

publications shall either be warned or apprehended. In no country in the world, we understand, is freedom of speech absolute. A press law furnishes the rules for the people to go by; and, in view of the fallibilities of the publishers, who after all are but men, the promulgation of a press law is probably to the advantage of all those concerned—viz. the nation, the society, and probably also the publishers themselves. What is most important, however, is that these rules must be clear,

specific, and incapable of possible misunderstanding. The word "reactionary," for instance, is not a suitable legal term. It is open to various interpretations. The application of the term would indeed be very limited, if the word is to be understood in its narrow sense. In its wider meaning, nevertheless, the application of the term would be most comprehensive; and its inclusion in law would be a very dangerous matter. Broadly speaking, a reactionary means a person who seeks to undo political progress. But what is political progress?

Die-Hardism and the Shanghai Times

If anyone still entertains the fond hope that foreign die-hardism has died out in Shanghai, he needs only to be a reader of *The Shanghai Times* in order to be unpleasantly disillusioned. In an editorial entitled "Something Worse Than Stupidity," which appeared in *The Times* of August 25 and was intended as a rejoinder to our editorial of August 15 entitled "The Triumph of Stupidity," the editor of *The Times* endeavored to uphold the sanctity of the Settlement authorities and berated *The China Critic* for opposing the erection of iron gates at the Settlement boundaries. This outburst on the part of *The Times* is a pitiable failure. It is a failure because it has proved nothing; it has refuted none of the arguments advanced in *The Critic's* editorial of August 15.

Times declares that Chinese and foreigners are sharing privileges! If that is not "mendacity," then this word has no place in the English language.

The Times asserts, further, that the erection of iron gates is meant for the protection not only of foreigners but of the 800,000 Chinese as well. Let the able editor of *The Times* ascertain the opinions of Chinese organizations and individuals and tell the world what percentage of the Chinese population are in favor of erecting those iron gates! The editor of *The Times* writes with smug satisfaction when he refers to "scenes like that of March, 1927." But, what does that prove? It proves one thing, to be sure. It proves the contention in our editorial of August 15 that the "foreign die-hands in China are decidedly behind the times." *The Shanghai Times* need not feel too much ashamed of itself: it is only two and half years behind. Why not go back still further and recall the Boxer uprising of thirty years ago? May we remind its editor that it is now not 1927 but 1929!

The editor of *The Shanghai Times*, knowing little, is sure of nothing. Thus he can only "suspect" that, when "scenes like that of March, 1927" recur again, "the staff of the 'China Critic' will be found on the Settlement side of the gates." We can frankly inform the editor of *The Times* that about half of the staff of *The Critic* live in the Settlement while the other half live outside its limits. If war and mob violence should again threaten this city, those of us living within the Settlement will have no cause (or time) to move out, while those living outside the Settlement will certainly not rush in for foreign protection. *The Times* is correct in saying that the "office" of *The Critic* "is not now in Chinese-controlled territory," but it simply makes itself worse than ridiculous when it says that *The Critic* "abuses the hospitality of the Settlement while it stirs up ill-will towards those who have the responsibility of maintaining law and order." The International Settlement is only a concession, not a ceded territory. It simply betrays ignorance to assert that Chinese residents, while staying in the Settlement, are enjoying the "hospitality" of the foreigners. It would be far more correct to say that it is the foreigners, including the editor of *The Times*, who are enjoying the hospitality of China. And it is these same foreigners, too, who are abusing

Our arguments may be recapitulated as follows: That the foreign residents in Shanghai are in no danger of being attacked by Chinese mobs; that, in the event of any mob violence breaking out in Shanghai, the Municipal police should be able to handle the situation with ease; that the erection of iron gates hurts the pride and feelings of the Chinese people. Our main thesis, then, is that the erection of iron gates, since it serves no useful purpose and does nothing but harm to the cause of Sino-foreign friendship, is an act of stupidity. It devolves upon *The Times* to prove that the foreign residents in Shanghai are in danger of being attacked by Chinese mobs. It devolves upon *The Times* to prove that the Municipal police will not be able to handle mob violences. And it devolves upon *The Times* to prove that the erection of iron gates does not hurt the pride and feelings of the Chinese people. *The Times* should be complimented for being wise enough to say in its very first sentence that it does not intend to offer any "defence of stupidity." It has completely failed, however, to prove that the erection of iron gates is wisdom and not stupidity.

