The Perils of Translation
Nakae Chōmin and *Minyaku Yakkai*'s Response to Crisis

John Branstetter
PhD Candidate, University of California, Los Angeles

Prepared for the 2016 Meeting of the Western Political Science Association. Work in Progress. Please do not cite without permission.

Abstract:

This paper aims to reassess Nakae Chōmin's 1882 "translation" of Rousseau's *Du Contrat Social*. I argue that calling *Minyaku yakkai* a translation makes little sense in the context of Meiji literature because there were no firmly established genre conventions, and those that did emerge later were largely Western constructs which overwrote or subsumed existing Japanese traditions of interlingual interpretation. Second, I contend that interpreting the text based on assumptions about the nature of translation and the intentions of translators, as most other commentatorson Nakae's text have done, obscures certain interpretive possibilities. Ultimately, I argue that there is a nuanced and insightful political theory that emerges from Nakae's text once the translation paradigm is rejected. This theory is a sophisticated response to the twin dangers of foreign military threats and runaway cultural change that characterized the early Meiji period. I offer an interpretation of the significance of the differences between Nakae's text and Rousseau's in order to show that rather than dismissing differences as "inaccuracies", we should assess them as moves in a high-stakes political language game.

Introduction

The first translation of Jean-Jacques Rousseau's *Du Contrat Social* is widely acknowledged to be Nakae Chōmin's 1882 version, published in two parts, book 1 as a stand-alone volume, and book 2 serialized in his newspaper *Seiyō seiri sōdan*[1]. However, less remarked upon is the 1877 translation of the text by Hattori Toku and Tanaka Hiroyoshi. This "translation" was undoubtedly the first widely published account of Rousseau's text, but it is today largely dismissed because it is "inaccurate" (National Diet Library, 2014). It is worth noting that this "innacurate" translation was not without influence. Ueki Emori drew on this work in preparing his own thoughts on the social contract, and the connection between the concept of the social contract and the freedom

[1] I am working from Kubō's 2014 edition (Nakae, [1882] 2014)

and popular rights movement (*jiyū minken undō*) was established well prior to Nakae's ostensibly more "accurate" translation.

What is puzzling in this history is the way in which the standard of translational accuracy has become in some sense a proxy for the perceived political impact of each of these translations. That is, some scholars regard Hattori and Tanaka's translation as less important than Chōmin's, in part I believe because it is not regarded "faithful" to Rousseau's original. However, to say that Chōmin's translation is "accurate" is generous at best. Nakae translated not even half of the full text into *kanbun*, played fast and loose with the terminology for key concepts[2], and includes copious exegesis inserted directly into the body of the text. While it is undoubtedly true that Hattori and Tanaka were not particularly faithful translators, it can hardly be said that Nakae was either.

The different levels of regard for Nakae's text and Hattori and Tanaka's highlight two interrelated and problematic properties of translation as a literary category. First, when viewed from the Japanese perspective, the latent Eurocentrism in the category of translation reveals itself. For many analysts of early Meiji translations, the closer a text hews to its "true" European original (i.e. the more it foreignizes the translation) the more it has been regarded as "valid". The more it presents a localized or hybridized representation of the original (or domesticizes it), the more it has been regarded with suspicion. Second, translation as a category assumes certain things about the translator's intentions. From a contemporary English or Japanese perspective, using the phrase "translator's intentions" is confusing, because the apparatus of translation as a literary enterprise tends to assume that the chief intention is always to render faithfully the text of

[2] Including "citoyen" and "volonté générale general" See Riley 1970, 1978, Boyd 2004 for discussions of the centrality of these concepts in Rousseau.

the original author. Today, to the extent that a translator has an intention, it is in how best to mirror the truth of the original. In the case of Hattori and Tanaka's text, by being denied the status of a proper "translation", it is assumed that their text has another objective that is either regarded as suspicious[3] or unimportant[4]. Nakae's motives are somehow regarded as more valid[5], and therefore his text more legitimate.

What I wish to do is to reassess Nakae Chōmin's text after setting aside translation as a genre designation. First, I argue that this label makes little sense in the context of Meiji literature because there were no firmly established genre conventions, and those that did emerge later were largely Western constructs which overwrote or subsumed existing Japanese traditions of interlingual interpretation. Second, I contend that proceeding based on assumptions about the nature of translation and the intentions of translators obscure certain interpretive possibilities. That is, I argue that there is a nuanced and insightful political theory which emerges from Nakae's text once the translation paradigm is rejected. I hope to offer an interpretation of the significance of the differences between Nakae's text and Rousseau's in order to show that rather than dismissing differences as "inaccuracies", we should assess them as moves in a high-stakes political language game.

I will begin defending my claim that Nakae's *Minyakku yakkai* is not in any concrete sense a "translation" by first evaluating the meaning of that phrase in the context of Meiji Japan. I aim to clarify the reasons why "translation" is an inappropriate

[3] Such as submitting a text as a "translation" in order to capitalize on the fame of the original author, or to ride a wave of public interest in a particular subject for the sake of profit. Or perhaps to mask a political agenda behind a veneer of authority tied to the original author's name.
[4] This is related to the Eurocentrism inherent in translation as a paradigm. A text which addresses only local historical and political concerns is of less importance to posterity than a text which transcends time, space, and language.
[5] That is, Nakae is believed to have abstained from interpretation and focused on the accurate representation of Rousseau's ideas.

paradigm for some important texts of the period because of a certain latent Eurocentrism in the concept. I intend to demonstrate that by looking more closely at differences in Nakae and Rousseau's texts' structures, the nature of the translation language that Nakae chooses, and the content of his exegesis. Nakae's text is in many ways as radically different from Rousseau's as Hattori and Tanaka's is, and that justifies a new approach to *Minyaku Yakkai* and its legacy.

Second, I will show that there is in reality a critique both of Rousseau's thought and the prevailing political conditions of early Meiji inherent in *Minyaku yakkai* that the translation paradigm obscures. Abandoning translation and instead viewing Nakae's text as an extended political theoretical argument gives it a very different character. Finally, I will discuss the nuances of this argument, namely that Nakae a (Skinner, 1969)ims to permute an interpretation of the Confucian understanding of community with a Rousseauian account of freedom. By juxtaposing the Confucian concept of *jin* (仁), or humanity, with Rousseau's understanding of *pitiė*, Nakae responds to the twin perils of global power politics and the effacement of Japanese tradition. By making *jin* the basis for political community, Nakae hopes to establish the conditions necessary for Japan to modernize without losing its distinctiveness.

