hui t'i-ch'u chung-hua min-kuo hsien-fa ts'ao-an hsiu-cheng ts'ao-an shuo-ming shu," in Hu, Chung-kuo hsien-tai shih-liao hsüan-chi, pp. 945-946.

<sup>81</sup>"Ling-hsiu tui-yü hsien-cheng shih-shih chih chih-shih" in Shen, CTCKSLTK, 805:86-87.

<sup>82</sup>Hou Sheng, "Chün-mai hsien-sheng ti cheng-chih ssu-hsiang" (shang), p. 20.

<sup>83</sup>"Kuo-min cheng-fu ch'ou-pei hsien-cheng ching-kuo pao-kao," in Hu, Chung-kuo hsien-tai shih shih-liao hsüan-chi, p. 1027.

<sup>84</sup>Dorthy Borg, "People's Political Council" Far Eastern Survey vol. X, no. 8 (May 5, 1941):95.

<sup>85</sup>T.A. Bisson, "China's Part in a Coalition War" Far Eastern Survey, vol. XII, no. 14 (July 14, 1943), p. 140.

<sup>86</sup>Liang Shu-ming, Huang Yen-p'ei, Tso Shun-sheng, and Chang Chün-mai were among the founders of this group. It later became the China Democratic League and was, some say, manipulated by the Communists.

<sup>87</sup>Shaheen, The China Democratic League, pp. 77-78. Also see "Democracy vs. One-Party Rule," p. 112.

<sup>88</sup>Shyu, "China's 'Wartime Parliament'", pp. 301-302.

<sup>89</sup>Kuo-min ts'an-cheng hui shih-liao, pp. 518-520.

<sup>90</sup>Arthur M. Schlesinger, Jr., General Editor, The Dynamics of World Power: A Documentary History of United States Foreign Policy, 1945-1973. Volume IV, The Far East by Russell Buhite (New York: Chelsea House Publishers, 1973), p. 119.

<sup>91</sup>Ch'ien, The Government and Politics of China, p. 375.

<sup>92</sup>Shyu, "China's 'Wartime Parliament'". p. 290.

<sup>93</sup>Chang, The Third Force, p. 193. Sources are not in agreement on the committee's composition; Lai, in his "A Study of a Faltering Democrat", pp. 225-226, lists only seven committee members--3 KMT, 1 independent, 1 China Youth Party, 1 CCP, and Chang Chun-mai.

<sup>94</sup>Chang Chün-mai, "Nien-yü nien lai shih-chieh cheng-ch'ao tang chung women ti li-ch'ang," in CKMCSHTCC, pp. 50-53.

<sup>95</sup>Wang, Chang Chün-mai hsien-sheng ch'i-shih shou-ch'ing nien-chi lun-wen chi, p. 34.

<sup>96</sup>Chiang Yün-t'ien, "Chang Chün-mai hsien-sheng i-sheng ta-shih chi" in Chu, CCMCCTL, 1:23.

<sup>97</sup>Wei, Chung-kuo ko tang ko p'ai hsien-k'uang, pp. 14-16.

<sup>98</sup>Ibid.

<sup>99</sup>Chang Chün-mai "Cheng-chih hsieh-shang hui-i kai wu-wu hsien-ts'ao ti yüan-tse," in CKMCSHTCC, p. 26.

<sup>100</sup>Chang Chün-mai, "Kuo-min ta-hui wen-t'i," Ts'ai-sheng ("Renaissance") vol. 126 (Aug. 17, 1946):5.

<sup>101</sup>Ibid.

<sup>102</sup>Ibid. p. 6.

<sup>103</sup>Ibid.

<sup>104</sup>yeh Ch'ing, "Cheng-chih hsieh-shang hui-i hsiu-kai hsien-ts'ao chih p'i-p'an," in Hu, Chung-kuo hsien-tai shih shih-liao hsüan-chi, p. 1065. Yeh Ch'ing was the pseudonym for Jen Chou-hsüan.

<sup>105</sup>Chang Chün-mai, "Kou-min ta-hui wen-t'i", p. 3.

<sup>106</sup>Ibid. p. 2.

<sup>107</sup>Ibid. p. 6.

<sup>108</sup>yeh Ch'ing, "Cheng-chih hsieh-shang hui-i hsiu-kai hsien-ts'ao p'i-p'an," p. 1058.

<sup>109</sup>Ibid.

<sup>110</sup>CKMCSHTCC, p. 4.

<sup>111</sup>This was probably the case for two reasons: first, it was not only impolitic but also dangerous to bring one's attack too close to the person of Chiang Kai-shek, and, secondly, this type of indirect political maneuver was more consistent with Chang's temperament, specifically, and with Chinese political tradition, generally.

<sup>112</sup>Chang Chün-mai, "Mei tsung-t'ung chih-tu yü cheng-hsieh hsiu-cheng hsien-ts'ao," Ts'ai-sheng ("Renaissance") Vol. 115 (June 1, 1946):4.

<sup>113</sup>Chang Chün-mai, "Political Structure in the Chinese Draft Constitution," The Annals of the American Academy of Political and Social Sciences 243 (January, 1946):72.

