

Chōmin, Translator of Rousseau's *Du contrat social*

The Self-Contradiction of the Nation-State

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In part III OF his 1911 book *An Inquiry into the Good* Nishida had the following to say concerning the “goal of the nation”:

Some people consider the essence of the nation to be the power of sovereignty and think that the purpose of the nation is to ward off enemies on the outside and protect life and property of the people on the inside. (Schopenhauer, Taine, and Hobbes hold this opinion.) *Others consider the essence of the nation to be the individual, and see the harmonious development of individual personalities as constituting its purpose. (This is the type of theory advanced by such people as Rousseau.)* But the true goal of the nation is not something material and passive as outlined by the former group, and the personality of an individual is not the foundation of the nation as maintained by the latter. We individuals are entities that have developed as cells of one society. *The essence of the nation is the expression of the communal consciousness that constitutes the foundation of our minds. In the context of the nation, we can accomplish a great development of personality; the nation is a unified personality, and the systems and the laws of the nation are expressions of the will of this communal consciousness. (This theory was set forth in antiquity by Plato and Aristotle and in modern times by Hegel.)* To exert ourselves for the

sake of a nation is to exert ourselves for the sake of the development and perfection of a great personality.¹

The problematic character of these remarks stands out all the more clearly for Nishida's straightforward manner of expression. In a word, there is no gainsaying his one-sided admiration for the nation-state as a personification of society. Given that this maiden work was to be followed by decades of self-critical efforts to develop a philosophical system centered on seminal ideas like "place" and "acting intuition," it hardly seems appropriate to fix attention on such an early, Hegelian view of the state. Yet questions remain. Did Nishida's idea of the state change in time or did it remain basically the same? Might there not be more fundamental problems lurking behind his views of the state?

THE MODERN NATION-STATE AS SELF-CONTRADICTORY

On reading the passage cited above, one cannot but wonder whether the three characteristic features he singles out correspond to historical fact. Are not nation-states, as political, economic, and cultural entities, multi-functional and multi-dimensional? Seyla Benhabib gives a lucid picture of just such a view of the modern nation-state:

The modern state is a contradictory structure that is obligated to different ideals. The ideal of active participation, active citizenship, comes as we all know from the Greeks. In Greece, however, there were city-states and no nation-states. Modern nation-states have viewed their citizens to be in part subjects to the sovereign, who were available in times of war, who paid taxes, and who were generally subordinate to this institution. Here we are dealing with different and almost incompatible ideals. On the one side there is the ideal of active citizenship, which comes from the republican tradition, and on the other there is the ideal of national membership,

1. NISHIDA 1989, 140–1. Emphasis added.

*which has to do with the modern concept of sovereignty and the development of European nation-states.*²

The contrast with Nishida's typological "essence of the nation" could hardly be more striking. His reliance on rather simplistic, uncritical thinking fails to take into account the complex and multifaceted nature of the matter at hand. Strictly speaking, the term *essence* does not entail a rejection of other elements that go into the making of a nation, but it all too easily slides into denying them their rightful place or slighting the interaction that takes place among them. At the very least we have to fault *An Inquiry into the Good* for a lack of attention to the "self-contradictory nature" of modern nation-states.³

Our suspicions are reinforced by the way Nishida characterizes Rousseau's ideas, claiming that he considered "the essence of the nation to be the individual" and that he saw the "harmonious development of individual personalities as constituting its purpose." The idea of "individual freedom" is, of course, clearly present in Rousseau's vision, but it has to be taken together with his stress on a "communal consciousness" reflected in the notion of a "general will" (*volonté générale*), another mainstay of his political vision and, we might add, one that is often regarded as source of totalitarian thought in modern times.

Such misrepresentation of Rousseau's political thought may not be unrelated to Nishida's equally one-sided portrayal of Greek political thought and its hallmark approach to the relationship between individuals and the nation: "To exert ourselves for the sake of a nation is to exert ourselves for the sake of the development and perfection of a great personality." In contrast, Benhabib cites the "ideal of active participation, active citizenship" as characteristic of the Greek heritage. In

2. PAUER-STUDER 2002, 43–4. Emphasis added.

3. Thirty years later, in 1941, Nishida takes up Rousseau again in "The Problem of the *Raison d'État*," offering a critical reading of the relationship between sovereignty, law, and morality based on his idea of the "self-identity of absolute contradictories," a pivotal notion in his later works. A comparison with Benhabib's view of the "contradictory" nature of the nation-state will have to wait for another occasion.

certain circumstances, the ideals of exerting oneself for the sake of the nation and actively participating in citizenship may overlap, but more often they are likely to part ways because of their radically different starting points.

In a nutshell, what is at stake here is the ideal of “autonomy or self-governance.” It was an ideal that Rousseau, as a native of the city-state of Geneva, embraced fondly, despite the fact that the publication of *Du contrat social* and *Émile* would one day lead to his expulsion. For whatever reason, the goal of autonomy through active participation and citizenship seems to have eluded Nishida’s typology.

Shall we attribute this to a personal bias in Nishida’s reading of the major currents of political philosophy or was it there more widespread bias at work among modern intellectuals in Japan? Or again, might there be additional reasons, historical or philosophical? Whichever the case, we are driven back to reflect on how the political philosophy of the West came to be introduced, translated, and adopted during the Meiji era. The task is a daunting one and has already been addressed by numerous scholars.

To get a handle on its complexities, I will focus attention here on Nakae Chōmin’s translations of Rousseau’s *Du contrat social* and the kinds of influence it exerted, or failed to exert on political movements in Japan and East Asia.

CHŌMIN’S AMBIVALENCE TOWARD EUROPEAN CIVILIZATION

Nakae Chōmin (中江兆民, 1847–1901) is one of the pioneering scholars of the early Meiji period. Together with Fukuzawa Yukichi (福沢諭吉, 1835–1901), author of *An Encouragement of Learning* (『学問のすゝめ』) and *An Outline of a Theory of Civilization* (『文明論之概略』), he endeavored to introduce Japan to Western thought and insti-

tutions. Chōmin⁴ was born into a lower-class samurai family in Kōchi, then capital city of the Tosa fief on Shikoku Island. It is worth noting that many samurai born in the city were to play major roles in bringing about the collapse of the Tokugawa Shogunate, establishing the Meiji government, and launching the Movement for Liberty and People's Rights (自由民権運動) in opposition to it.