Traditions of Translation

Translation is of course much more than the simple representation of a text in different language. Translation is a discourse in the Foucauldian sense, insofar as it exists as a set of social practices, literary conventions, expert knowledge, and a corpus of texts. Perhaps more importantly, it is always a historically situated discourse, and is in that way prone to change over time and across contexts. The broad theoretical debates over what

constitutes translation are not what interests me here, however. What I am interested in are the specific differences between the literary practices of late Tokugawa and Early Meiji Japan and the European discourse of translation, which became hegemonic in Japan (and indeed worldwide) in the 20th century. I argue that contemporary, often English language sourced, standards and perceptions of equivalence have been inappropriately mapped onto Nakae's (and Hattori and Toku's) texts by both Japanese and English-speaking historians.

The retroactive application of the paradigm of translation to a text that could not possibly have operated within it because of fundamental differences in the institutional, cultural, and educational background is the problem I would like to draw particular attention to. Although Skinner has dealt with this type of problem in the history of ideas, we should be aware that this misapplication of concepts need not be confined to the objects of analysis within one specific discourse (Skinner, 1969, p.8). In the case of Nakae Chōmin, the problem with many studies is the failure to recognize the historicity of his literary practices. The ahistorical application of the paradigm of translation obscures what *Minyaku yakkai* could have meant both to its author and to its readers.

The discipline of Translation Studies has of course explored these issues in detail, and no specialist would today consider treating translation simply as the transparent transmission of ideas from one vessel into another[6]. I agree with Venuti (2008) that meaning "…is a plural and contingent relation, not an unchanging unified essence", and

[6] According to Bassnett: "Translation involves far more than replacement of lexical and grammatical items between languages and, as can be seen in the translation of idioms and metaphors, the process may involve discarding the basic linguistic elements of the SL text so as to achieve Popovic's goal of 'expressive identity' between the SL and TL texts. But once the translator moves away from close linguistic equivalence, the problems of determining the exact nature of the level of equivalence aimed for begin to emerge." (Bassnett, 2002, p.34)

that "…a translation cannot be judged according to mathematics-based concepts of semantic equivalence or one-to-one correspondence" (17). Standards of fidelity, he argues, are historically constructed and culturally dependent. The problem that he identifies, and which I want to focus on, is precisely that no universal, ahistorical standard of accuracy can exist[7]. Unfortunately, however, despite the sophisticated understanding of these problems within the Translation Studies literature, most approaches to translation in History, Political Science, and interdisciplinary Intellectual History gloss over these complexities at great cost.

The naïve understanding of translation, in which a translator renders a text more or less unproblematically from one language to another, has solidified into a discourse which exerts strong influence our perceptions of what "translation" can possibly be today. I wish to focus on two aspects of our common understanding of translation as a practice as it has emerged in the last 100 years or so. First, translation has become a professionalized activity. Second, that professionalization has at its foundation the norm of textual fidelity. That is, the profession is systematized in disciplinary organizations, practitioners adhere to norms of conduct determined by both codified rules and norms inculcated in training, and there is broad popular understanding of what translators are and are not supposed to do.

[7] Analytically speaking, we could distinguish at least four types of equivalence in the English language tradition alone. Popovic (cited in Bassnet 2002, p.34), argues that one can speak of " (1) Linguistic equivalence, where there is homogeneity on the linguistic level of both [source language] and [target language] texts, i.e. word for word translation. (2) Paradigmatic equivalence, where there is equivalence of 'the elements of a paradigmatic expressive axis', i.e. elements of grammar… (3) Stylistic (translational) equivalence, where there is 'functional equivalence of elements in both original and translation aiming at an expressive identity with an invariant of identical meaning'" and "(4) Textual (syntagmatic) equivalence, where there is equivalence of the syntagmatic structuring of a text, i.e. equivalence of form and shape."[7]. In this way, one text could be regarded as "accurate" in one or two dimensions, but never all four. Even if a translation is exceedingly faithful in one category, is that enough to regard it as fundamentally "accurate" in a general sense? Who makes this arbitrary decision given the wildly different uses to which translations are put by their readers?

By way of an example, one place these norms are currently embodied is in the charter of the International Federation of Translators (FIT)[8]. The charter was written in 1976 to further advance the international professionalization the field and to establish a universal set of normative standards for what makes good translators and good translations. These norms both instantiate of many of today's popular assumptions about what translation is as a discipline, define the role of being a "translator", as well constrain what literary products can be understood as translations.

Section 1 of the charter illustrates what I take to be the core of modern, internationalized translation practices. Under the heading of "General Obligations of the Translator", the document contends that the object of translation is "…the transfer of literary, scientific and technical texts from one language into another," and that this objective "…imposes on those who practice it specific obligations inherent in its very nature". The primary obligation seems to be that "…Every translation shall be faithful and render exactly the idea and form of the original - this fidelity constituting both a moral and legal obligation for the translator" (International Federation of Translators, 1994). This moral obligation to faithfulness did not originate with the charter, of course. It has been the cornerstone of most European traditions (Sakai, 1997)[9] since Jerome.

[8] Founded in 1953 under the authority of the United Nations Education, Scientific, and Cultural Organization (UNESCO),

[9] After my cautionary note about generalizing about translation practices across cultures, I am aware that speaking of a "European tradition" may seem problematic. Obviously, French, German, English, Russian, and many other European cultures have had particular translation practices at particular times. What many of these histories share, however, is a common history of concern for biblical translation. The need to render the word of God accurately made veracity paramount in ways that it was not in non-Christian cultures. More on this below.

Thus, from this perspective, a "translation" which did not adhere to the obligation to faithfulness could not be properly regarded as a translation at all[10].