The Times naively asserts that "Chinese and foreigners, happily, mix amicably and share privileges and risks in this community." To what extent do Chinese and foreigners share "privileges" in Shanghai? Are they proportionally or equally represented on the Municipal Council? Are the Chinese residents enjoying as good hospital facilities as those of the foreigners? Yet *The*

China's hospitality! *The China Critic* has always stood for the abrogation of unequal treaties, the abolition of extraterritoriality, and the surrender of foreign concessions. The sooner this International Settlement, as a foreign-controlled territory, is abolished, the better it is. No matter what dire consequences may follow, neither *The China Critic* nor any self-respecting Chinese will cry for the return of the foreign regime. The days of the Settlement are already numbered. Its demise is near. The foreign die-hards—the editor of *The Times* being no exception—will certainly live to see it, provided that they do not themselves die too soon. As to law and order, the Settlement has not much to brag about, for kidnappings and flying bullets from the guns and pistols of the Municipal police are just as dreadful as war and mob violence.

The Times also insinuates that *The Critic* is "mean" and should not be "taken seriously." This insinuation of *The Times* is belied by its own editor; for, if *The Critic* be a mean publication that should not be taken seriously, why not ignore it and leave it alone, instead of devoting nearly one and half columns of valuable space to an attack on it? *The Shanghai Times* charges that *The Critic* "descends to abuse and provocative language." Yet in the same editorial it calls *The Critic* "mean" and "mendacious"! Is that not abuse and provocative language? If to defend China's interests and attack foreign aggression is meanness, then by all means let *The Critic* be meaner!

The Times proudly points out that "More consideration for Chinese feelings is being shown now than ever before, and generous gestures are seen on every hand." The truth of this statement we do admit to a certain extent. But, we should like to ask the editor of *The Times*, is the erection of iron gates also calculated

to show "consideration for Chinese feelings," and is it, too, a "generous gesture"? The fact that foreigners in Shanghai have in some matters shown consideration for Chinese feelings does not entitle them to be insolent in other matters. True friendship should be self-consistent. To follow a friendly gesture with an insult is sheer self-contradiction and signifies nothing but stupidity.

Finally, *The Times* accuses *The Critic* of "maliciously of other people," "wilful stirring up of ill-feeling," and seeking "to promote anti-foreign feeling." These charges are simply too ridiculous and demonstrate an immaturity of mind that is most pitiable. *The Critic* opposes the erection of iron gates and calls it stupidity because their erection is deeply resented by the Chinese population and tends to hurt the cause of Sino-foreign friendship. *The Times* has failed to show the necessity of setting up the iron gates and how these gates can "strengthen friendship and secure closer co-operation." If Sino-foreign friendship is really what the editor of *The Shanghai Times* cherishes in his heart, he should urge the Municipal Council to tear down the iron gates which, in the eyes of the Chinese public, symbolize nothing but foreign arrogance! For the editor of *The Times* to applaud the erection of those iron gates and at the same time censure the "writers of the Critic" for "doing their best to foment ill-will, and to bring the Settlement authorities into contempt," is to put the cart before the horse and betrays a mind that is totally devoid of any sense of logic.

Yes, there is "something worse than stupidity." It is an administrative body or a newspaper's refusal to admit its stupidity when it has been definitely proved to be stupid! We beg to congratulate the editor of *The Times* for his happy choice of these four words: "Something Worse Than Stupidity." It is a most fitting title for his illogical editorial.

America's Reply on Extraterritoriality

The unauthorised publication of America's note on the question of extraterritoriality has created a wide interest as to where the leakage occurred. The note was published in full in *The Tsingtao Times* of August 24, from which it was reprinted by the local newspapers last Friday. This partially upset the understanding between China and the Powers that all the replies to her note of April 27 would only be released upon authorisation by the Foreign Ministry in Nanking. The question how the note was given out still remains unsolved, though many theories have been advanced. As to the authenticity of the published text, both the Waichiaopu and American diplomatic officials have refused to commit themselves. But in the absence of their denial it may be reasonably assumed that what was published is an authentic text of America's reply.

The American reply is quite lengthy, running to several thousand words. The first half being a formal

expression of America's friendship and goodwill, is comparatively unimportant. It mentions the previous treaty stipulations where the American Government agreed that it would be prepared to relinquish the extraterritorial privileges "when satisfied that the state of the Chinese laws, the arrangements for their administration, and other considerations warrant it in so doing." This provision appears in the Sino-American treaty of 1903 and, almost in identical terms, in the so-called Mackay Treaty of 1902 with Great Britain, in the treaty between China and Japan the following year and in that of 1908 between China and Sweden.

The substance of America's reply is contained in its latter half where the United States Government expresses in definite terms its opposition to total and immediate surrender of the extraterritorial rights, stating that "the sudden abolition of the system of protection by its extraterritorial courts in the face of conditions prevail-