Chōmin began his studies of the Chinese classics texts at the local fief school and by age sixteen was well-versed in work like the *Zhuangzi* (『莊子』) and *Historical Records* (『史記』). After being exposed to “Dutch learning” (蘭学), he traveled on a scholarship to Nagasaki where he studied French for two years and gained a fair degree of proficiency. He then moved to Edo, soon to become the capital of modern Japan, where he continued his study of French language and literature. Little is known of his academic career immediately before and after the Meiji Restoration of 1868, but he seems to have drifted in and out of a number of positions as a French instructor, most likely frustrated at not being able to satisfy his scholarly ambitions.⁵

By age twenty-five Chōmin's bold, direct pleas to Ōkubo Toshimichi, Minister of Finance, succeeded in having him selected one of the scholars to accompany the Iwakura Tomomi diplomatic mission to the United States and Europe. The company departed Yokohama in November 1871 and arrived in France in January of the following year. Chōmin remained in France for a little over two years, mainly in Paris and Lyon. The timing of his stay was significant. France was suffering from the ravages of the Paris Commune after undergoing a decisive defeat in the Franco-Prussian War of 1870 to 1871.

It is unlikely that Chōmin would have been able to gain a clear and comprehensive grasp of the complicated political situation, but his impression of the insurrection that had dragged France through

4. Nakae's real first name is Tokusuke, but he is more commonly referred to as Chōmin, a *nom de plume* he later adopted. It means “a billion people” and symbolizes his commitment to the rights of ordinary citizens.

5. HIJIKATA 1958, 15–20.

such upheaval could hardly have been a favorable one. The experience resulted in a view of political radicalism that, even in the company of his later liberal compatriots, remained guarded.

Not much is known with certainty about Chōmin's sojourn in France, but we find the following among the memoirs of one of his leading disciples, Kōtoku Shūsui:

I deeply regret that I did not ask Sensei about his stay in France. All I heard was that Sensei first entered an elementary school but soon left because he could not bear the rowdiness of the pupils. He then went to Lyon where he studied under a local barrister. Despite the fact that he was being sponsored by the Ministry of Justice, he devoted himself entirely to philosophy, history, and literature, translating Mencius's *Exemplary Writings* (『文章軌範』) and the book of *Unofficial Histories* (『外史』), in addition to which he read extensively in historical texts.⁶

The fact that he coupled his voracious appetite for French books with the demanding exercise of rendering classical Chinese texts into French suggests that he saw translation as a way of measuring the linguistic caliber of the two languages.

Unfortunately, his concentration on learning was broken by an abrupt government decision to discontinue support. And so, in April 1874 he boarded a ship from Marseille back to Japan, stopping at ports in Africa, India, and East Asia along the way. The return voyage proved no less significant than the stay in France, giving Chōmin the chance to observe firsthand the domineering attitude of the Europeans toward African and Asian peoples. Together with his sympathy for the critical view of European civilization taken in Rousseau's *Discours sur les sciences et les art* (Chōmin's translation of which would appear in 1883 under the title 『非開化論』⁷), the experience must have reconfirmed his own doubts regarding the place of European civilization in the world at large.

6. KŌTOKU 1960, 11.

7. Included in NAKAE 1983.

Later in 1887 he would have the Gentleman of Western Learning, one of the three protagonists in his imaginary debate, *A Discourse by Three Drunkards on Government*, remark:

Truly our opponent lacks civility, while we possess it. He is against reason; we stand for reason. His so-called civilization is nothing but barbarism, and our so-called barbarism is the essence of civilization itself. Even if he gets angry and indulges in violence, what can he do if we smile and adhere to the “way of humanity?”⁸

Japan's tragedy was that it was to end up committing, in a still more devastating manner, the very barbarisms Chōmin had recognized in the way the “civilized” Europeans behaved toward the peoples of Asia.

TRANSLATION AS A “PLACE” OF POLITICAL STRIFE

Returning to Japan in June 1874 (Meiji 7), Chōmin found his homeland in a state of political upheaval. In January of the same year, a formal Petition for the Establishment of an Elected National Assembly (民撰議院設立建白書) was submitted to the government by several influential politicians who had resigned from their posts in a dispute over the “subjugation of Korea” (征韓論). With that, the Movement for Liberty and People's Rights (自由民権運動) was set into motion.

In October, only a few short months after his return, Chōmin founded the Futsugaku Juku (仏學塾), a private school for French studies in Tokyo. Using books he had carried back with him from Europe, he lectured on a variety of subjects including politics, economics, and philosophy, with a special emphasis on history and law. The reputation of the school grew and the student body increased accordingly, numbering some five hundred pupils at its peak, making it necessary to relocate the school several times. Fully a third of the total

8. NAKAE 1984, 52.

class time was spent on classical Chinese and Japanese texts.⁹ Chōmin's esteem for the Chinese classics is also reflected in his resignation from the directorship of Tokyo School for Foreign Languages only three months after his appointment because his goal of making moral education based on a study of the Confucian classics a pillar of the curriculum was rejected by utilitarian government officials.

From the time he began his school—for that matter, from the time he returned from France—Rousseau's *Du contrat social* was uppermost in Chōmin's mind. We know this from a manuscript dated "early October, 1894" that contains a draft translation of the second part of the work.¹⁰ Rendered in *kanamajiri bun* (仮名交じり文), the standard style of written Japanese that combines Chinese glyphs with the Japanese syllabaries, the *Min'yakuron* as it was known circulated among militant members of the Movement for Liberty and the Rights of the People. One of them was moved to pen the short poem: "With tears in our eyes, we read Rousseau's *Social Contract*." Unfortunately we do not know how Chōmin translated the famous opening sentence of Book I, Part 1: "Man is born free and everywhere he is in chains." What is clear is that he placed "a formidable weapon" in the hands of the those who vowed to fight for Liberty and People's Rights.¹¹

Nevertheless, Chōmin embarked on a new translation of *Du contrat social*, this time entirely in *kanbun* (漢文) or classical Chinese.¹²

9. MATSUNAGA 2001, 60.

10. NAKAMURA 1967, 123. The existing manuscript covers chapters 1 through 6 of Book II of Rousseau's work. See NAKAE 1983.

11. IDA 1989. Actually Rousseau's ideas had already spread through the pages of *Mei-roku zasshi* (『明六雜誌』), a journal covering a wide range of topics that played a pioneering role in introducing Western ideas, despite its brief life of a mere year and a half (1882–1883). Its 43 issues include 154 articles by leading intellectuals of the day.

In addition, a complete translation of *Du contrat social* by Hattori Toku was published in 1877. Nonetheless, it was Chōmin's *Min'yakuron* that had a decisive impact on the emerging Movement for Liberty and People's Rights. For depth and accuracy of understanding, Hattori's translation could not stand up to Chōmin's and was acrimoniously dismissed as "trash" (NAKAMURA 1967, 127).

