The Discourse of Injury in Imperial Warfare

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> Might a letter on which the sender retains certain rights then not quite belong to the person to whom it is addressed? Or might it be that the latter was never the real receiver?
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> ———Jacques Lacan, "Seminar on the Purloined Letter"

If it were a question of tracing the semantics and diffusion of Western legal concepts as "rule of law," "injury," or "human rights" in Northeast Asia, our task would be relatively straightforward. The trouble is that this task, like any tasks focusing on verbal articulations, is made difficult by the double-bind of language itself, especially when the etymologizing of words and the kinds of intellectual exercise associated with the usual philological procedures are part of the historical processes I would like to examine here, and these exercises are therefore automatically denied the methodological privilege one might otherwise enjoy. So I ask myself this question: Are there other ways of working with words, historical concepts, and signs in motion? As we know, linguists and philosophers of language have long understood that people live in a network of words, signs, and meanings and that verbal enunciations exist in structured and grammatical relationship to one another and are in constant flux, which makes the meaning of a word or any word notoriously difficult to capture. This state of affairs has been a constant source of predicament to scientists, modern philosophers, and even literary scholars who find themselves compelled to defend the scientific rigor of their disciplines from the contamination of ordinary language.

Insofar as we are engaged in examining the idea of "conceptual history" in this conference, I believe it would be instructive to recall some of the earlier attempts that aimed to resolve this kind of quandaries posed by language to philosophy and historical writing. An interesting example that comes to mind is John Locke who proposes his theory of language and concept in Book IV of *An Essay Concerning Human Understanding*. For instance, "motion," according to Locke, names one of those "simple ideas" that do not lend themselves to definition. The atomists, who define *motion* to be a *passage from one place to another*, merely substitute one synonymous word for another, but what is *passage* other than *motion*? And Locke continues his questioning in this vein:

> For is it not at least as proper and significant to say, Passage is a motion from one place to another, as to say, Motion is a passage, &c.? This is to translate, and not to define, when we change two words of the same signification one for another; which, when one is better understood than the other, may serve to discover what idea the unknown stands for; but is very far from a definition, unless we will say every English word in the dictionary is the definition of the Latin word it answers, and that motion is a definition of MOTUS.[1]

And *ad infinitum*. With the hindsight of semiotics and deconstruction, Locke's metaphysical construct of the linguistic idea "word" may strike today's reader as archaic but his mode of analysis has the value of highlighting a perennial problem inherent with the scholastic as well as modern etymological approaches to language; namely, circular reasoning within a language or through translation. As Paul de Man, one of Locke's most incisive critics, has observed, Locke's own *passage* in the philosophy of language continued a perpetual motion that never quite moved beyond tautology.[2]

If etymons exhibit a tendency to turn into the repetitive stutter of tautology (such as the motion of motion, etc.), what does one stand to gain by repeating this act? De Man suggests that

1 John Locke, *An Essay Concerning Human Understanding*, bk 4, chap. 9, p.
2 Paul de Man, *Aesthetic Ideology.* Minneapolis: University of Minnesota Press, 1996, p.38.