<sup>114</sup>Sung I-ch'ing, "Chi-nien Chang Chün-mai hsien-sheng chiu-shih ming-tan," in Chu, CCMCCTL, 1:97-98.

<sup>115</sup>Yeh Ch'ing, "Cheng-chih hsieh-shang hui-i hsiu-kai hsien-ts'ao p'i-p'an," p. 1067.

<sup>116</sup>Ibid. p. 1054.

<sup>117</sup>Ibid. p. 1066.

<sup>118</sup>Ibid. p. 1065.

<sup>119</sup>Chang Chün-mai, "Chung-kuo hsin hsien-fa ch'i-ts'ao ching-kuo" Ts'ai-sheng ("Renaissance") vol. 12, no. 2 (Dec. 12, 1972):25. First appeared in Ts'ai-sheng [Shanghai], 1946.

<sup>120</sup>Ibid.

<sup>121</sup>Jean Chesneaux, Francoise Le Barbier, and Marie-Claire Bergere, China from the 1911 Revolution to Liberation, (New York: Pantheon Books, 1977), p. 319.

<sup>122</sup>Chang, "Chung-kuo hsin hsien-fa ch'i-ts'ao ching-kuo," p. 26.

<sup>123</sup>Buhite, The Far East, pp. 121-122.

<sup>124</sup>John Robinson Beal, Marshall in China (Garden City, New York: Doubleday and Company, Inc., 1970), pp. 177-178.

<sup>125</sup>Suzanne Pepper, Civil War in China: The Political Struggle, 1945-1949 (Berkeley: University of California Press, 1978), pp. 423-427.

<sup>126</sup>Ibid. p. 427.

<sup>127</sup>Ibid. p. 270.

<sup>128</sup>Chang, The Third Force, p. 200. If there remained any doubts as to with whom the final decision regarding the constitution lay, they were resolved when Wu Ting-chang, the Secretary-General of the Presidential Office, informed Chang Chun-mai that his draft would be adopted.

<sup>129</sup>Chang, "Chung-kuo hsin hsien-fa ch'i-ts'ao ching-kuo," p. 26.

## CHAPTER FOUR: CONCLUSION

Chang Chün-mai is important in that his behavior, his biases, his philosophical and political beliefs all help to further illuminate how a certain segment of a generation of Chinese intellectuals met the challenges of twentieth century China. Because he was conservative in nature and supportive of certain aspects of traditional civilization, it is all too easy to lump Chang with the "conservative" forces associated with the government of Chiang Kai-shek, which collapsed before the "revolutionary" forces in 1949. This would be misleading in terms of understanding Chinese conservatism, and unfair to a man like Chang who saw himself opposed to much of what Chiang Kai-shek stood for.

The study of Chinese conservatism, noted Benjamin Schwartz, has not been popular.<sup>1</sup> Perhaps this is due, in part, to its association with the rule of Chiang Kai-shek. Perhaps Chinese conservatism, particularly in the Republican era, has been seen as reactionary, opposed to social change, or representative of repressive elements. Sadly, this view is all too broad and overlooks other veins of conservative thought which have little to do with Chiang Kai-shek and do not share any responsibility for his failures.

That Chang Chün-mai and conservatives like him also failed is undeniable, but their failure and that of Chiang are of different sorts. The fact of their failure either to construct a democratic constitutional government, or to find a place for themselves in China's sociopolitical system leads us to a number of questions. Was the type of democratic constitutional government which Chang promoted a viable alternative to Chiang Kai-shek's programs? Were the methods Chang used to voice political opposition or to reach his goals practical? Was Chang's

failure due to his own misjudgments or limitations, or to political intrigue?

Chang Chün-mai's ultimate goal was neither to recreate the institutions and social structure of traditional China, nor to westernize China in the pattern of modern France, England, or America. Rather, in the spirit of Chang Chih-tung's t'i-yung formula, Chang sought to combine the best of China and the West; a product equal to the West in strength and wealth but exceeding the West in spiritual fulfillment. By utilizing Western institutions and political theory, Chang sought to create a "national renaissance" which would unleash the latent spirit of the Chinese people. Whereas the T'ung Chih Restoration and the Self-Strengthening Movement of the 1860's through the 1880's tried to rebuild Confucian institutions, Chang sought only to retain their spirit.

While institutional change was an important part of Chang's efforts in the 1940's it should be seen as a method rather than a goal. Democratic institutions did not mold men's minds; they merely provided an environment within which men could peacefully interact and rebuild the ruptured lines of communication between the various levels of society. This reciprocal relationship between man and his environment is not a balanced one, though. While environment can influence one's perceptions and attitudes, it does so only as long as the individual remains ignorant and passive. When and if an individual perceives "truth" and actively follows the dictates of his own intuition, he then becomes the dominant part of the relationship; able to affect his environment, even reality. This reliance on intuitive reasoning and the belief that the mind could influence reality, such a significant part of New Confucian reasoning, explains much of Chang's behavior.