This mode of conceptualizing translation as an institutionalized social practice with a rigid standard of what counts as "normal" translation, did not exist in Meiji Japan. Indeed, the Japanese tradition of rendering one language into another was categorically different because of the inseparability of foreign and domestic written language. The co-evolution of Sino-Japanese writing over the thousand years since Chinese script was introduced to Japan, and the fact that Japan's contact with "foreign" countries was for hundreds of years largely limited to China and the Korean peninsula made "translation" an ambiguous term. Furthermore, the legacy of textual representation of Sanskrit Buddhist texts in China and the Confucian literary traditions of editing and commentary prevalent in China, Korea, and Tokugawa Japan are radically different from the European history of Biblical translation, and this difference needs to be attended to understand the contextual boundaries of Meiji-era textual representation.

The Sources of Japanese Tradition

The representation of what was unambiguously conceived of as a foreign-language text into something recognized as a standard home-language was not a regular practice prior to the Japanese encounter with Europe[11]. According to Sakai (1997) the subjects "Japanese language" and "Japan" itself were only constructed in a partial way by the 18th century, and these were constructed vis-à-vis China as opposed to either the West

[10] Moreover, in biblical translation unfaithfulness would contravene the prohibition in Revelation 22:18-19: "18: For I testify unto every man that heareth the words of the prophecy of this book, If any man shall add unto these things, God shall add unto him the plagues that are written in this book: 19: And if any man shall take away from the words of the book of this prophecy, God shall take away his part out of the book of life, and out of the holy city, and from the things which are written in this book."

[11] Beginning in the 16th century with the arrival of the Portuguese.

or a broader concept of the world. This indistinction between classical Chinese and an important form of written Japanese, *kanbun,* comes from the introduction of Chinese writing (*kanji*) into to Japan in the 5th and 6th centuries. *Kanbun*, a system of notation for reading classical Chinese according to classical Japanese grammatical conventions, emerged in the 8th century. For much of the next 1000 years, *kanbun* existed alongside writing either purely in Japanese phonetic scripts or in a mixture of *kanji* and *hiragana* or *katakana*.

Although the classical Chinese of *kanbun* writing had not been spoken by anyone since the time of Confucius (if ever), it functioned as a written lingua franca among scholars in China, Japan, Korea, and what is now Northern Vietnam[12]. What seems like a disjuncture between the written and spoken languages to users of European languages was not perceived in the same way by users of *kanbun* for most of its history. This lack of a disjuncture dissolved the concept of foreignness in the text[13]. This meant that there could be no class of professional translators and no institutionalization of translation as a social activity[14] because the categories of "foreign" and "home" in texts were unclear. For the same reason, the issue of fidelity to a source language original was moot because in the Japanese context, *kanbun* was in many respects just a system for reordering characters whose meaning was more or less independent of the reading applied to them[15].

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[12] Comparisons have been made between the respective functions of *kanbun* and Latin in Europe.

[13] See Semizu (2006) (Masao & Shuichi, 1998)for a discussion of the co-evolution of Japanese and Chinese writing.

[14] Sakai (1997) concedes Roman Jakobson's categorization of "intralanguage translation", "interlanguage translation", and "intersemiotic translation" is inapplicable in the absence of a national language which establishes firm hierarchies of literary practice and genre.

[15] Furthermore, even writing in pure classical Chinese can be somewhat ambiguous at times because of the sparseness of the text (i.e. the use of single characters instead of polysyllabic compounds) and relatively infrequent inclusion of subjects or objects in sentences in which they are pragmatically inferable.

For the educated cultural and political elite, writing or reading *kanbun* was not "translation".

Another fundamental issue, according to Maruyama Masao and Kato Shūichi[16], is that for much of Japan's history the primary vector of foreign cultural influence was China. In Maruyama's view, Ogyū Sorai was the first to identify the reading of *kanbun* with practices of translation (Haag, 2011, p. 24), although Wakabayashi (2006) suggests that this non-recognition of *kanbun* as a foreign language persisted to some degree until the 19th century. The separation of the written and spoken languages was simply a characteristic of Japanese culture, and reading *kanbun* was simply reading to many educated people prior to the *genbunichi* (unification of speech and writing) movement of the 1880s and 1890s.

Moreover, two traditions of textual representation also had a profound influence on the literary practices of both Japan and China. First, the spread of Buddhism across East Asia was in many ways dependent on a tradition of translation which represented Sanskrit texts into literary Chinese. Many of these translations were undertaken by Buddhist monks from what is now India or Afghanistan translating into a Chinese that was foreign to them. The Chinese tradition required collaborative work between foreign and Chinese literati to produce representations of Buddhist texts. Often the foreign bringer of a sutra would explain the meaning in vernacular Chinese, discuss the meaning with several Chinese scholars, and the scholars would collaborate to render that meaning into a polished written Chinese. Native Chinese translators skilled in foreign languages were rare, and Chinese assumptions about the centrality of their civilization made

[16] Initially pointed out in *Translation and Japanese Modernity* (*Honyaku to Nihon no Kindai* 翻訳と (Nakae, A Discourse by Three Drunkards on Government, [1887] 1992)日本の近代 1998)

translation a little-appreciated literary endeavor. While accuracy was of course important, it was not prized in the way it was in European cultures. Likewise, because translation was collaborative, the literary role of the translator as an individual who bears responsibility for the representation did not develop to the same degree.

Second, the textual transmission and representation of Confucian texts was an important mode of literary activity. Although it was not a form of interlingual translation, the Confucian tradition of commentary, editing, and reorganization was an important model for all people trained in so-called Chinese learning[17]. Most Confucian texts are not written in the form of treatises explaining a central proposition or rebutting the argument of another scholar point-by-point. The Confucian classics, such as the Analects and the Mencius are compendia of aphorisms and stories gathered by the students of Confucius and Mencius respectively, and then edited into a coherent volume much later. These volumes have no clear sense of beginning and end, and can be entered at any point.