"it is indeed not a question of ontology, of things as they are, but of authority, of things as they are decreed to be. And this authority cannot be vested in any authoritative body, for the free usage of ordinary language is carried, like the child, by wild figuration which will make a mockery of the most authoritarian academy" (p.39) Almost in spite of himself, Locke appears to engage in wild figurations himself as he draws on seemingly random examples of *motion*, *light*, *gold*, *manslaughter*, *incest*, *parricide*, and *adultery* to help illustrate his philosophical propositions. If there is any logic to Locke's selection of tropes, De Man mimics them playfully by spinning his own: "We have no way of defining, of policing, the boundaries that separate the name of one entity from the name of another; tropes are not just travelers, they tend to be smugglers and probably smugglers of stolen goods at that. What makes matters even worse is that there is no way of finding out whether they do so with criminal intent or not." (p.39) The seemingly free flow of metonymical figures from Locke's *manslaughter*, *incest*, *parricide*, and *adultery* to de Man's illicit *smugglers* raises for us some interesting issues on the questions of authority, transgression, injury, and punishment, all of which are somehow intuitively articulated to words in motion (linguistic and legal border crossing) and to the slippage of meaning in speech acts. In other words, can words incriminate? Can words make history? De Man never ventured so far as to put this question to Locke or to himself but, as I hope to demonstrate in my essay, the discourse of injury, which has been central to Western liberal and legal theories over the past few centuries, literally put words and minds in motion across the globe and helped shape modern theories of subjectivity as we know it today. So instead of focusing on a single word or a single concept in the tradition of history of ideas, the theoretical imperative of my study directs me toward an analysis of how the discourse of injury produced and *smuggled* words, etymons, letters, and psychic energies across languages toward some given imperial objectives and how alternative claims of injury can be silenced, foiled, or were otherwise unable to reach their destination for being on the wrong side of that discourse. I conclude by offering some reflections on the postcolonial situation and about how we might live with a discourse of injury that continues to mobilize the general public in times of crisis and war.

1836: How the British Were Injured in India and China

In the early years of the anti-Thug campaign in India, William Sleeman, the architect of the British colonial campaign, brought out a curious Thug lexicon entitled *Ramaseeana.* In this first attempt to identify who the Thugs were and how they communicated with one another, Sleeman's lexicon appeared to provide the hard linguistic evidence for a newly discovered threat to the British presence in India. *Ramaseeana* cobbled up a group of predominantly Hindi words and phrases together and built them into a coherent image of the Thug, hence the authenticity of Hindu thuggism. The details of the Thugs' cold-blooded strangling of innocent travelers, for example, were as graphic as the numerous verb and noun entries such as *dhurdalna* or *dhurohurkurna* were intended to look.[3] What could be more telling than the fact that the word "Thug" is of Hindi origin (*thag, theg,* or *thak*)? But as several studies have shown, Thuggism was a myth invented by the British who sought to extend their control over a mobile population and seize criminal jurisdiction in areas that had been in the hands of the Moghul rulers. Martine Van Woerkens, for example, views the construction of Thug monstrosity as "the foundation of a ritual of conjuration" in the play of mirrors between the British and the colonized.[4]

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3 William H. Sleeman, *Ramaseeana, or a Vocabulary of the Peculiar Language Used by the Thugs with an Introduction and an Appendix Descriptive of the System Pursued by That Fraternity and of the Measures Which Have Been Adopted by the Supreme Government for its Suppression* (Calcutta: Military Orphan Press, 1836). *Dhurdalna* and *dhurohurkurna* in our example derive from *dhur* or dust, and *dharna* to hold (the fact of strangling: *dharohur*) according to Sleeman's lexicon.

4 See Martine Van Woerkens, *The Strangled Traveler: Colonial Imaginings and the Thugs of India*, trans. Catherine Tihanyi (Chicago: University of Chicago Press, 2002), p. 292.

The Hindi words and their mirror images, such as the English loanword "Thug," both of which had been set in motion by Sleeman's lexicon, can be said to belong to one of those imperial conjurations that render a certain class of foreign words and, by extension, those who speak them as potential or actual threats. "Words in motion" with respect to the official language of the British Empire often meant that certain foreign words were made into fetish objects which would inspire fear and must therefore be exorcised. This may bring to mind Jacques Derrida's insightful observation: "those who inspire fear frighten themselves, they conjure the very specter they represent. The conjuration is in mourning for *itself* and turns its own force against itself."[5] But there is another question we need to consider here: Can we ground the mirror of fear and fearfulness in more substantial arguments than psychoanalytical speculations? Can we identify systematic patterns of thought and behavior in the history of colonial conquest that can better explain the seemingly neurotic? Does the conjuration of fear and fearfulness resonate with a coherent view of rights and privilege in the realm of moral reasoning? If so, how will an analysis of such reasoning lead to a new understanding of the modern theories of subjectivity and sovereignty? These are the questions I hope to explore in this essay. I would like to do so by reframing Sleeman's lexicon and his Thug extermination campaign in light of a simultaneous and, certainly, interconnected developments in China.

