

the concentration of finance capital in London—in addition to the communications revolution of the late 1870s had a significant impact on trade and industry in China as well. Global capitalist competition provides one important way to conceive of the relationship between India and China, but its intersections with the different imperial formations in each context may also yield a clearer sense of the shared structural and material conditions as well as the disparate ways they played out in each place. This desire for a more precise and definitive history, however, should not detract from the substantial achievement of *Tea War*; an argument on this scale demands selectivity in the empirical and interpretive issues it pursues. It attests instead to the vast potential of the Tea War to illuminate this chapter of global history.

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*Pirates and Publishers: A Social History of Copyright in Modern China. By Fei-Hsien Wang. Princeton: Princeton University Press, 2019. xiii + 350 pp. Glossary, bibliography, index. Hardcover, \$39.95. ISBN: 978-0-691-17182-1.*

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Reviewed by Puck Engman

According to the classic account, intellectual property law has failed to take hold in China because the country never developed an indigenous counterpart to copyright. In the twenty-first century as at the end of the nineteenth, foreign powers have pressured the Chinese state to introduce copyright laws modeled on European and American doctrine—then by the threat of gunboats, more recently by conditioning trade agreements—but piracy has remained rampant, leading some scholars to suspect that there is something in China’s culture or history that fosters widespread distrust in the social benefits of copyright (a skepticism that, to be sure, is found not only in China). In *Pirates and Publishers*, Fei-Hsien Wang draws on a wide range of archival sources and published works to build a compelling case against what she calls the “cultural determinist explanation” of Chinese piracy (p. 7). Her proposed antidote is a social history of copyright that shifts attention from the codification of rights to potential rights holders: the authors, editors, publishers, translators, and booksellers whose livelihoods depended on the definition and protection of ownership over printed works and the

ideas contained within. She draws inspiration from recent works on European history that have rejected the idea that modern conceptions of intellectual property rights were derived from the abstract propositions of philosophical treatises; rather, they “emerged from the complex dynamics of publishing business, lawmaking, and knowledge production in eighteenth- and nineteenth-century Western Europe” (p. 8). Wang argues that something similar happened in China when booksellers came together in recognition of a common interest to curb piracy. Not only did this emerging class of intellectual proprietors develop its own conception of copyright, but it also established and enforced mechanisms to protect intellectual property.

The book unfolds across seven chapters, opening in the last years of Qing rule at the turn of the nineteenth century and closing in the early years of the People’s Republic of China some fifty years later. The first chapter traces the translation of the term “copyright” into Japanese and the subsequent use of this term as a loanword in Chinese. This is the closest the book comes to conventional intellectual history but even here the focus is less on the concept itself and more on the author-publishers who introduced the terms *hanken* (Japanese) and *banquan* (Chinese) and how they used these translations to secure profits from printed books. Although the cultural entrepreneurs at the time had an interest in framing the concept of copyright as something fundamentally new and alien to the East Asian context (just like one Shanghai publisher claimed that the translation of Sherlock Holmes’s latest adventures would help bring civilization to China), they initially used it to protect the ownership of tangible property—the printing block—in continuity with practices that Wang and others trace back to Ming-Qing China.

In the next chapters, the author turns to the transformation of the Chinese book trade in the early twentieth century, when the reforms and later the abolition of civil service exams generated a surge in demand for Western knowledge and made the translation and publication of “New Learning” into a highly profitable venture. In this increasingly complex and commercialized book trade, the prospect of codifying creative works as property interested Chinese booksellers as much as their European counterparts. At this time, translators became the first authors to claim their rights as creators, expanding local concepts of *banquan* covering owners of the means to print books to include the writers. In chapter 4, Wang turns to the protections offered by the Qing court, even before it passed a formal copyright law in the dynasty’s final year, while stressing the limited and selective nature of such protections. Faced with a state that was unwilling or unable to enforce copyright laws in a predictable fashion, Shanghai booksellers developed their own customary regime to protect their interests.

Chapters 5 and 6 center on a case study of the Shanghai Booksellers' Guild. This is the core of the book, in which the author draws on the rich guild archives to substantiate her initial claim that Chinese booksellers and pirates alike were "copyright-savvy economic actors" for whom "pirating others' intellectual property and embracing copyright in their own interest were not mutually exclusive" (p. 4). Wang shows how the protection of copyright, understood as a tangible form of private property, became the glue that held the Shanghai Booksellers' Guild together. The guild registered the master copies of local booksellers and had the authority to mediate and settle piracy-related disputes. Although this self-regulatory mechanism lacked legal force, it offered a source of protection for Shanghai booksellers in supplement to inadequate state legislation. As illustrated by chapter 6, which looks at the guild's unsuccessful effort to expand the scope of its copyright regime by setting up a detective bureau in Beiping (today's Beijing), the customary protections remained anchored in the local setting.

The final chapter starts out with the assertion that there were many continuities across the 1949 divide separating Nationalist and Communist rule. This has become something of a conventional wisdom in the writing of modern Chinese history, but Wang offers her own take on what this meant in terms of copyright. Chinese Communists had harbored few scruples about piracy before coming to power, but it did not take long for the new government to become concerned, much like its predecessors, that unauthorized copies might become vehicles for harmful ideas. The nationalization of the publishing industry in 1956 strengthened state control and serves as a natural end point for the book. Given the framing of the chapter, it would have been interesting to know more about the socialist history of copyright: How much "leeway" and how many of the "loopholes" to which the author refers survived the 1956 divide?

Wang's social history of copyright is a rare combination of first-rate empirical scholarship and nuanced historiographical arguments that extend far beyond the geographical confines of the study. The conclusion even spells out some implications for how to approach the problem of piracy in present-day China. Among the many Chinese terms that appear in romanization in the book, there are a dozen typos. I mention this trivial point, which is a criticism of the press rather than the author, mostly to illustrate how difficult it has been for this reviewer to find fault with this fine book.

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