Neo-Confucian texts, notably Zhu Xi's *Reflections on Things at Hand* is a recomposition of the classic *Great Learning*. Zhu Xi rearranged the aphorisms in the text to reveal a complex cosmology, and elaborated this reading through commentaries written in between the reorganized aphorisms. Likewise, Wang Yangming's *Instructions on Practical Living* includes not only his own commentaries on the Confucian texts, but commentaries on previous commentaries[18]. In this way, Confucian scholarship is also in a sense collaborative. While much stress is laid on receiving the correct meaning of the words of the Sages, the tradition is founded on interpretation, not on accurate

[17] Nakae Chōmin's own *Discourse by Three Drunkards on Government* (*Sansuijin no Keirin Mondō* [1887]1992*),* for example, takes the form of a Confucian dialogue.
[18] Including those by Cheng I, Zhu Xi, and other 10th and 11th century Neo Confucian thinkers.

reproduction[19]. Although the famous Chinese Imperial examinations did require rote learning of the classics, they required this as a foundation for a sophisticated capacity to interpret complex situations in terms of the lessons of the texts. Interpretation, rather than duplication was at the core of the Confucian literary tradition.

Literary translation as it has been practiced in Europe for the last 200 years came to Japan only in the late 19th and early 20th centuries. The reforms of language that were taking place under the banner of *genbun ichi* (unity of speech and writing) ultimately produced what is now understood as modern Japanese. However, in addition conjunction with this movement, literary translations using the so-called "neo-literal" approach (Wakabayashi) or the *ōbun chokuyakutai*（欧文直訳体) style described by Meldrum (2009) also fundamentally changed the Japanese language. Junichiro Tanizaki, among others, advocated the use of "monsterous" sentences of highly foreignized translationese as a way of injecting new structures and ways of speaking into modern Japanese. Indeed, in some cases these highly foreignized translations were relatively difficult to read for contemporary readers. So comprehensive were these changes that written classical Japanese must be taught as a specialized subject in Japanese high schools. Modern Japanese, however, is better adapted to produce accurate translations from European languages. As Yanabu (1982) points out, for example, the personal pronouns "he" and "she" did not exist until the late 19th century, and were devised primarily for interpreting European language texts. Modern Japanese is, in some ways, itself a kind of translationese. From this perspective, the relationship that modern Japanese with translations from European languages must necessarily be quite different from the

[19] Ogyū Sōrai's method is indeed a reaction to this tendency. The school of ancient studies (kōgaku) sought to recover the "true" words of the Sages through a philological method focused purely on the original Chinese reading and meanings of the characters in the four classics.

relationship between European translations and the classical or transitional styles of the early 19th century.

The Eurocentrism of Translation

Because of these fundamental differences, the paradigm of translation as we now understand it is inappropriate when applied to works like Nakae's *Minyaku Yakkai*. Ultimately, the application of the category of translation is problematically Eurocentric. Translation applied in this context is Eurocentric because it universalizes the problems of interlingual text production specific to the European experience without regard for the interpretive values found in the various traditions it has come to supplant. Insofar as it valorizes fidelity, places responsibility for fidelity on an individual translator, and largely removes that translator from a position of interpretive authority, the European model casts all traditions which do not adhere to these values as somehow deficient, substandard, or flawed. While many traditions of translation around the world accept representations of texts which are highly interpretive as valid[20], the European traditions establish transparency across languages as an ideal, and evaluate translations on how far they deviate from this standard. This hierarchal standard of good and bad translation naturally places European methods at the top, and positions traditions which value other aspects of interlingual interpretation as inevitably further from "correctly" understanding translation as a practice.

Furthermore, the European traditions elevate the role of the source language author and devalue the position of the translator (or translators)[21]. In the case of exchanges between European source languages and non-European target languages, this

[20] See Hung and Wakabayashi 2006 for an interesting discussion of some of these traditions.
[21] See Venuti 2008 (Bertram, 2004)

inevitably means placing the value of European ideas above those that emerge from the target language representation. What is at stake, therefore, in labeling a given work a "translation" is the hierarchical relation between the ideas contained in the source text and those embodied in the target language representation. In the case of Hattori and Tanaka's interpretation of *Du Contrat Social*, labeling that text as a "translation" has resulted in a dismissal of the text's cultural impact. Its value has been assessed only in terms of its function as a conduit for Rousseau's thought and not as a text imbued with its own independent purpose and meaning.

From a philosophical perspective as well, it can be regarded as a grave mistake with respect to Rousseau as much as to Nakae to think about their relation in terms of accuracy. As Judith Shklar writes (quoted in Bertram 2004, p.4):"I have come to accept that [Rousseau] is one of those authors who says something personal to every reader, and that it is both vain and illiberal to insist that one's own reading is the only right one[22]". The naïve translation paradigm implies that there must be a "correct" Rousseau, which Nakae does or does not render successfully into Japanese. Operating under this framework therefore severely constrains what it is that we can see and say about Rousseau's thought as much as it does Nakae's. It imposes a rigid framework of literal correspondence that necessarily holds Rousseau's language as a fixed standard against which Nakae must be judged. Rather, abandoning the translation paradigm allows Nakae, as much as any other contemporary or subsequent interpreter of Rousseau, to articulate what Rousseau "said" to him "personally".

Ultimately, not only are texts that have been viewed as insufficiently "accurate" disregarded, but texts which are accepted as "valid" translations are then viewed

[22] (Shklar, 1969, p.vii) (Kubo, 2014)

exclusively in terms of their function as translations. In this case, Nakae Chōmin's *Minyaku yakkai* is valued solely in terms of the degree to which it reproduces Rousseau's ideas and not in terms of any possible argument inserted into the text by Nakae himself. According to Hazama (2013), many theories exist as to why Nakae did not translate *Minyaku Yakkai* in its entirety, but most explanations are unsatisfactory. More to the point, he argues that the reason cannot be definitively known, and therefore it is not a pressing issue for further scholarly attention. This view misunderstands what is at stake, I believe. The question is not why Nakae did not translate *Minyaku Yakkai* completely, but rather what meaning is contained in the text he did publish outside of the function of translating? The answer can only be seen by abandoning the paradigm of translation and assessing the text in terms of its contextual significance.