12. Regarding classical Chinese, Uehara cautions: "It seems more appropriate to translate *kanbun* as 'Sino-Japanese.' When Japanese learn how to read *kanbun* it should be

Why another translation? Because Chōmin realized Japan was standing at a crossroads, making it imperative to convey the core ideas of Rousseau's masterpiece as clearly and persuasively as possible. Moreover, it is clear from his own Preface that Chōmin considered Rousseau the leading philosophical exponent of "self-governance" in the Western world.¹³

THE CONSTITUTION AS THE FORM OF THE NATION

The Movement for Freedom and People's Rights reached a peak with the decision at a meeting of the League for Establishing a National Assembly (国会期成同盟) in 1880 to issue a call for drafts of a constitution. With the aim of holding the government in check, a number of "privately drafted constitutions" (私擬憲法) were drawn up and discussed enthusiastically during the next decade. The version composed by Ueki Emori in 1881 stands out for its radical insistence that sovereignty belongs with the people and for its stipulations on the right to resistance and revolution. The overall response to the call was astonishing, with some sixty drafts coming in from all over the country.

In response to heightened interest among the general public, a vehement debate took place among leading government politicians as to what type of constitution the nation should adopt. On the one side were those who favored a Prussian-style government with a strong monarch; on the other, those who favored a British-style parliamentary government.¹⁴ Against this backdrop the so-called "Failed Coup of Meiji 14" (明治十四年の政変) took place in October of 1881, as a result

regarded as an ambiguous object of study, as it is neither a foreign language nor completely Japanese" (UEHARA 2010, 313). We might add that Japanese often add interlinear glosses known as "return marks" (返り点) to aid the reader in transposing *kanbun* into Japanese grammatical order.

13. YONEHARA 1986, 175.

14. The French style was out of the question, given the sound defeat of France in the Franco-Prussian War of 1879 to 1871.

of which the Minister of Finance, Ōkuma Shigenobu, leader of the latter camp, was banished from the government through the machinations of a group around the Minister of Home Affairs, Itō Hirobumi. The government immediately issued *the Imperial Edict for Establishing a Diet* (国会開設の勅諭) to avert public criticism and dampen the spirit of popular movements. Among historians this incident represents a turning point in establishing the fundamental form and orientation of modern Japan, embodying it in the monarch-centered “Constitution of the Empire of Japan” that came into effect in 1890.

*MIN'YAKU YAKUKAI: A CREATIVE ADAPTATION
IN CLASSICAL CHINESE*

It was under such truly critical circumstances that Chōmin published his translation into classical Chinese of *Du contrat social*, giving it the title *Min'yaku yakukai* (『民約訳解』), literally The People's Contract: Translation and Commentary. His work appeared between 1882 and 1883 in the pages of the *Political and Moral Science Review* (『政理叢談』), a new journal he had co-founded with a group of colleagues. In the following pages I would like to draw on the principal relevant literature to trace the main characteristics and difficulties involved in the translation.

We begin by asking why Chōmin chose to use classical Chinese. Despite the overwhelming influx of Western Learning (洋学), the early years of the Meiji period experienced the last great wave of *kanbun* culture that had flourished throughout the Edo period through the study of the Chinese classics (漢学). The use of the medium would lend a certain dignity to political thought originating from the West,¹⁵ but there was a more basic reason: Chōmin's belief in the power of classical Chinese with which he had been familiar from his earliest years. Kōtoku recalls: “Chōmin was confident he could produce a perfect

15. HAZAMA 2003, 29–31.

text by expressing Western ideas in *kanbun*, though naturally he did not trust Chinese ideas unconditionally,¹⁶ that is, as rigid formulas to be learned by rote.

After returning to Japan and while teaching at his newly founded school, Chōmin sought out the best masters of the day to brush up on his *kanbun*. He was already convinced of the power of classical Chinese; what he needed was confirmation of his own ability to use it. It was not only a matter of linguistic skill but also of appropriating the Confucian ethos it embodied. Yonehara Ken summarizes:

The most distinctive feature of *Yakukai* is its attempt to understand *Du contrat social* from within the ethos of Confucian ethics through a generous use of Confucian terms. Of all the thinkers of modern Europe, Rousseau is the most suited to this approach. That is to say, only through the Confucian ethos could the strong moral character of Rousseau's political thought be carried over into Japanese. Chōmin must have had this in mind when he set out to translate *Du contrat social* into classical Chinese. His method was one with his style.¹⁷

TRANSLATING *CITOYENS* AND *SOVERAIN*

Consider, for example, the notion of *Citoyens*, the model citizens who constitute the “nation of self-governance” in *Du contrat social*. *Citoyens* are assumed to possess a civil morality sufficiently strong to sustain a nation based on the contract they make with it. Chōmin chose the glyph 士 (*shi*) to translate this crucial term. In Confucian thought, the term implies the capacity for self-cultivation and for governing others. As Yonehara and others have pointed out, the strong moral tone Rousseau infused into *Citoyens* cannot be conveyed either by the term 市民 (*shimin*), which has come into ordinary usage

16. HAZAMA 2003, 12.

17. YONEHARA 1986, 175. Hiroshi Kubo, who translated *Yakukai* into contemporary Japanese, infers a very different reason for Chōmin's adoption of *kanbun*, namely, to elude government pressure and censorship. See NAKAE 2014, 244–5.

today, or by 国人 (*kokujin*), which Chōmin's contemporary Hattori had adopted in his earlier translation.¹⁸

Or again, consider the words *Souverain* (sovereign) and *Souveraineté* (sovereignty), also pivotal notions in *Du contrat social*. Chōmin avoided the term 主權 (*shuken*) which had been in circulation as early as in 1868,¹⁹ and instead adopted 君 (*kun*), inviting association with 君子 (*kunshi*), the Confucian term for a person of refinement. As a matter of principle, in translating fundamental notions Chōmin avoided the use of 二字漢語 (*nijikango*) or Chinese terms made of two glyphs, preferring a single Chinese character wherever possible. Thus he has 民 (*tami*) for *Peuple* (people), 臣 (*shin*) for *Sujets* (subjects), 国 (*kuni*) for *Cité* (the country as a unit), and 邦 (*kuni*) for *Puissance* (a power among powers). He considered two-glyph neologisms unstable and prone to ambiguity. Rare exceptions to this principle include 民約 (*min'yaku*) for *Contrat social* and 自由 (*jiyū*) for *Liberté*.

Such was Chōmin's confidence in *kanbun* that he considered it "a mistake to think that to express Western ideas we cannot find suitable words" among the tens of thousands of Chinese characters refined over three millennia.²⁰ The embrace of this principle also led to quite remarkable and probably unexpected results.

In Chapter 1 of Book II, "Sovereignty is Inalienable," Rousseau explains the difference between "sovereign" and "master" as follows:

If, then, the people promise simply to obey, they dissolve themselves by this very act, they lose their quality of being a people; as soon as there is a master, there is no more sovereign, and the body politic is destroyed forthwith.