In one sense science and New Confucianism agree; there do exist

discoverable "absolutes." Where science uses experimentation, measurement and deductive reasoning to discover these absolutes, New Confucianists rely on intuition. One absolute that Chang believed in was that reason (I-li) was the basis or root of human nature. This basis becomes human morality and, more over, gives us our standards of right and wrong, good and evil.<sup>2</sup> Since this "standard" existed in all men, Chang sought a way to appeal to it, to give to all men a method of self-enlightenment that would end in consensus and "public-minded" cooperation. In this sense democratic institutions afforded an appropriate setting for men to come together, to debate, air differences, realize their own faults, compromise, and reach a consensus. While the exercise was one of practical government, it was, more importantly, an exercise in learning and self-realization. By practicing democratic government, men learned what democratic government was, and practice moved ever closer to theory. As men confined political activity to the peaceful corridors of democratic government, they moved individually towards greater self-realization. In this way democratic assemblies served both a public and a private function. As Furth has suggested, "parliaments were imagined to provide a finely articulated system of communication among all level of participation in the political process. Confucianism assumed that correct political action must be based upon commonly recognized principles, and so assemblies were valued not for moderating among a plurality of interests, but rather as educative and expressive instruments for achieving a common consensus."<sup>3</sup> This "common consensus" that Furth speaks of was socially, as well as politically important, especially to a conservative like Chang Chun-mai. Systems, political or economic, did not in themselves solve problems, men did. Also true was that without the

support of the people or the intelligentsia, a government, no matter how powerful militarily, could not effectively rule China for long. Only by mustering the combined strength of all segments of society could solutions be found and implemented. Finding such a common consensus or "uniformity of view,"<sup>4</sup> then, was seen by some as a first step in solving China's problems.

This search for a common consensus underscores a point which conservative New Confucians like Chang, and totalistic iconoclasts such as Ch'en Tu-hsiu had in common; they both sought to rejuvenate a corrupt and atrophied China by a transformation of the traditional Chinese world view and a total reconstruction of the Chinese mentality. Both groups stressed the priority of intellectual and cultural change over political, social and economic changes.<sup>5</sup> But where Ch'en rejected the whole of Chinese tradition, Chang maintained that such tradition gave China its foundation. This foundation, according to Chang, provided stability and gave China direction.<sup>6</sup> To lack respect for history and tradition was, in Chang's view, to seriously err.

There is a certain problem inherent in giving priority to intellectual and cultural change, namely, how to go about it. Chang said that "to reform China's politics and economics, we must begin at people's attitudes . . ."<sup>7</sup> Once people's attitudes had been reformed, Chang continued, a "new culture" would result. Once China had a new culture one need not worry about not having a new political or economic system.<sup>8</sup> Chang stressed again, though, that in creating this new culture the old need not be destroyed. The problem, rather, was to carefully select the new culture while retaining aspects of the old. Relying on man's common nature and his intuition, Chang assumed that each man would "naturally" know how to select what he wanted from the new culture and what he wanted

from the old culture.

This is all consistent with New Confucian epistemology, but did Chang fully rely on this to see China through a very difficult time? Others have mentioned that Confucianism has wavered between the poles of self-cultivation and the task of ordering the world.<sup>9</sup> In his role as philosopher Chang tended to move towards the former pole. In his role as politician he leaned toward the latter, and seemed better able to adopt a more realistic attitude towards the immediate need for institutional reform.

In his role as politician Chang seemed to concede that political systems had more influence on man than he could admit in his role as philosopher. Chang had said that a democratic constitutional government would help concentrate national power,<sup>10</sup> protect human rights,<sup>11</sup> raise the people's level of knowledge,<sup>12</sup> and make them live peacefully and carry on their business happily.<sup>13</sup> This is one reflection of Chang's Confucian outlook that the world is in a state of imperfection. Indeed, every man held the potential for perfection, or sagehood, but until that final stage of self-realization was reached society needed an imposed order. This dichotomy in Confucian thinking, which can be described socially as democratic and politically as paternalistic, was evident in Chang. While he spoke of democratic government, Chang continued to reserve governmental authority to a moral and educational elite. National affairs had become so complex that Chang felt only those with expert knowledge were qualified to deal with them.<sup>14</sup> It was the duty of "superior statesmen"<sup>15</sup> to stand in the forefront and lead China to her destiny. It fell, according to Chang, to the politicians to "grasp what is in the people's hearts and put it into effect within the political system."<sup>16</sup>

This paternalistic attitude towards the masses and political authority kept Chang divorced from the great mass of the people. He had little to say to the people directly, yet took it upon himself to act as their spokesman. As early as 1907, in an article in New Citizen, Chang said that "the impetus for constitutional government must come from the people, it cannot be conferred by the government."<sup>17</sup> But what did Chang mean by "the people?" The great weight of what Chang said about "the ignorant masses,"<sup>18</sup> of "train[ing] [the people] to become independent citizens . . . [and enabling them to] distinguish between honor and shame."<sup>19</sup> all points to the conclusion that Chang's definition of "the people" was quite narrow. Almost exclusively, Chang confined his political activities to the upper classes and eschewed work in mass movements.<sup>20</sup> The membership of his National Socialist Party, for example, was predominantly teachers, students, some businessmen, soldiers, and other elite elements. The political organization that Chang founded to further his political and social aims had little to do with the masses. Genuine mass movements were not the kind of class warfare preached by the communists, but rather, Chang believed, an expression of the people's self-realization.<sup>21</sup>