Abandoning the Paradigm in *Minyaku Yakkai*

Beyond this critical argument, there are several very good textual reasons for abandoning the translation paradigm as the framework for understanding *Minyaku Yakkai*. First, Nakae plays fast and loose with the translation words for key Rousseauian concepts. For example, a key idea like *volonté générale*, and an essential subject position, that of *citoyen*, are not treated as philosophical terms of art[23]. Rather, they are translated variously at different points with profound effects on how they can be understood. While the General Will is a difficult concept regardless of the language, the consistency with which Rousseau uses the phrase itself is essential to grappling with its meaning. Translating *volonté générale* with various phrases, as Nakae does, not only obscures the

[23] Indeed, "General Will" was a philosophical term of art going as far back as the Scholastics. It was crucially developed by Montesquieu and Diderot, and Rousseau was engaging with this broader conversation. Riley 1978.

meaning of the phrase[24], but diminishes the importance of the idea in the context of Rousseau's thought. A version of *Du Contrat Social* where the phrase "volonté générale" appears ten times, as opposed to one in which it appears only twice, certainly would seem to insist more strongly on the importance of the idea.

Similarly, if we look a the various ways in which the word *citoyen* is translated, its meaning becomes unclear. Hazama (2013) and Kubō (2014) both claim that Nakae's preferred *kanbun* translation word for *citoyen* is *shi* (士). However, if we look at all of the instances of direct translation, it is clear that Nakae uses the word *shi* only once (Table 1). While some of the phrases are idiosyncratic due to context (e.g. *ryokoku no hito*[25]), several other important words are in some ways directly contradictory.

Table 1: Direct Translations for *citoyen* in *Minyaku Yakkai*

Translation	Uses
Shūjin (衆人)	6
Minshu koku no tami (民主国之民)	1
Ryokoku no hito (両国之人)	1
Kono kuni no hito (其之国之人)	1
Shi (士)	1
Shin (臣)	1
Shū (衆)	1
Kokujin (国人)	1
Hito (人)	1
Hitori (一人)	1

For example, *shi* (士) has connotations of gentlemanliness or education. The character appears in Confucian texts to mean someone of great wisdom and cultivation in moral virtue. It is used in the Japanese word *bushi* (武士), meaning *samurai*, or "scholar-warrior". This has a very clear class connotation.

Shin (臣), on the other hand, is quite the opposite of Rousseau's *citoyen*. *Shin* means "subject" in the context of kingly or imperial authority. In Rousseau's words, a

[24] Already one of the most difficult in Rousseau
[25] "The people of both countries", about an international relationship.

subject can only ever be a "slave". *Shū*, or *shūjin* (衆人) means "common" or "popular" in contrast to the elite nature of *shi*, but does not have the subordinate connotation of *shin*. Clearly, *shū* or *shūjin* is the most commonly used translation word, but its meaning is rather different from Rousseau's *citoyen*.

From the perspective of translation, we might ask whether no adequate translation word existed, and therefore Nakae was forced to create something new and flesh out the meaning on his own. Or alternatively, perhaps he could have attempted to borrow an existing word with the hope of reconfiguring its meaning to correspond to Rousseau's[26]. This analysis makes the assumption that Nakae's problem was one of transmission rather than analysis or critique. Freeing ourselves from the assumptions implicit in the translation paradigm allows us to reevaluate the choices available to Nakae.

Nakae did have access to an already circulating translation word in the form of a phrase of Fukuzawa Yukichi's. *Shimin* (市民) is the modern Japanese word for "citizen" or "citoyen". It was coined by Fukuzawa in 1866 (2009) in his widely read *Conditions in the West* (*Seiyō Jijō* 西洋事情). Fukuzawa created the word to describe the political status of individuals in ancient Rome, the free cities of the Italian peninsula, and the commercial centers of the Hanseatic League. *Shimin* is a compound formed from the characters *machi* (市), meaning "city", and a *tami* (民) meaning "a people". This neologism was necessary for Fukuzawa not only to explain the political formations of Europe historically, but to conceptualize the (bourgeois) class structure of modern, "civilized" nations. Perhaps most importantly for Fukuzawa, it was a critical normative concept insofar as it described a type of idealized political subjectivity.

[26] Both of these were translation strategies adopted by other Meiji interpreters of Western cultures. Fukuzawa Yukichi, in particular, used both.

The question, then, is why Nakae rejected this existing translation word and opted for a range of vocabulary that covers a variety of political subjectivities. Although Fukuzawa and Nakae did not meet personally, they are believed to have been in correspondence[27]. Nakae was an admirer of Fukuzawa, although not a disciple of his thought. Regardless of the nature of their personal relationship, the argument that Nakae would not have been aware of Fukuzawa's translation word is implausible given the pervasiveness of Fukuzawa's intellectual influence by the early 1880s.

Assuming that Nakae was aware of the word, it is possible that Nakae rejected Fukuzawa's neologism because its novelty would have disrupted the style of his classical Chinese text. Yanabu (1982) argues that words like *kenri* 権利 (rights) , *jiyu* 自由 (liberty), or *shakai* 社会 (society), neologisms for European concepts that were not well understood by readers in the 1870s or 1880s, would have had an extremely jarring feel. Especially in a *kanbun* text where single-character words are preferable to two-character compounds on the basis of style, using the word *shimin* might have been somewhat disruptive to the rhythm of the text. Indeed, Hazama describes Nakae's *kanbun* style as flowing, if not always strict about grammar. However, Nakae does use the word *kenri* (権利), also initially translated by Fukuzawa, on several occasions. This suggests that style was not his primary concern when choosing words to fit his meaning. Moreover, nearly 20 years had passed since the word *shimin* had first appeared, and was the subject of much commentary and analysis in both intellectual and government circles. While its meaning was probably not totally fixed, it was no longer an empty signifier either. It is certain that Nakae not simply transparently representing Rousseau's ideas (whatever

[27] Matsunaga 2001 describes their interaction at greater length.

those might be). Rather, he was explicitly engaging contemporary Japanese political and philosophical debates. Nakae's apparent rejection of Fukuzawa's normatively charged *shimin* seems to me to be one element of this.