Si donc le peuple promet simplement d'obéir, il se dissout par cet acte,

18. We follow Rousseau's convention here in using upper case for key words.

19. The term appears in Tsuda Mamichi's 『泰西国法論』 [*National Laws in Europe*] (HAZAMA 2003, 15).

20. HAZAMA 2003, 19; YAMADA 2009, 150.

il perd sa qualité de peuple; à l'instant qu'il y a un maître il n'y a plus de Souverain, et dès lors le corps politique est détruit.²¹

A literal translation of Chōmin's rendering of the passage is as follows:

For this reason, if a country's people chooses one person in whom to entrust sovereignty (君權) and promises forever to obey what this person orders and never dare resist, such a promise does nothing but destroy the real purpose for which they have been formed as a people. If such is the case, the person chosen is not a sovereign (君) but only a master (主人), and the people are not a people (民) but only slaves (奴隸). If you transform people into slaves, what kind of country do you have? What kind of politics is that? (see TEXT 1²²)

Apropos of this passage Nakamura Yūjirō notes that at the time it would have read as a direct affront to current ways of thinking. The idea of “one emperor, all the people” (一君万民) was taking shape in ongoing efforts to establish the Meiji government. In contrast, Chōmin's text states that if sovereignty (君權) is ever entrusted to one person, the people would become “salves” to a “master.” Nakamura adds:

Although the translation neither adds to nor distorts Rousseau's words, it produces an effect not present in original. This is the best evidence we have of a translation becoming independent and taking on a life of its own.²³

At the same time, Chōmin's preference for single-glyph terms eventually led to a confusion of key notions in *Du contrat social*. When *Souveraineté* (sovereignty), *droits des peuples* (peoples' rights) and *droits des rois* (rights of kings) are translated respectively as 君權, 民權, and 人主之權, the critical relationships and distinctions among these notions

21. ROUSSEAU 1997, 57; 2001A, 66.

22. Chōmin's renderings of the passages cited here are given at the end of the paper, together with their transliteration into contemporary Japanese.

23. NAKAMURA 1967, 153–4.

become obscured and harder to understand. As a result new connotations not present in the original creep into the translated text.²⁴

NEGOTIATIONS IN AND THROUGH TRANSLATION

Whatever the difficulties of *Yakukai*, ultimately they may be said to be a function of the effort involved in applying Rousseau's thought, which already had enough problems of its own, to the concrete political situation of Meiji Japan. As the passage cited above demonstrates, *Yakukai* is anything but a literal translation. It was a product of the considerable effort Chōmin exerted in trying to convey the meaning of often abstruse passages and render them into as cogent a *kanbun* form as possible. Years of teaching *Du contrat social* at his Futsugaku Juku no doubt served him well in this regard.²⁵

More important for our purposes here, insofar as Chōmin aimed at more than a “liberal” translation, his work constitutes an example of philosophical and political adaptation par excellence. It is not surprising, therefore, that a passage can elicit a quite different reaction in translation. Take the following from Chapter 6 of Book I:

If, then, one sets aside everything that is not of the essence of the social pact, one finds that it can be reduced to the following terms: *Each of us puts his person and his full power in common under the supreme direction of the general will; and in a body we receive each member as an indivisible part of the whole.*

Si donc on écarte du pacte social ce qui n'est pas de son essence, on trouvera qu'il se réduit aux termes suivants. *Chacun de nous met en commun sa personne et toute sa puissance sous la suprême direction de la volonté*

24. NAKAMURA 1967, 153–4.

25. Ida points out that in *Min'yakuron*, Chōmin's *kanamajiri bun* translation of *Du contrat social* he often confused the terms “sovereign” and “government,” despite an otherwise praiseworthy rendition. In the later *Yakukai* he avoids the confusion often by adding the phrase 君なる者は、衆を合して成る (A sovereign is made up of all the people) when 君 (*Souverain*) appears. IDA 2001, 130.

*générale; et nous recevons en corps chaque membre comme partie indivisible du tout.*²⁶

A literal English rendering of the *Yakukai* translation would read:

Consequently, social contract means in essence that “the people hand over their bodies and all their powers for public use and direct them in agreement with the general will.” (see TEXT 2)

As Yamada Hiroo and others point out, Nakagawa Hisayasu was the first to bring to light the bald omission of the last phrase in Rousseau's text: “and in a body we receive each member as an indivisible part of the whole.” It may be argued that, while the meaning of “total alienation or transfer of oneself and all one's rights to the community” is captured well, what the people are said to receive in return is completely ignored. The reason, according to Nakagawa, is that the notion of “contract” or “exchange” did not exist for Chōmin. An equally problematic adaptation appears in the passage following the one quoted just above.

At once, in place of the private person of each contracting party, this act of association produces a moral and collective body made up of as many members as the assembly has voices, and *which receives by this same act its unity, its common self, its life and its will.*

À l'instant, au lieu de la personne particulière de chaque contractant, cet acte d'association produit un corps moral et collectif composé d'autant de membres que l'assemblée a de voix, *lequel reçoit de ce même acte son unité, son moi commun, sa vie et sa volonté.*²⁷

The corresponding passage in *Yakukai* reads as follows in English translation:

Once the social contract is established, soil becomes country; human beings become people. A people are those who unite themselves into one body by their general will. *This body makes* its parliament into its

26. ROUSSEAU 1997, 50; 2001A, 57.

27. ROUSSEAU 1997, 50; 2001A, 57. The word *moi* is emphasized in the original.

heart and abdomen, *laws into its spirit and blood, and thereby enhances its will. This body does not have a natural form of its own but makes the general will its form; it does not have a will of its own but makes the general will its will.* (see TEXT 3)

The differences between Rousseau's original and Chōmin's translations are obvious. Phrases italicized in Rousseau are missing in Chōmin, while those marked in Chōmin are additions absent in Rousseau. One's reading of the passage will change accordingly, depending on whether one focuses on the additions or on the omissions. Nakagawa argues that Chōmin left out the "receiving" side from the exchange involved in a social contract because, like his fellow intellectuals in Meiji Japan, he did not share the underlying "Cartesian" assumptions. In contrast, Yamada has high praise for Chōmin's adaptive and complementary rendition. Chōmin's final objective, he says, was to secure the people's right to representative polity through the establishment of a national diet, as we see reflected admirably in his explicit addition of "laws" as the fruit of organized assembly. In a word, social contract is advanced as a form of association not as something passively received but as the active creation of something that had not neem there before.²⁸

THE REPUBLIC AS SELF-GOVERNING: AN INHERENT CONTRADICTION

This brings us to the heart of the matter: how to understand the notion of a République and how then to translate it. In Chapter 6 of Book ii, "The Law," Rousseau explains what he means by the word:

I therefore call a "Republic" any State ruled by laws, whatever may be the form of administration: for then the public interest alone governs, and the public thing counts for something. Every legitimate Government is republican....