When Sleeman's book *Ramaseeana* first appeared in print in 1836, an equally influential work—with similar imperial policy implications for the British—was published in the same year authored by the leading British opium dealer James Matheson. This book is called *The Present Position and Prospect of Our Trade with China* written with a view to persuading the British government and the public to go to war with China. In both works, the authors were preoccupied

5 Jacques Derrida, *Specters of Marx: the State of the Debt, the Work of Mourning, and the New International*, trans. Peggy Kamuf (New York: Routledge, 1994), p.116.

with foreign words and the dangers they posed or implied. One of the chief complaints brought by Matheson against the Qing government was the ubiquitous presence of the written character *yi* 夷 or *ying yi* 英夷 in official Chinese documents. He charged that the word *yi* meant "barbarian" and that its usage insulted the British by naming them "barbarians" or "English barbarians." Matheson and the belligerent party in Parliament pointed to the word *yi* as the evidence of Chinese xenophobia, their universal contempt for foreigners, and their rejection of free trade and Western civilization.[6] He wrote: "This truculent, vain-glorious people have been pleased to consider all other inhabitants of the earth (as already intimated) as BARBARIANS,—destitute of all pretensions to civil, political, or moral excellence."[7] This philological argument advanced an effective claim of injury and pressed the British demands for reparations. Queen Victoria reiterated the point in her address to Parliament on January 26, 1841 at the close of the first Opium War when she stated that her government had dispatched the naval and military forces to the coast of China in order to "demand reparation and redress for the injuries inflicted upon some of my subjects by the officers of the Emperor of China."[8]

The queen is referring not only to the destruction of the British opium by the Imperial Commissioner Lin Zexu in 1839 but also to the alleged insult of British subjects by the Chinese government after Lord Napier's arrival in Guangzhou in 1834. Napier's official title, Chief Superintendent of British Trade in China, had been rendered as *yimu* 夷目 in classical Chinese, and the literal sense of *yimu* was explained by Napier's interpreter as meaning "the barbarian eye." (George Staunton, a noted sinologist in Napier's time, disputed that translation and pointed

[6] For a detailed analysis of the dispute over the meaning of the word *yi*, see Lydia H. Liu, *The Clash of Empires: The Invention of China in Modern World Making* (Cambridge, Mass.: Harvard University Press, 2004), pp.31-69.
[7] James Matheson, *The Present Position and Prospect of Our Trade with China* (London: Smith, Elder and Co., 1836), p. 15.
[8] F. Sidney Ensor, ed., *The Queen's Speeches in Parliament from Her Accession to the Present Time* (London: W. H. Allen & Co., 1882), P.22.

out that *yimu* should be translated as "Foreign Principal.") The unfortunate catachresis of "the barbarian eye" had led to one of the early military confrontations between the British and the Qing five years before the opium fiasco. After the defeat of the Qing troops in the Opium Wars, the British introduced a specific ban into the Anglo-Chinese Treaty of Tianjin in 1858 to prohibit the Chinese use of the character *yi* when referring to the British (and by way of the most-favored nation clause, France inserted a similar ban in the treaties they signed with the Qing government). Article 51 of the *Treaty of Tianjin* became the first international legal instrument to outlaw a foreign word from its own lexicon.