Second, as I have mentioned, Nakae did not ever produce a complete representation of *Du Contrat Social*. He rendered all of book one into a vernacular[28] draft manuscript that circulated among friends in 1874, and published the *kanbun* version in *tankobon* format in 1882. He then published book two, chapters 1-6 only, in serial format in the newspaper he operated later the same year. Rousseau's text is divided into four parts, simply numbered as "books". Within each book, there are between 9 (Book 1) and 18 (Book 3) individually titled chapters dealing with specific aspects of the overall argument. Generally, these chapters follow in a logically sequential manner, although there are some exceptions[29]. The four books each focus on particular sets of issues. Book 1 establishes the general philosophical and anthropological assumptions necessary to sustain the remainder of the argument. It rejects all possible natural bases for moral inequality[30], and affirms the importance of convention in human relationships. Book 2 provides the philosophical substance of the idea of the social contract itself. It is here that Rousseau introduces the idea of the General Will, defines sovereignty, and explains the transfer of rights that individuals make to constitute the political community. Book 2, chapter 7 introduces the enigmatic figure of the Lawgiver, a crucial idea for understanding Rousseau's view of the relationship between good laws and good citizens.

[28] i.e. a mixture of kanji and katakana script more closely reflecting the daily language of the urban centers of Ōsaka or Tōkyō. (Wraight, 2009)As opposed to Kanbun.
[29] Book 4, Chapter 8, "Of Civil Religion" is perhaps one of these. It was not included in the original draft submitted to Rousseau's publisher in 1760, and added perhaps a year later. (Wraight 2009).
[30] As he calls it in the second discourse

Minyaku yakkai concludes with a representation (and analysis) of Rousseau's Book 2, chapter 6 "Of Law". It does not introduce the Lawgiver, and does not delve into Books 3 or 4 at all. According to Bertram, *Du Contrat Social* follows a pattern consistent with Rousseau's style in his other writing, insofar as it first introduces its main arguments in broad outline and in a rhetorically powerful style (Books 1 and 2), while filling in the details of the argument afterwards (Books 3 and 4). According to Wraight (2009), *Du Contrat Social* "… is relatively short and compact, and much of the important content is compressed into the first two books of the four-book whole" (19). While this is a debatable claim, what is not in doubt is that Nakae made the decision to not translate the second half of the book. Whether this was due to practical circumstances, personal inclinations, or purely for rhetorical or argumentative reasons we cannot fully know. However, I argue that there are reasons to think that the fact of the omission is consistent with a broader political argument in which Nakae was engaged.

The Argument of *Minyakku Yakkai*

From the mid 1870s to the early 1880s, the slogan of "civilization and enlightenment" (*bunmei kaika* 文明開化) was the framework under which the Meiji government, the intellectuals of the Meiji Six society, and popular culture at large approached the transformations associated with Japan's reinvigorated interaction with societies abroad. The questions of what "civilization" meant, how one achieved it, and how being regarded as "civilized" as a nation could be converted into geopolitical security were the critical core of the modernization project.

"Modernization" was perceived as essential to resisting the foreign powers that approached Japan after the 1853 "opening" by the Americans. The Tokugawa regime was

keenly aware of the efforts by the British, the Russians, the French, the Germans, and the Americans to occupy territory on China's coast. News of the Opium Wars was available to shogunate officials, and the threat of colonization loomed as early as the 1840s. The policy of national seclusion, *sakoku* (鎖国), had not served to prepare the shogunate[31] to resist the navies of the colonial powers. The relatively broad awareness of the peril the Japanese archipelago faced was a major factor in the collapse of the Tokugawa regime. The Meiji government therefore responded dramatically by rapidly importing military technology and materiel, hiring Western industrial advisers and military trainers, and investing in the creation of an education system that could drive technological advancement.

These efforts were shaped by a critical tension. Clearly, in the minds of many, if Japan had not natively produced the conditions necessary for resisting foreign powers on its own, the "backward" customs that it had practiced traditionally were to blame. On the other hand, if the purpose of resisting colonization was to preserve a particular "national essence"[32], there must be something in Japanese tradition worth saving. The political debates of early Meiji played out largely in these terms. While many of Nakae's contemporaries, as well as 20th and 21st century historians, framed these political struggles in terms of "tradition" versus "modernity" this is an oversimiplifcation that obscures the fundamental aporia of culture that Japan faced. Nakae, I contend, was among the most sensitive to the complexity of the problems that modernization posed by

[31] Strictly speaking, *shogun* (征夷大将軍) means "barbarian-subduing general". Part of the claim to legitimacy that the shogunate maintained in the bakumatsu period was precisely this capacity to subdue "barbarians".

[32] *Kokutai* (国体) was Aizawa Seishisai's concept in his 1825 *Shinron* (新論)

framing the question in terms of not only the foreign threat, but the threat posed by resisting it.

It is easier to see how Nakae approached this aporia once we set aside translation paradigm, and examine the argument that emerges from *Minyaku Yakkai.* An interesting place to begin is in a section which Nakae chose not to translate. Rousseau writes at the end of Book 2, Chapter 8 ("Of the People") of *Du Contrat Social*:

> "For Nations as for men there is a time of maturity for which one has to wait before subjecting them to laws; but the maturity of a people is not always easy to recognize, and if one acts too soon the work is ruined. One people is amenable to discipline at birth, another is not amenable to it after ten centuries. The Russians will never be truly politically organized because they were politically organized too early. Peter's genius was imitative; he did not have true genius, the kind that creates and makes everything out of nothing. Some of the things he did were good, most were misguided. He saw that his people were barbarous, he did not see that it lacked the maturity for political order; he wanted to civilize when all it was needed was to be made warlike. He wanted from the first to make Germans, Englishmen, where he should have begun by making Russians; he prevented his subjects from becoming what they could be by persuading them that they are what they are not. In the same way a French Tutor forms his pupil for a moment of brilliance in childhood, and to be nothing after that." ([1762] 1992, p.73)

Why might Nakae have chosen not to translate this passage? Rousseau actually raises two problems here. First, there is the question of whether or not a given people mature enough to be subjected to laws that will shape their moral character. The relationship of law to character is described is dealt with most explicitly in Book 2, Chapter 7 on the "Lawgiver", which Nakae also chose not to translate. However, what is critical for Rousseau is making a judgment about whether a people are "ready" or not. Rousseau suggests that one must decide whether a people are sufficiently "civilized" before "statecraft" becomes possible. Second, Rousseau raises the question of a people reaching its potential in its own terms. That is, Rousseau posits that each people is unique and has

special attributes that make it what it is. This uniqueness is at odds with the maturity argument, which seems to embrace a universalism characteristic of Enlightenment historical thought[33]. This paradox is precisely what I have identified as being at stake in many of the political struggles of the Meiji Era. By rejecting Rousseau's aporetic presentation of the problem precisely by not translating it, Nakae gives himself space to deal with the problem in his own way.