28. IDA 2001, 143; YAMADA 2009, 95–9.

J'appelle donc République tout État régi par des lois, sous quelque forme d'administration que ce puisse être; car alors seulement l'intérêt public gouverne, et la chose publique est quelque chose. *Tout Gouvernement légitime est républicain....*

Rousseau added the following note by way of clarification:

By this word I understand not only an Aristocracy or a Democracy, but in general any government guided by the general will, which is the law. To be legitimate, the Government must not be confused with the Sovereign, but be its minister. Then monarchy itself is a republic.

Je n'entends pas seulement par ce mot une Aristocratie ou une Démocratie, mais en général tout gouvernement guidé par la volonté générale, qui est la loi. Pour être légitime il ne faut pas que le Gouvernement se confonde avec le Souverain, mais qu'il en soit le ministre: alors la monarchie elle-même est républicque.²⁹

Rather than translate Rousseau's note, Chōmin included his own clarification of why he chose to translate *République* as 自治 (*jichi*), meaning "self-governance," rather than 共和 (*kyōwa*), meaning co-harmony, a term that was widely in use already at that time. Literally translated:

République in French is composed of two Latin words, *res* and *publica*; clearly *res* can mean "things," "works," or "government." From the Middle Ages on it also came to mean "people governing themselves." Books published today often translate it 共和, but on the face of it these glyphs have nothing to do with the word. For this reason I depart from convention.... (see TEXT 4)

Here we see how closely Chōmin's solid grasp of the meaning of *République* is related to the translation. As scholars have stressed, there is more at work here than a knowledge of etymology. It reflects Chōmin's conviction that therein lay "the marrow of Europe's politi-

29. ROUSSEAU 1997, 67; 2001A, 78. Emphasis added.

cal thought.”³⁰ Moreover, thanks to his choice of words, the image of a “self-governing country” stands out in clearer relief in Chōmin’s translation than it does in Rousseau’s original.³¹

At the same time, there is a puzzling aspect to their respective definitions of *République* that will not have escaped the reader’s notice. Rousseau stipulates that any country can be considered “republican” as long as it is legitimate, that is, as long as it is governed by the rule of law. In the same vein, Chōmin proposes what he calls a “theory of co-governance by king and people” (君民共治之説) as the most realistic form of governance for Meiji Japan. The idea does not appear directly in *Yakukai*—where it would have caused hopeless confusion because the 君 of 君民共治 was used to refer to a “king” not to a “sovereign”—but was first advanced in an article contributed to the *Free News of the Orient* (『東洋自由新聞』).

In addition to the limitations imposed by employing 君 to translate “sovereign,” Nakamura draws attention to a troubling problem inherent in the political ideas of both Rousseau and Chōmin:

The quasi-transcendent character and abstract rational legitimization of Rousseau’s “general will” might lead, through the mediation of the Confucian ideals of loyalty (義) and principle (理) to... a similarly quasi-transcendent and quasi-abstract idea of an emperor. Furthermore, it could open itself to having an emperor “represent the collective will of the people” and serve as a mediator of democracy and nationalism.³²

In the end, what Nakamura calls “Chōmin’s own understanding of the ‘contradictory’ union of democracy and nationalism in Rousseau’s thought”³³ can be traced back to problems inherent in the question at hand, namely, the relationship between the cardinal notions of “sovereign,” “state,” “citizens” and “subjects.” To see how these problems arise

30. YONEHARA 1986, 128.

31. NAKAMURA 1967, 162.

32. NAKAMURA 1967, 165–6.

33. NAKAMURA 1967, 159.

in Rousseau's text itself, I would cite a rather long but critical passage from Chapter 4, Book II, "The Limits of Sovereign Power":

If the State or the City is only a moral person whose life consists in the union of its members, and if the most important of its cares is the care for its self-preservation, then it has to have some universal and coercive force to move and arrange each part in the manner most conformable to the whole. Just as nature gives each man absolute power over all of its members, it is this same power, which, directed by the general will, bears, as I have said, the name of sovereignty.

But in addition to the public person, we must consider the private persons who make it up, and whose life and freedom are naturally independent of it. *It is therefore important to distinguish clearly between the respective rights of the Citizens and of the Sovereign,* as well as between duties which the former have to fulfill as subjects, and the natural right which they must enjoy as men.*

Si l'État ou la Cité n'est qu'une personne morale dont la vie consiste dans l'union de ses membres, et si le plus important de ses soins est celui de sa propre conservation, il lui faut une force universelle et compulsive pour mouvoir et disposer chaque partie de la manière la plus convenable au tout. Comme la nature donne à chaque homme un pouvoir absolu sur tous ses membres, le pacte social donne au corps politique un pouvoir absolu sur tous les siens, et c'est ce même pouvoir, qui, dirigé par la volonté générale porte, comme j'ai dit, le nom de souveraineté.

Mais outre la personne publique, nous avons à considérer les personnes privées qui la composent, et dont la vie et la liberté sont naturellement indépendantes d'elle. *Il s'agit donc de bien distinguer les droits respectifs des Citoyens et du Souverain,* et les devoirs qu'ont à remplir les premiers en qualité de sujets, du droit naturel dont ils doivent jouir en qualité d'hommes.*

The asterisk above marks the insertion of a telling note by Rousseau:

Attentive readers, *please do not rush to accuse me of contradiction.* I have not been able to avoid it verbally, in view of the poverty of the language, but wait.

Lecteurs attentifs, *ne vous pressez pas, je vous prie, de m'accuser ici de*

contradiction. Je n'ai pu l'éviter dans les termes, vu la pauvreté de la langue; mais attendez.³⁴

As in the previous quotations, I will offer a literal translation of Chōmin's text in English, though admittedly it involves a translation of a translation, with all the problems that presents:

Any country or state is nothing more than something formed by the union of people. Indeed, a country-state is like a body and its people are like four limbs. The heaviest task for a country-state is to preserve itself and keep from disintegrating, much the same as the most pressing task for human beings is to preserve their bodies and protect themselves from injury or harm. *Human beings can move their limbs at will; so should it be with a country-state's relationship to its people.* We need to recognize that it accords with the will of heaven that human beings have final control over their bodies, and that it *accords with the will of a contract that a country-state has final overall control of its people. The right to final overall control (総摂之権) is precisely what I call sovereign power (君権).*