If the consistency we look for--which presumably runs through Chang's thought--is difficult to discern from the above, it may be that we have touched on a problem shared by others of Chang Chün-mai's generation. In Chang, at least, we do find contradictions between what he states in his role as philosopher and what he says in his role as liberal-democrat. On the one hand, Chang expends great energy speaking to the fundamental importance and inviolability of people's rights, and bemoans the people's exclusion from the political process. At other times, Chang reveals his commitment to more traditional and paternalistic values when he makes

political action dependent upon proper levels of knowledge and education; in other words, reserving political participation, and particularly leadership, to members of an educated elite. A study of the frictions within conservative neo-traditionalists who also espoused Western liberal-democratic values would prove interesting.

His separation from the lower classes of Chinese society left Chang very much in the dark as to their real desires. While he recognized that Chinese society was divided by class barriers, he grossly underestimated the animosities and frustrations that existed, and overestimated the chances for avoiding class conflict. The sense of being part of a national group (min-tsu), Chang felt, was a stronger force than class identification. The Japanese invasion, Chang insisted, was a threat to China that would override class differences; the high and the low, the rich and the poor, the capitalists and the workers, could not but unite in the face of such a threat. "The vertical divisions of nationalism," Chang said, "could wash away the horizontal divisions of class."<sup>22</sup> It appears ironic that the Japanese invasion, which Chang saw as a chance to unite Chinese of all classes, was used so effectively by the Chinese Communist Party to promote what were ultimately opposite ends. This "misreading" of the nature of Chinese nationalism was one element of Chang's failure.

We might ask if Chang Chün-mai's temperament and philosophical leanings were advantages or handicaps in the political environment of China in the 1940's. Throughout this paper I have referred to Chang as a New Confucianist and a conservative. The New Confucian aspect of his character has been explored, but not the conservative element. To be sure, conservatism and New Confucianism have points in common. First, they both accept the principle that there are immutable laws of morality,

and that there exists a transcendent moral order, to which we ought to conform the ways of society. Secondly, order and stability are requirements of good government, and these can best be achieved by prudence, restraint, and respect for tradition; the wisdom of one's ancestors is not to be ignored. Thirdly, variety is more desirable than uniformity or the deadening egalitarianism of radical systems. Liberty is more important than equality. And, finally, of course, conservatives and New Confucianists, alike, wanted to "conserve" certain selected principles from a particular tradition.<sup>23</sup>

A twentieth century Chinese conservative like Chang Chün-mai, however, could expand the bounds of his New Confucian conservatism to include elements unavailable to his predecessors. Like K'ang Yu-wei and T'an Ssu-t'ung Chang found that democracy appeared similar to the utopian models of politics found in antiquity.<sup>24</sup> Democracy offered a political system in which "everyone benefited by stability and had a stake in preserving it."<sup>25</sup> Like conservatives elsewhere, Chang could support constitutional democracy "not because [it] produces the best or wisest government but because it is the strongest safeguard of peace and order."<sup>26</sup> Democracy not only fit well within Chang's interpretation of Confucianism, particularly its Mencian elements, but it also complemented his belief that change needed to be rooted in continuity. Democracy allowed for change but assured that it would be orderly and well-anchored in precedent.

The issue of change was a difficult one for Chang Chün-mai. Confucianism was not inherently opposed to change; Mencius had elaborated the theory of the "Mandate of Heaven--the so-called 'right of rebellion,'" and had asserted that any man could become a sage.<sup>27</sup> And Edmund Burke, one of the first conservative thinkers, had observed that "change is the

means of our preservation," and that the "able statesman is one who combines with a disposition to preserve an ability to reform."<sup>28</sup> It appears that Chang's conservatism was stronger on this point than his Confucianism. Although Mencius had supplied the authority for abrupt change, Chang was loathe to employ it. He much preferred "to rely on the spontaneous forces of society operating within a framework of general rules"<sup>29</sup> to effect change. Unstructured, unpredictable, directionless, violent change held no charms for Chang. Chang could admire the intentions of the French Revolution or the outcome of the German Revolution, while deplored their excessive violence, disorder, and the use of coercive strikes. Summing up his feelings Chang observed that:

revolutionary movements cannot be separated from armed force, cannot renounce war, cannot be separated from chaos. The background of revolution and the background of reconstruction are not the same. Revolution is destruction, national reconstruction depends upon thought and experience. Revolution depends upon conflict, it cares not for the spirit, while national reconstruction depends upon calm heads. Revolution depends upon weapons and warfare, while national reconstruction depends on peace and legal systems.<sup>30</sup>