The question of whether Japan was home to a people "amenable to discipline at birth" was a serious question throughout the early Meiji period[34]. Whether the people inhabiting the archipelago saw themselves as "barbarous", "civilized", or as Fukuzawa Yukichi argued[35], "semi-civilized" was of critical importance to the measures that would be possible to implement to promote "modernization". By refusing to translate this section, Nakae may have been attempting to duck the question of maturity altogether. Indeed, his 1887 (1992) work, *A Discourse by Three Drunkards on Government* (*Sansuijin Keirin Mondō*), a pseudo-Confucian dialogue, similarly avoids the question of civilization against barbarism. Rather, Nakae seems then to adopt a more pragmatic approach that accepts the reality of the foreign threat as present and fundamentally irrevocable. That is to say, the fact that militarily powerful foreign nations were now engaging with Japan in economic terms, as well as pressuring it to adopt the institutional forms of the state system and international legal code to protect those economic relations, was simply taken a fact of the world. Indeed, "civilization" was often interpreted to

[33] Reinhart Koselleck (2002) defines modernity as the belief that people take in a linear history that is subject to human intervention. He characterizes this way of thinking as the primary product of the Enlightenment. Additionally, this is precisely the kind of thinking that JS Mill and Herbert Spencer re-introduce to Japan in the mid-19th century.

[34] Herbert Spencer somewhat infamously claimed, upon reading a draft of the Meiji Constitution in the late1880s that it would take "three generations" at least before the Japanese were ready for constitutional democracy.

[35] *Bunmeiron no Gairyaku* ([1875] 2009)

consist precisely in adherence to these international juridical norms[36]. *Minyaku Yakkai* seems to reject the terms of the debate presented in Rousseau's language in favor of this pragmatic approach. That is, for Nakae "civilization" is already an accomplished fact insofar as Japan was by the 1880s irreversibly integrated into the international system. Unlike *bakumatsu* debates over "expelling the barbarians" reimposing *sakoku* was not a serious position that any group could meaningfully advance. Therefore, debates over Japan's "civilization" or "barbarism" could only ever end up favoring increased Westernization[37]. This is precisely what perpetuated the second, internal threat that Japan faced.

Rejecting the framework of "civilization" permits Nakae a means of responding to both the concrete threat posed by Europe and America, while also creating space for a positive vision of Japanese culture. Nakae can respond to the internal peril of modernizing away "Japaneseness" itself. As Rousseau put it, Peter the Great's mistake was "to make Germans, Englishmen, where he should have begun by making Russians; he prevented his subjects from becoming what they could be by persuading them that they are what they are not". Nakae ultimately argues that by preserving a core Japaneseness against westernization, Japan can best resist the material threat that international politics poses. To this end, what the state and the education system must be engaged with is the production of free individuals who can develop their potential and

[36] "Civlization", of course derives from the Latin "Civitas" and "Civis". The Civitas was the word for "city" in the sense of a political and legal community (as opposed to urbs, or the physical infrastructure of dwellings). Civis means "citizen", which in the Roman tradition was primarily a legal relation (consider Paul's experience with the Romans in Acts: 22). See Williams ([1976] 2015) for a fuller discussion of this etymological relationship.

[37] Fukuzawa posits Europe as the standard that Japan must pursue and overcome. However, this standard will forever be shifting and advancing. The most "advanced" country is always the benchmark of civilization, and this status of being "advanced" is never fully articulated. It makes the pursuit of civilization, and the perception of one's self as less than civilized, a never ending chase towards a vague, but necessarily European, definition of advancement.

make themselves “Japanese”. In other words, the conditions for “becoming what they could be” needed to be laid before the Japanese were “persuaded that they are something they are not”. While Nakae recognizes the imperative of modernizing quickly to a degree in the short term, his concern is that Japan not end up like the piano pupil who has only a “moment of brilliance in childhood”. Resisting the colonial powers in the long term would certainly require something after.

So what exactly would be required, and what is the positive vision of Japanese culture that Nakae hints at? Abandoning the translation paradigm also allows us to see answers in *Minyaku Yakkai*. As I have mentioned, Hazama (2013) and Kubō (2014) argue that Nakae uses the word *shi* (士) as a way of representing Rousseau’s *citoyen*. Nakae rejected Fukuzawa Yukichi’s *shimin* (市民) in favor of a word that bore connotations of education and self-cultivation. Using *shi* instead of *shimin* seems to address the problem of creating Japanese rather than Europeans.

First, *shi* has a long history in Japanese tradition and Confucian philosophy. Meaning, warrior, scholar, office holder, or gentleman, *shi* establishes a variety of appropriate roles for the citizen, all of which are grounded in existing political and cultural traditions. *Shimin*, on the other hand, is a neologism created specifically to represent the language of European political thought[38]. Fukuzawa used the word explicitly to refer to the political practices of ancient Greece and Rome, the Hanseatic city-states, and the free cities of the Italian peninsula. This word explicitly excludes the traditional connotations of Japan and China in favor of an emphasis on public speaking, enterprise, and individuality’s priority over community. Although Nakae could have

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[38] With a particular connection to JS Mill and the Utilitarian perspective.

attempted to reconfigure *shimin*, he instead took a different tack. By grounding the citizenship that is central to Rousseau's concept of the social contract in existing traditions of cultivation, along with ethical norms of loyalty and "office", Nakae creates a foundation from which Japanese modernity can develop according to it's own trajectory. In contrast to Fukuzawa, who Nakae seems to accuse of seeking to make Europeans out of the Japanese, Nakae links the best of what exists to a new model of liberty in which those existing traditions can develop on their own terms.

However, there is a problem. As I have shown, Nakae uses another the word to represent *citoyen* in *Du Contrat Social* more frequently than *shi*. He prefers the word *shūjin* (衆人). Why, and what does this preference mean? While *shi* does seem to provide a basis from which an organic yet modern Japanese community could emerge, it also carries with it a history of class division. The feudal *shi-nō-kō-sho* (士農工商) hierarchy, placing samurai (*shi*) above farmers (*nō*), artisans (*kō*) and merchants (*sho*) in an unchanging set of relations which deny upward mobility or meritocracy were precisely the kind of inequality which Rousseau thought was essential to abolish in order for a good political community to develop. Nakae then, is hesitant in his use of *shi* because of this baggage.