Nevertheless, a country-state cannot exist by itself without its people. It can only exist when its people collaborate and are in good harmony. Nevertheless, the lives and property of the people belong to them alone and are not the business of the country-state. *For this reason, those who govern a country must distinguish between a sovereign's rights (君権) and the people's rights (衆人之権), and should not confuse the two. In addition, they must distinguish clearly between what people (衆人), as subjects (臣), must do and what people, as ordinary human beings (尋常人), are free to do as they like. It is in the distinction of these two that the limits of sovereign power (君権之限極) consist. I should like to have more to say on this later.* (see TEXT 5)

As usual, Chōmin's translation is far from literal, but, generally speaking, his meaning is clear and his style is compact and appealing. But there are other aspects in which it differs from Rousseau's original. First, it seems that the substance of "sovereign power," that is,

34. ROUSSEAU 1997, 61; 2001A, 70. Emphasis added.

“some universal and coercive force to move and arrange each part in the manner most conformable to the whole,” does not come out as straightforwardly as it does in the original because expressions like “coercive force” either have not been translated literally or have been left untranslated altogether. The same can be said of Rousseau’s note. Chōmin basically chose to ignore what the note refers to as a “contradiction,” adding simply that he would “like to have more to say on this later.” These omissions seem to cause the impression that the tension or “contradiction,” which Rousseau recognized between the sovereign power (君權) and people’s rights (衆人之權) has been somewhat blurred or weakened.

In the first paragraph quoted above, what comes to the fore is the sovereignty’s “*universal and coercive force to move and arrange each part in the manner most conformable to the whole*,” which can end up negating the sovereign’s status as sovereign, that is, denying citizens their role as free agents. Thus, in the second paragraph, Rousseau tries to maintain the distinction between “public” and “private” persons, but he is aware that the terms “citizens” and “sovereign” are not adequate to the task because of their other connotations. What Rousseau himself refers to as a “contradiction” boils down to a paradox inherent in the very notion of “sovereign.” Whether or not Rousseau succeeded in resolving the contradiction with the clarification appended to *Du contrat social* remains a matter of serious doubt. As for Chōmin, he apparently avoided the problem by omitting the note, perhaps because out of concern that drawing attention to the contradiction would compromise his promotion of the sovereign rights of citizens.

Interestingly, however, Chōmin goes on to address the question of a possible contradiction in Rousseau’s thought. His remarks are included in a lengthy commentary appended to Chapter 6, “Of Law,” where Rousseau argues for the need of a “lawmaker” distinct from sovereign citizens who authorize the law. “How will a blind multitude,” Rousseau asks, “which often does not know what it wills because it rarely knows what is good for it, carry out an undertaking as great, as

difficult as a system of legislation?”³⁵ Simply put, the task of making laws is one that far exceeds the capacity of citizens in whom sovereign authority reside. Chōmin acknowledges the obscurity of Rousseau’s reasoning but supports it nonetheless, concluding that “there is nothing contradictory about such reasoning at all,” because “even if a law is composed by a lawmaker, only the citizens can decide whether or not to adopt it.” He ends his commentary, and indeed *Yakukai* itself, by pleading with readers to give the question further thought (読者請致再思焉).³⁶

Despite Chōmin’s attempts to brush the contradiction aside, we are quick to recognize in it the very difficulty inherent in democratic legislature and governance that we ourselves are faced with today. Surely this has something to do with the fact that *Yakukai* ends with the chapter on law, leaving out the sections that treat legislature and government.

Nakamura suggests that Chōmin was probably forced to stop because it became increasingly difficult, if not impossible for him to sustain his translation of key terms such as 君 for *Souverain*.³⁷ Other scholars excuse him on the grounds that the first third of *Du contrat social* covers what was most relevant to the Movement for Liberty and People’s Rights. In either case, Chōmin translated what he thought worth translating. Yamada goes so far as to argue that in its final form *Yakukai* constitutes a complete and consistent work precisely because it ended where it did. Neither governor nor legislator himself, it made perfect sense for Chōmin to omit sections on those matters.³⁸ I find

35. ROUSSEAU 1997, 68.

36. NAKAE 1983 128–9; 2014, 126–8.

37. NAKAMURA 1967, 157. There is yet another hypothesis for the Chōmin’s discontinuation of *Yakukai*, namely, that it was due to a change in editorial policy at the *Political and Moral Science Review* where the translation was being serialized. The journal had been focused on introducing radical French radical thinking but was abruptly steered in a more moderate direction after Itagaki Taisuke, leader of the *Jiyū* (Liberty) Party, returned from a visit to Europe and became more moderate in his politics. See NAKAE 2014, 243–5.

38. YAMADA 2009, 27–8.

this convincing enough as long as it is not allowed to eclipse the increasing difficulty Chōmin was having with the translation.

THE RECEPTION OF *YAKUKAI* IN JAPAN AND CHINA

As Rousseau's ideas spread, criticisms both theoretical and practical arose. Conservatives were above all wary of the idea of the right to revolution, and even those sympathetic to people's rights were somewhat apprehensive about dissolving sovereignty into the "general will" of the people. In 1881 Kaneko Kentarō published a compendium of passages from Edmund Burke's *Reflections on the Revolution in France* (1790) and *An Appeal from the New to the Old Whigs* (1791) in which revolutionary radicalism was condemned and the importance of "tradition and order" stressed. In 1883 Katō Hiroyuki belittled Rousseau as a "delusional theorist" in a work entitled *A New Theory on Human Rights* (『人權新論』) and based on a Spencerian form of social Darwinism.³⁹

That same year, at the height of heated debates over human rights, *Yakukai* was published in book form, securing Chōmin's reputation as "the Rousseau of the Orient." Recent scholarship, however, suggests that *Yakukai* was not very widely read as few references to the work can be found among those defending Rousseau against his detractors. Ironically enough, Chōmin's style with its free use of difficult allusions to classical Chinese texts would have been too highbrow for most readers.

But perhaps a weightier reason for the neglect of Chōmin's translation lies in the nature of Rousseau's thought itself and its relation to the rapidly changing times. *Du contrat social* was a highly theoretical work and tackled fundamental political questions like "What is a state?" and "What should be the relationship between a state and citizens?" Its aim was to confirm the legitimacy of a republican form

39. NAKAMURA 1967, 129–33.

of state by adopting the hypothetical language of a social contract.⁴⁰ Chōmin's aim in publishing his *Yakukai* was to intervene in a political struggle he considered crucial to the future of Japan. The problem was that Meiji Japan was already on the way to establishing a centralized, Prussian-style nation-state, as witnessed by the dismissal of politicians favoring a British-style government in October 1881. Consequently, the abstract and philosophical questions of *Du contrat social* faded into the background and becoming increasingly irrelevant to the rapidly changing political interests of the Meiji nation-state that was taking shape.