In an age of violence dominated by violent men Chang could advocate the use of force only with extreme reluctance. He clung tenaciously to the principles of cooperation, reconciliation, and compromise, and expected others to do likewise. Chang assumed that the "sense of shame" that helped guide his life would also proscribe immoral actions by others. He assumed that political leaders were conscious of the fact that they must someday confront heaven and posterity.<sup>31</sup> He expected that if "one

recognizes himself as incompetent, he would remove himself [from the problem] . . .<sup>32</sup> If what Chang wrote of Chiang Kai-shek up to 1949 can be even partially accepted at face value, he misjudged Chiang profoundly. The 1948 Democratic Socialist Party platform indirectly charged the KMT, and by implication Chiang Kai-shek, with attempting to wipe out its opponents under the pretext of unification, spying on the people, surveillance of opposition party members, employing hooligans to cause trouble with other parties, monopolizing the government, making themselves masters of the country, misrepresenting the people's wishes, monopolizing financial control to enrich themselves, and using the people as tools.<sup>33</sup> If this indictment were only partially true, did Chang really expect his methods to succeed? If it is true, as others have charged, that Chiang Kai-shek used confiscation, arrest, and assassination against those who opposed the government,<sup>34</sup> why did Chang continue the dialogue? What Chang saw as constructive engagement, others saw merely as "useless and empty talk" [that would not] resolve problems [but] only added to the dispute and obstructed China's development.<sup>35</sup>

In sum, the combination of Chang's Confucian outlook and his conservative disposition acted as self-imposed limits on the range of his political opposition. His unwavering belief that sincerity on his part could elicit sincerity in his antagonists, his conviction that the will could overcome material or political obstacles, and his need to keep change channeled into orderly processes all acted as inhibiting factors on Chang's activities.

Chang once said that realizing constitutional government in China was not a political problem but a question of will. In contrast, Fei Ch'ing, a NSP member, remarked with more bluntness, "the ability to bring

constitutionalism to life in China still rests in the willingness of those who hold political power.<sup>36</sup> The difference between them is that Chang was viewing the problem from a philosophical standpoint, which questioned neither one's sincerity or motives, whereas Fei was looking at it as a political problem. The distinction between philosophy and politics may be akin to the difference between theory and practice; each is a reflection of the other and if they are to combine in a holistic system they must agree.

From Chang's philosophical point of view, one's will could be influenced through reason and intuition. Chang continually held that if only everyone would sit down, lay their problems on the table and engage in frank discussion, there were no problems that could not be solved.<sup>37</sup> In taking and idealizing certain traditional values associated with neo-Confucianism, Chang was including values such as harmony and compromise. It was these kinds of values that kept bringing Chang back to the bargaining table.

Chang was an idealist, to be sure, but he was also astute enough to demand only what he thought he could get. Fei argued that China's new constitution "should not try to adapt to the present reality," as Chiang Kai-shek proposed, "but rather should take the kind of government China wanted as its sole standard."<sup>38</sup> Chang could agree with the first part and, yet, accept something less than Fei's ideal. Perhaps Chang had two considerations; first, a constitution that explicitly enunciated real democratic government might end as the PPC draft constitution had, and, secondly, if for some reason Chiang Kai-shek accepted such a constitution but ignored and subverted it, the constitution along with the principle of democratic government would be so defamed as to damage its future appeal.<sup>39</sup>

The focal point of Chang's efforts towards reestablishing the sociopolitical structure in China was the constitution. Fairbank is most certainly correct in saying that assemblies, or parliaments, were means of communication, but Chang had at least two other missions for them. First, the assembly which Chang incorporated into his constitution (the Legislative Yuan) was primarily concerned with power. It would act as a counterbalance to the power of the president. It would reestablish the equilibrium in Chinese society and government that had been lost with the Revolution. Chang's assembly would once again give the intelligentsia a voice in government. Secondly, we can deduce that Chang's assembly would give status, position, prestige, and authority to a new generation of Chinese intellectuals conversant in the vocabulary of democratic government. Their mastery of the vocabulary and theory of democratic government would ensure them of the respect and authority that belonged to their imperial predecessors.

The constitutional draft, for which Chang Chün-mai is recognized as being the principle author, attempted a fundamental reordering of the political status quo. We can only guess that Chang was, to a limited degree, aided and abetted by disaffected members of the Kuomintang, as well as by other minority party members and independents.

Since Chang Chün-mai joined Chiang Kai-shek in supporting the concept of a strong central government and a powerful president, his efforts were not so much aimed at limiting either of them, but rather at inducing them to include other elite elements (himself) in the governing process. A new generation of Chinese elites, educated in the best tradition of the East and the West, could once again, then enjoy the institutional support that their imperial forebearers had enjoyed.

It is this system that Chang thought to staff with the graduates of his ill-fated institutes: men who brought together the Chinese t'i and the Western yung. Men with the ability and training to act as able administrators, to provide an intellectual pool to draw on in the advance of Chinese democracy, and to act as moral exemplars for both the masses and, in twentieth century China, for the political leadership as well.