Although he seems to wish to retain the possibility for building community on the basis of existing traditions, he recognizes that modernity is incompatible with the rigid division of classes. By the 1880s, the Meiji government's dismantling of the special privileges of the samurai class was essentially complete, and new language to describe the people, as opposed to government officials, had caught on. The new language of *heimin* (平民), composed of the characters *hei,* meaning "flat", or "equal", and "people"

(mentioned above), was meant to encompass all of the former *shi-nō-kō-sho* classes in the same framework of political equality under the state. Nakae instead chooses the translation word *shūjin*[39] which emphasizes the commonness, or sameness of each individual, rather than the legal equality that *heimin* points towards. *Shūjin*, in this way sidesteps the problem of reinscribing antimodern class relations, and locates the basis of community in an essential sameness that goes beyond legal status. It is also not a neologism designed specifically to translate a European concept, and therefore sustains the critique of Fukuzawa's language. All of this points to a new basis for citizenship that is at once Japanese and yet modern. The citizenship that Nakae seems to be proposing is one based on a community of *jin* (仁), or Confucian humanness. This humaneness has certain similarities with Rousseau's *pitié*, but it has critical differences that can be appreciated once we accept that Nakae is not simply trying to translate Rousseau's approach.

Boyd (2004) argues that *pitié* is not simply the passion of commiseration that living beings have with others with which they identify, but that the commiseration that one experiences can carry with it a strong sense of aversion. Boyd's concern is that Rousseau's *pitié* might inspire not a community of mutual help, but one of indifferent spectators to suffering. While feeling the misery of others may cause us to avoid making other suffer, it may not inspire us to help those who are already suffering. Seeing others suffer causes suffering in us, which is something to be avoided if possible.

In contrast, *jin* (ch: *ren*, *jen*), often translated as humaneness, is the most externally-oriented of the main Confucian virtues. One who practices *jin* not only

[39] Not to be confused with *shujin* (主人), meaning "master" and using the *kanji* same kanji *shu* as "sovereignty" (主権). However, there is a certain similarity in pronunciation which may not be accidental.

sympathizes with another who suffers, but actively works to ameliorate this suffering in those one encounters. The recognition of a shared humanity makes it imperative not only to work to prevent suffering, but to relieve it wherever possible. This shared humanity is linguistically reflected best in Nakae's phrse *shūjin*. Rather than the bourgeois connotations that Fukuzawa's *shimin* carries, or the legalistic overtones of the widely circulating *heimin*, Nakae's *shūjin* best articulates a commonality that transcends rational political boundaries and instead appeals to an inherent moral commonality that is shared by all human beings. It is worth observing that *jin* in no way precludes partiality towards those closest to one's self. Indeed, for Confucius it would be unnatural for one to put the suffering of someone unknown and distant before the suffering of one's own family. In this way, *jin* can be seen as compatible with a national consciousness as opposed to a cosmopolitanism that would tend to efface the potential for political community.

One practices *jin* on an individual level through small measures in daily life which resonate outwards toward the whole of the society. Conversely, officials and kings who aspire to sagehood must rule address themselves towards the common people on the basis of humaneness. A king or official who ignores the suffering of the people under their rule not only courts disaster but acts badly. In the Mencian tradition, because human nature is inherently good, or inclined to help those who suffer, it is only someone who has been educated badly and trained in vice that can reject this humanness.

The Freedom and Popular Rights movement, inspired by Rousseau through Nakae, was in many ways guided by this understanding of the relationship between ruler and ruled. Later popular movements, such as environmental activism of Tanaka Shozo, also operated on this framework. In these cases, popular resistance to state policy was

predicated on the idea that it was the moral duty of virtuous rulers to demonstrate humaneness. New taxes, military conscription, and increasing economic disruptions caused by increasing foreign trade were taken as evidence that the state and its officials were indifferent to the suffering of the common people, and therefore were worthy of condemnation. By appearing in public to ask for humane treatment, and to be seen as fellow human beings rather than objects of pity, popular resistance instantiated these same traditions. Nakae's appeal to humaneness through his use of the *shūjin* and *shi* instead of *shimin* can be understood in terms of its capacity to legitimize and animate popular resistance to runaway modernization. It provides an answer to the peril facing Japanese culture while laying the foundations for long-term resistance to foreign threat.

Conclusion

While is it is impossible to know precisely what Nakae intended when he sat down to work with Rousseau's text, it seems to me reasonable to conclude that simply rendering Rousseau's ideas transparently into Japanese was not the limit of his ambition. The structural differences between *Minyaku yakkai* and *Du Contrat Social*, as well as the complicated choices of translation language that Nakae made show that Nakae had contemporary debates in mind as he constructed his text. The choices he made, I argue, are not only an attempt to domesticize Rousseau's argument, but rather reveal a sophisticated political theory appropriate to a rapidly modernizing Japan.

Unfortunately, treating this remarkable text as a translation has severely curtailed what it has been possible to see in it. Although it has been well studied because was the "first" and "best" translation of Rousseau, this view is not only fundamentally ahistorical, but it is problematically Eurocentric insofar as it privileges the value of Rousseau's

thought over Nakae's, obscures preexisting, non-European traditions of textual interpretation, and misunderstands the nature of the influence that Nakae's text may have exerted. Because the naïve translation paradigm is so pervasive today, thinking historically is paramount for understanding the role of translations in their intellectual and political contexts.

Valuing Nakae's text as something other than a translation opens the door to new and innovative interpretations of other works of political theory of the period, as well as new views on well-studied events. The complete implications of Nakae's Confucian move are something that has yet to be fully elaborated. Likewise, I have dealt here largely with the differences between Nakae and Rousseau as a way of highlighting the originality of Nakae's approach, however the nature of the relationship between the two thinkers is nothing if not complex. Although at this point I can only provide hints of what that relationship might be, I hope that by abandoning the translation paradigm I have done enough have to suggest that there is a much interesting work on *Minyaku yakkai* yet to be done.

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