Kuga Katsunan 陸羯南 describes the group around Chōmin's *Political and Moral Science Review*:

The main feature of this school lay in placing theory ahead of practice.... Because of this it was admired for a while, but for that very same reason it was not very widely adopted by the general public.⁴¹

According to Hazama Naoki, the reception of *Du contrat social* in China was rather late, dating from the publication of a pirated edition of *Yakukai* in 1898. A first partial translation, based on Book 1 of the 1883 Japanese translation of Harada Sen, was released in Tokyo in 1910.⁴² In 1902 a complete translation by Yang Ting Dong 楊廷棟 was published in Shanghai. Because Chōmin's *Yakukai* was already out of circulation and the pirated Chinese version was no longer available, it was through Yang's version that Chinese intellectuals became familiar with Rousseau's work.

However, since Yang's version was an annotated Chinese translation of Harada's translation, it took over all the problems of that version. For example, "nation" and "people" were explained by analogy

40. OMODA 2013, 157–60.

41. HAZAMA 2013, 25.

42. Chinese students began to come to Japan in 1894 after the end of the Sino-Japanese War. In 1901 there were 274 of them, and their number swelled to around 12,000 in 1906; by 1911, the year of the Xinhai Revolution (辛亥革命), they stilled numbered about 5,000. HAZAMA 2013, 37.

with a company (会社) and its employees (社員). Although Harada had only used these analogies in his commentary, Yang incorporated them into the translation, leaving the impression that they belonged to Rousseau's original text. Thus the critical distinction between people as "sovereign" and "subjects" was distorted into a simple managerial relationship between company president and employees. To be sure, it must have been difficult to grasp novel notions like "society" or "state" at the time, but the fact remains that Yang's translation sidestepped the core of *Du contrat social*. In spite of this, Rousseau earned recognition and esteem in China as a philosopher extolling "the sovereign power of the people."⁴³

In 1910, just prior to the outbreak of the Xinhai Revolution, Chōmin's *Yakukai* was rediscovered by the revolutionaries and published in the last issue of the *People's Daily* (『民報』). The ongoing challenge of grasping the essence of Rousseau's thought is reflected in the fact that whereas Liang Chi-chao 梁啟超, a leader of the reformists, understood the critical importance of "order by self-governance and public spirit" for republicanism, the revolutionaries relied mainly on the theory of innate human rights to justify republicanism.⁴⁴

The Revolution aimed at forming a Republic based on a clear commitment to "sovereignty as belonging to the whole people," but as it happened, most of the revolutionary leaders had to seek asylum in Japan. Reflecting on the reasons for their failure, Tian Tong 田桐 came to see that they had misunderstood the nature of republicanism. He returned to Chōmin's *Yakukai* in preparation for rebuilding the revolution and had the work reprinted in 1914 under the title 『共和原理民約論』 (*The Republican Principle: Social Contract*). In the preface he remarks:

It is impossible to talk about a republic without understanding self-governance.... The spirit of self-governance is its interior; republican polity

43. HAZAMA 2013, 38–41.

44. HAZAMA 2013, 41.

is [only] the exterior. The spirit of self-governance is its substance; republican polity is [no more than] a title.

Tian adds that when he first encountered *Du contrat social* in Chinese translation as a young man he did not understand it, and that only after reading Chōmin's *Yakukai* over and over dozens times during his exile in Japan was he able to comprehend Rousseau's thought for the first time.⁴⁵

CHŌMIN, A COMPANION FOR OUR TIMES

Chōmin passed away in 1901 at the age of fifty-four, never having known the abiding swell that followed in the wake of his *Yakukai*. In June of 1912, immediately after the High Treason Affair (大逆事件), a gathering to commemorate the bicentennial anniversary of Rousseau's birth was held in Tokyo. The socialist Sakai Toshihiko reminisces:

I could not help remembering Nakae Tokusuke [Chōmin], the author of *Yakukai* who was called "the Rousseau of the Orient," and his successor Kōtoku Shūsui. Most speakers at the gathering had something to say about Nakae Tokusuke. In a word, the gathering to commemorate Rousseau seemed to be a commemoration of Nakae as well.⁴⁶

In a move to suppress the growing socialist movement, the government indicted twenty-six people in 1910 on the largely trumped-up charge of being implicated in an attempt to assassinate Emperor Meiji. Twelve of the convicts, including Kōtoku Shūsui, Chōmin's disciple, were executed the following year.

This brings us back where we began, with the publication of Nishida's *Inquiry into the Good* in 1911. By now it would be clear that Nishida's views of Rousseau and the "nation-state" are not so much his

45. HAZAMA 2013, 42–3.

46. HIJIKATA 1958, 8–9.

own personal judgment as they are a reflection of the age in which he lived. This gives us pause to rethink the significance of the historical circumstances described above⁴⁷ for Nishida's maiden work, generally regarded as the first original philosophical work in modern Japan. This is a matter that requires more attention than we can give it here, but I would like to conclude by reaffirming the significance of Chōmin's translation of *Du contrat social* in terms of questions still with us today.⁴⁸

A clear sign of Chōmin's continued relevance is the recent publication of a translation of Chōmin's *Yakukai* into contemporary Japanese.⁴⁹ One may wonder what sense it makes to reissue a hundred-year-old translation at this time. Besides a resurgence of general interest in Chōmin as a modern Japanese thinker, we can point to the relevance of Chōmin's pioneering struggles with the fundamental questions posed in Rousseau's *Du contrat social* regarding the relation between a nation-state and its citizens. As controversy over "constitutional revision" (憲法改正) heats up, these matters are far from a mere vestige of the past. If anything, they are more pressing today than ever.⁵⁰ In this regard I am reminded that a new translation of *Du contrat social* by Kuwabara and others came out in 1954 with an emphasis on the role of citizens as democratic sovereign, in marked contrast to the 1920 translation by Ichimura and Moriguchi which took a basically "nationalistic" stance.⁵¹

47. See, for example, MARUYAMA 1998, 98. In addition, Japan's high-handed policies at the time were becoming conspicuous to the outside world. We recall that the assassination of Itō Hirobumi by Ahn Jung-Geun occurred in 1909 and that Japan annexed Korea the following years.

48. For a critical treatment of Nishida's views on Rousseau, see HUH 1990.

49. NAKAE 2014.

50. See ONODA 2014. From a global perspective, we see a growing interest in social contracts as "covenants for peace." Cf. SCARRY 2014, which calls into question the incompatibility of a democratic constitution and a "nuclear monarchy" by depicting the image of contemporary citizens as "powerless subjects of the nuclear age."