It is no doubt true that Confucians, and also conservatives, to a degree, feel more comfortable in a system which clearly identifies status, responsibilities, prerogatives , and outlines rules of behavior. But to expect the constitution to do all of this was both unrealistic and unnecessary. The constitution defined, although not without some vagueness, the lines of authority and responsibilities within government. It also outlined the basic rights of the people. Beyond this, however, the constitution was silent. There was no discussion of ethics or morality; there was no need for it. Those issues were handled quite well by reference to the traditional hereitance. A politician was to be guided by his own conscience, putting into practice time-honored Chinese principles of ethical and moral behavior.

Naively, perhaps, Chang Chün-mai expected others to respect the new political status quo embodied in the draft constitution. Once agreement was reached, he seemed to assume, the forces operative in the traditional heritage, coupled with the peculiar moral restraints on Chinese leaders, would ensure that political behavior would be channeled into the new structure.

This, unfortunately, may have been another weakness of Chang's constitutional dreams. Chang himself, as well as others, bemoaned the fact that so many politicians were little more than selfish office-seekers. Those involved in government in Chang's era may simply have not

been of the caliber Chang imagined. A democratic system is held together by tradition and consensus. Wish as he might, Chang could produce neither. If will and good intentions were expected to replace them, Chang seriously miscalculated.

Perhaps another important failing of Chang's constitutional democracy was his effort to give power and authority to a class of elites which had yet to earn either. Chang was trying to artificially reshape the lines of power and authority into forms which bore no relationship to reality. Chang could not, with the stroke of a pen, give the opposition authority and power when they could not command it themselves. Did Chang ever wonder why his periods of relative freedom coincided with the periods when Chiang was under the greatest pressure? Did he ever give due consideration to those external forces which probably gave him the opportunity to participate in national affairs? Without any evidence to the contrary, the answer must be no.

In his letter of resignation as Chairman of the Democratic Socialist Party in 1950 Chang looked back over his recent political failures. He sadly recalled that he had taken part in the People's Political Council only as a way of "seeking cooperation between the various political parties. [His] objective was only democratic government." The result, he admitted, was that "cooperation was shattered, the constitution was empty, and what was daily advocated and the real political situation moved further and further apart." "Even though I was silent on the outside," Chang recalled, "I was ashamed on the inside."<sup>40</sup> A few years later in his book The Third Force, Chang attributed his own failure and the failure of democracy in China to "tutelage." Tutelage, as practiced by the KMT, was "the desire to perpetuate the conditions which keep political power in

their own hands. They merely gave lip-service to constitutionalism , since there was no constitution, no parliament, and no responsible cabinet, all questions, . . . were decided by the Party. The people had no right to question the Party."<sup>41</sup>

The issue of tutelage was not really the point, nor was it the KMT which really held political power. Chang Chün-mai actually had no objection to the concept of tutelage—all he really sought was to be among the tutors. His view of the masses' ability to exercise their political rights in a democracy was not dissimilar to Chiang Kai-shek's. Chang Chün-mai's real complaint was against Chiang Kai-shek's refusal to share real political power or to make himself amenable to Chang's moral remonstrances.

Without trying to denigrate the traditional heritage, we must still conclude that Chang Chun-mai was a victim of it. By idealizing certain aspects of the Confucian heritage, including the role of the chün-tzu, Chang tried to bring to bear influences more appropriate to a Confucian utopian environment than to twentieth century China. Jonathan Spence has suggested that K'ang Yu-wei, either consciously or unconsciously, emulated Confucius.<sup>42</sup> It is probable that Chang Chün-mai, in his own way, was trying to bring to life the ideal of the Confucian gentleman. Indeed, Chang was a good example of what such a gentleman once was; his classical education, his success in the Imperial examinations, his involvement with literary societies, his teaching and philosophical pursuits, and his preoccupation with national affairs, all indicate a man who, by temperament and training, felt himself qualified to address any issue that affected Chinese government and society.

During the later part of World War Two Chang kept a house in Chungking near the home of Chiang Kai-shek. In a serene setting

surrounded by woods, Chang's home was furnished in Victorian style. So complete was the illusion that it was almost impossible to believe that one was in China.<sup>43</sup> And possibly Chang felt just that; the China that existed outside his door was not the real China but only a fleeting anomaly soon to be replaced with what should be. Admitting much the same, Chang's brother added that Chang's "personal inclinations and the domestic situation were contradictory."<sup>44</sup> Chang truly felt himself representative of what he called "great untapped forces." The Chinese, he held, were "naturally moderate and this new passion for extremism will pass." What the world was witnessing, as seen through Chang's eyes, "was not the birth of new China, but a very old China indeed."<sup>45</sup> Not many years would pass before Chang would see his "old China" stillborn.

Trying to hurl words at men who fought with guns, Chang was denying the present reality. Jack Belden realistically observed that men like Chang were unarmed, and as such were "no more effective than a watchdog without a bite or a bark."<sup>46</sup> Without the pressures on Chiang Kai-shek by the Japanese, the Communists, or the American government, there was no compelling reason for him to give Chang a voice in the government, or to even tolerate his opposition. Unlike the illusions held by General Marshall as to the role the opposition could play in China, other Chinese were more than aware that the prominence Chiang Kai-shek afforded Chang far outweighed his real political significance.

## CHAPTER FOUR

NOTES

<sup>1</sup>Benjamin Schwartz, "Notes on Conservatism," in Furth, Limits of Change, pp. 3-21.

<sup>2</sup>Hsieh, "Wo yü Chang Chün-mai hsien-sheng," p. 39.

<sup>3</sup>Furth, "Intellectual change," p. 344.

<sup>4</sup>Hsü Chao-shan, Chung-kuo min-chu she-hui tang, tsu-chih wei-yüan hui hsüan-yen: cheng-kang, cheng-chih lu-hsien (Chung-kuo min-chu she-hui tang fu-chien sheng tang pu, 1948), pp. 13-15.

<sup>5</sup>Lin, Chinese Consciousness, p. 26.

<sup>6</sup>Chang, Li kuo chih tao, p. 140.

<sup>7</sup>Ibid., p. 274.

<sup>8</sup>Ibid.

<sup>9</sup>Lin, Chinese Consciousness, p. 53.

<sup>10</sup>Shen, CICKSLTK, 805:89.

<sup>11</sup>Chang, "Political Structure in the Chinese Draft Constitution," p. 67.

<sup>12</sup>Chang, "Cheng-chih hsieh-shang hui-i hsiu-kai wu-wu hsien-ts'ao yüan-tse," p. 25.

<sup>13</sup>Hsü, Chung-kuo min-chu she-hui tang, pp. 6-7.

<sup>14</sup>Ts'ai-sheng she, WYSSIH, p. 16.

<sup>15</sup>Chang, Li kuo chih tao, p. 90.

<sup>16</sup>Ibid. p. 91.

<sup>17</sup>Chang, "Chang Chün-mai hsien-sheng nien-piao ch'ang-pien," p. 281.

<sup>18</sup>Chang, Li kuo chih tao, p. 94.

<sup>19</sup>Hsü, Chung-kuo min-chu she-hui tang, pp. 6-7.

<sup>20</sup>Chang, K'ang-chan chung ti cheng-tang ho p'ai-pieh, p. 78.

<sup>21</sup>Li Chai [Chang Chün-mai], "Hsien-shih cheng-ch'ao chung kuo-min chih nu-li fang-hsiang," Hsin Lu ("The New Way") vol. 1, no. 3 (March 1, 1928):3.

<sup>22</sup>Wei, Chung-kuo ko tang ko p'ai hsien-k'uang, p. 4. Also see Wen-hua chiao-yü yen-chiu hui, KKJTPTHCHT, p. 198.

<sup>23</sup>Robert Lindsay Schuettinger, ed., The Conservative Tradition in European Thought (New York: G.P. Putnam's Sons, 1970), pp. 12-13, p. 27; and Russell Kirk, "Conservatism: A Succinct Description," National Review vol. XXXIV, no. 17(September 3, 1982):1080-1081.

<sup>24</sup>Furth, "Intellectual change," p. 345.

<sup>25</sup>Lindsay, Conservative Tradition, p. 14.

<sup>26</sup>Ibid.

<sup>27</sup>Derk Bodde, China's Cultural Tradition: What and Whither? (Hinsdale, Illinois: Dryden Press, 1957), pp. 64-65.

<sup>28</sup>Kirk, "Conservatism," p. 1080.

<sup>29</sup>Schuettinger, Conservative Tradition, p. 28.

<sup>30</sup>Chang, "Kuo-chia wei shen-me yao hsien-fa?" p. 5.

<sup>31</sup>Chang, Li kuo chih tao, p. 97.

<sup>32</sup>Shen, CICKSLTK, 805:91.

<sup>33</sup>Hsü, Chung-kuo min-chu she-hui tang, p. 3.

<sup>34</sup>Hou Sheng, "Chün-mai hsien-sheng ti cheng-chih ssu-hsiang," (shang), p. 20.

<sup>35</sup>Hsia, Lun Hu Shih yü Chang Chün-mai, p. 66.

<sup>36</sup>Fei Ch'ing, "Ts'ung jen-min li-ch'ang p'i-p'ing wu-wu hsien-ts'ao," in CKMCSHTCC, p. 36.

<sup>37</sup>Chang Chün-mai, "Cheng-chih hsieh-shang hui-i hsiu-kai wu-wu hsien-ts'ao yüan-tse," p. 25.

<sup>38</sup>Fei, "Ts'ung jen-min li-ch'ang," p. 36.

<sup>39</sup>This was after all the case with "political tutelage." The KMT had so dominated the government to the exclusion of others that the term tutelage lost any meaning.

<sup>40</sup>Hou Sheng, "Chün-mai hsien-sheng ti cheng-chih ssu-hsiang," (shang), p. 20.

<sup>41</sup>Quoted in Hsi-Sheng Ch'i, Nationalist China at War, p. 180.

<sup>42</sup>Spence, Gate of Heavenly Peace, p. 75.

<sup>43</sup>Robert Payne, Chinese Diaries, 1941-1946 (New York: Weybright and Talley, 1970), p. 319.

<sup>44</sup>Chang, "Wo yü chia-hsiung Chün-mai," p. 105.