51. NAKAMURA 1967, 135–9. Besides presenting overview of the historical changes reflected in the way *Du contrat social* has been translated and interpreted in modern Ja-

The way Chōmin translated *Du contrat social* also confronts us with critical questions regarding the relationship between language and thought. For example, we have seen how the use of *kanji* in Chōmin's translation was closely connected with his admiration for Confucian ideas.⁵² Chōmin's all but blind trust in the ability of Chinese needs close scrutiny, but even so, we ourselves need to rethink from the ground up *our own* use of Chinese glyphs in *our own* philosophical discourse. I am not suggesting that we dismiss them, à la Motoori Norinaga's, as "borrowings" or "intruders into Japanese language and thought," but only that we keep them in mind as an "inescapable other" that has enriched our language and thinking and can continue to do so into the future.⁵³

JAPANESE TEXTS

TEXT I

是故一邦之民、若拳一人、托之以君權、而約永從其所無令敢忤違焉、是約則是破壞其所由以為民之本旨也、苟如此、是人也、非復君也、主人耳。是民也非復民也、奴隸耳、民之變為奴隸、復何邦之有、何政之有。

だから、もし一国の人民が一人の人間を選んで、君権を委ね、「いつまでもあなたの命令に従い、あえて背くようなことは致しません」と約束したとすれば（——これがグロティウスの言い分なのだが——）、そうした約束は、人民の人民たるゆえんを根本から破壊するものである。仮にそんなことをしたとすれば、その人間はもはや君主ではなく、主人でしかなく、奴隷でしかない。人民が奴隷に変わってしまうとすれば、もはや国などというものがあるはずもなく、政治などというものも存在しないではないか。⁵⁴

pan, Nakamura points out that little consideration seems to have been given to why such historical changes were possible in the first place (149).

52. Regarding the role played by Confucian ideas in modern Japan, see, for example, TANAKA 2009.

53. KOYASU 2003, 223–30.

54. NAKAE 1983, 108. "Return marks" (see note 12 above) have been omitted here. Translation into modern Japanese from NAKAE 2014, 18.

TEXT 2

是故民約也者、提其要而言、曰、人々自挙其身与其力、供之于衆用、率之以衆意之所同然是也。

だから、民約なるものの要点をまとめれば、「人々は自分の身体とその持つ力のすべてを、皆で用いるために差し出す。そうして集められたものは、人々の一致した意志つまり〈人々の総意〔一般意志〕〉による指示の下に置かれる」ということになる。⁵⁵

TEXT 3

民約已成、於是乎地変而為邦、人変而民為、民也者衆意之相結而成体者也、是体也、以議院為心腹、以律例為氣血、斯以宣暢其意思者也、是体也、不自有形、而以衆意為形、不自有意、而以衆意為意。

民約ができ上がると、そのときには、土地は（領土としての）国に姿を変え、人々は（抽象概念としての）人民に変わる。人民というのは、すべての人々の意志がお互いに一つに結びつき、一つの身体のようにまとまったものである。この身体は、議院を胸や腹（つまりは本体）とし、法律を活力や血液としていて、それによって自分の考えを外部に示すのである。この身体は、（あくまで抽象的なものであって、）それ自身が形を持っているわけではなく、人々の身体全体が集まったものを（いわば）一つの身体にしているのである。（また、）それ自身は独立した意志を持たず、すべての人々の意志が集まったものを意志としているのである。⁵⁶

TEXT 4

法朗西言列^レ彪弗利、即羅馬言列士^レ、彪弗利、二語之相合者、蓋列士言事也、務也、列彪弗利言公也、列士列彪弗利、即公務之義、猶言衆民之事、一転成邦之義、又成政之義、中世以來更転成民自為治之義、当今所刊行諸書、往々訳為共和、然共和字面、本与此語無交涉、故不從也、……

フランス語の「レプブリック *république* (リパブリック)」は、ラテン語の「レス *res*」と「プブリカ *publica*」の二つの言葉を合わせたもので、レスとは物事をいい、職務のことである。プブリカとは公共のことをいう。レプブリカとはすなわち公務、公共の仕事の意味であり、まさしく人民全体に関わ

55. NAKAE 1983, 92; 2014, 57.

56. NAKAE 1983, 92; 2014, 57–8. Emphasis added.

る事柄ということになる。転じて国の意味となり、また政治を意味する言葉になっている。中世以来、さらに転じて、人民が自ら治める意味となった。最近刊行される書物では、しばしば「共和」と訳されている。だが、共和という文字の意味は、もともとこの（レプユブリカという）言葉とは関係がないものであるから、この訳語は使わないことにする。⁵⁷

TEXT 5

凡邦云国云、不過為衆相合所成、蓋邦国猶身也、衆庶猶四肢也、邦国之務之最重者、在自保而令勿壞裂、亦猶人之最所急、在自保其身、勿令毀傷也、人之於其四肢也、唯其所令、莫不如意、邦国之於其衆亦当如此、是知、人者受命于天而総撰其身者也、邦国者受命于約、而総撰其衆者也、総撰衆之權、即予所謂君權是已、

雖然邦国非能離乎衆而獨立、而必須衆相協和、方得自存者矣。而衆庶之性命也、財力也、亦自有專屬其人、而与邦国不相涉者矣、是故為国者、尤当分別君之權、与衆人之權、勿令相混、而衆人為臣所当務、与其為尋常人所当自恣、亦在所当別矣、斯二者之分、正君權之限極之所存也、請得更詳之、

ここで、国と呼んでいるものは、人々が集まって造るものであるにすぎない。思うに、国家とはちょうど身体のようなものであり、人民とはその手足のようなものである。国家の役割のうちで最も重要なのは、自らを維持して滅びないようにすることであるが、それはまた、人間にとって一番大事なことが自分の身を護って傷つけないことであるのと同じなのである。人間はその手足を自分の思いどおりに命令して動かすことができるが、国家がその国の人々に体する関係も、やはりまったくこれと同じでなければならない。そこで分かるのは、人間というものは命令を天から受けてその身体を支配するのであり、国家というものは命令を民約から受けてその国の人々を統治するものなのである。人々を統治する権限が、私の言う「君権」にはかならない。

しかし、国家は人々から離れて独立したものではなく、必ず人々がお互いに仲良くしてはじめて、自らも存立することができるのである。それに、人々の生命や財産など、もともとまづその個人に属していて、国家とは無関係のものもある。だから、国を統治するにあたっては、君主が持つ権限と人々が持つ権利とを区別して、混同しないことが大切である。人々が臣民とし

⁵⁷ NAKAE 1983, 126; 2014, 122. The pronunciation glosses or *rubi* are in Chōmin's original.

て努めるべきことと、普通の人間として自由に行動すべきこともまた、明確に区別されなければならない。この二つの区別のうちにこそ、まさに君権の限界があるのである。さらに詳しくこのことを述べてみよう。⁵⁸

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