<sup>45</sup>Payne, Chinese Diaries, p. 320.

<sup>46</sup>Jack Belden, China Shakes the World (New York: Monthly Review Press, 1949), p. 441.

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## GLOSSARY

Chang Chih-tung (張之洞)

Chang Chun-mai [Carsun Chang] (張君勵)

Chang Ping-lin (章炳麟)

Chang Shen-fu (張申府)

Chang Tung-sun (張東孫)

Chang Shih-lin [psuedonym for Chang Chun-mai] (張石林)

Ch'en Ch'i-t'ien (陳答天)

Ch'en Po-nan (陳伯南)

Ch'en Tu-hsiu (陳獨秀)

Cheng-ch'üan [political powers] (政權)

Cheng Lun [Discourses on Politics] (政論)

Cheng-wen she [Political Information Society] (政聞社)

Chiang Kai-shek (蔣介石)

Chia-tsu chu-i [familialism] (家族主義)

Chih-ch'üan [governing powers] (治權)

Chih-hsing ho-i [the unity of knowledge and action] (知行合一)

Chin-shih (進士)

Ch'in Shih Huang-ti (秦始皇帝)

Chou En-lai (周恩来)

Ch'üan-neng feng-kai [the separation of power and ability]  
(權能分開)

Chün-tzu (君子)

Chung-kuo min-tsu wen-hua shu-yüan [Institute of National Culture]  
(中華民族文化書院)

Fan Ch'ang-chiang (范長江)

Fei Ch'ing (費清)

Han Wu-ti (漢武帝)

Hsin Lu [The New Way] (新路)

Hsien-fa hsin-wen she [Constitutional News Association]  
(憲法新聞社)

Hsin-min ts'ung-pao [New People's Miscellany] (新民叢報)

Hsiu-ts'ai (秀才)

Hsüeh-hai shu-yüan [Hsueh-hai Academy] (學海書院)

Hu Han-min (胡漢民)

Hu Shih (胡適)

I-li [principle, reason] (義理)

Jih chih lu [A Record of Daily Knowledge] (日之錄)

K'ang Yu-wei (康有為)

Kuang-fang yen-kuan [Institute of Modern Languages]  
(廣方言館)

Kung [public] (公)

Kung-ho chien-she t'ao-lun hui [Republican Construction Association]  
(共和建社討論會)

Kuo-chia she-hui tang [National Socialist Party] (國家社會黨)

Kuo-hsing [national character] (國性)

Kuo-li tzu-chih hsüeh-yüan [National Institute of Self-Government]  
(國立自治學院)

Kuo-min ta-hui i-cheng hui [Recess Committee of the National Assembly]  
(國民大會議政會)

Kuomintang [Nationalist Party] (國民黨)

Kuo-min ts'an-cheng hui [People's Political Council]  
(國民參政會)

Kuo-ts'ui hsüeh-p'ai [national essence school] (國本學派)

Ku Yen-wu (顧炎武)

Li Chai [psuedonym for Chang Chun-mai] (立齋)

Liang Ch'i-ch'ao (梁啓超)

Liang-chih [innate knowledge] (良知)

Liang Shu-ming (梁漱冥)

Liu Shih-p'ei (劉師培)

Lo Lung-chi (羅龍基)

Lung Yun (龍雲)

Mao Tse-tung (毛澤東)

Min-chu tang [Democratic Party] (民主黨)

Min-ch'üan chu-i [people's rights] (民權主義)

Min-tsu chu-i [nationalism] (民族主義)

Nanking kao-teng hsüeh-hsiao [Nanking High School]  
(南京高等學校)

Niu Yung-chien (鈕永鍊)

San-min-chu-i [The Three People's Principles] (三民主義)

Shao-nien chung-kuo [Young China] (少年中國)

Shih-shih hsin-pao [China Times] (時事新報)

Shu-yüan [academy] (書院)

Sun Fo (孫科)

Sun Yat-sen (孫中山)

Sung She [Pine Society] (松社)

Szu [private] (私)

Ssu-ma Kuang (司馬光)

Ta-t'ung [great harmony] (大同)

T'ai-ts'u (太祖)

T'an Ssu-t'ung (譚嗣同)

T'ang Chün-i (唐君毅)

T'i-yung [essence-function] (體用)

Ts'ai-sheng [Renaissance] (再生)

Tseng Kuo-fan (曾國藩)

Tseng wen-cheng kung ch'üan-chi [The Complete Works of Tseng Kuo-fan] (曾文正公全集)

Tso Shun-sheng (左舜生)

Tsung-ts'ai [leader, party leader] (總裁)

Tsu chih t'ung chien (資治通鑑)

Wang Ching-wei (汪精衛)

Wang Chung-hui (王寵惠)

Wang Shih-chieh (王世杰)

Wang Yün-wu (王雲五)

Wen I-to (溫一多)

Yang [brightness, negative, female] (陽)

Yeh Ch'ing [psuedonym for Jen Chou-hsuan] (葉青)

Yen Fu (原富)

Yin [darkness, positive, male] (陰)

Yuan Shih-kai (袁世凱)