By virtue of their manner of involvement in the British imperial warfare, the Hindi word "thag" and the Chinese character "yi" appear to embody a different mode of signification from how we conceptualize the normative ways of language as social institution. We often assume that the meanings of words are unstable and change with time and usage and believe that etymology generally bears witness to such semantic evolutions and has been indispensable for that reason. But this commonplace does not carry us very far toward explaining how meanings emerge as a conceptual process. Instead of taking words as conventional bearers of meaning, the Swiss linguist Ferdinand de Saussure would have us analyze how a shift in the relationship between the signified and the signifier takes place in a language. With respect to observed linguistic metapmorphoses, he argues: "Let there be no mistake about the meaning that we attach to the word 'change', one might think that it deals especially with phonetic changes undergone by the signifier, or perhaps, changes in meaning which affect the signified concept. That view would be inadequate. Regardless of what the forces of change are, whether in isolation or in combination, they always result in a *shift in the relationship between the signified and the* *signifier*." [9] The idea of a shifting relationship between the signified and the signifier brings up some very basic questions in the study of language and semiotic processes: What do we mean by words? Do they comprise a distinct class of reified material signs as opposed to syntax? How do they relate to other material signs like numerals and electronic signals across languages and diverse media? Can the signifying processes we commonly attribute to words be grasped on other grounds than reified meanings on printed page and their etymologies?

Insomuch as the word "thug" and "yi" are articulated, as I will argue, to a generalized enunciation of "injury" in the imperial warfare of the past centuries, our task can hardly be limited to establishing the semantics of a word or of a couple of words through history, etymology, and related institutions. We must open up the reified *wordness* of known concepts by focusing on situated acts of enunciation in concrete discursive situations. Words in motion, in its non-reifying moment, can thus be conceived as a movement of verbal elements as mobile signs through a shift in the relationship between the signifier and the signified or, as I put it in a somewhat different vein, between heterlinguistic signs across the boundaries of languages. I have named this translingual process the invention of "super-signs" elsewhere.[10]

The distinction between words and super-signs is fundamental to our analysis of heterocultural processes of meaning making. "Thag/thug," "yi/barbarian," and "injury/injuria" are super-sign units that traverse two or more languages through repeated acts of translation and enunciation. This translingual motion is generally occulted so that the English words "thug," "barbarian," and "injury" may appear free of the traces of the super-signs that animate them. Treating "thag/Thug," "yi/barbarian," and "injury/injuria" as a network of interconnected super-signs, rather than mere "words" that derived from Hindi, Greek, Chinese, or Latin, will help

[9] See Ferdinand de Saussure, *Course in General Linguistics*, trans. Wade Baskin (New York: McGraw-Hill Book Company, 1966), pp. 74-75.
[10] See my book *The Clash of Empires,* pp. 11-15.

redirect our attention away from the etymologist's preoccupation with reified words. This analytical approach can take us into the realm of enchanted meanings, camouflaged traces of foreignness, and potent but disavowed forms of translingual speech and meaning making across languages.

In that sense, the words "thug" and "barbarian" belong to a realm of enchanted meanings haunted by their super-signs—"thag/Thug" and "yi/barbarian/barbarus/barbaros"—and are likely to withhold their mode of signification from the sovereign gaze of a national language(s) that reduces them to isolated cases of words and expressions with proper etymological attributions. We would have to find ways to de-word "thug," "thag," "yi," and "barbarian" in order to see them as interrelated super-signs and analyze them in mutually intelligible terms under the rubric of what I call the "enunciation of injury." The enunciation of injury provides the interpretive grids through which the conjuration of fear and fearfulness, which routinely evokes foreign words as marks of authenticity and identity, may be discerned and analyzed. If the kinds of verbal fetishism surrounding the Hindi word "thag" and the Chinese character "yi" were capable of releasing extraordinary energy, putting into motion numerous acts of ressentiment, punishments, legal and military campaigns and so on, it behooves us to ask why.

When William Sleeman launched his anti-Thug campaign in India in 1831, he was by no means behaving like a paranoid lunatic but was fully convinced of the justice of his action. The same may be said of Queen Victoria's allegation that the Qing government had injured the British subjects before the Opium War. But the British authorities could not possibly be blind to the fact that the large quantities of opium their traders had imported into China were causing massive damages there. To press this argument, the Imperial Commissioner Lin Zexu addressed a letter to Queen Victoria in 1839 on the eve of the Opium War with the objective of putting a stop to drug trafficking. Interestingly, the legendary letter was never delivered into the hands of the British sovereign to prevent the Opium War. That failure, I argue, must be understood in relation to James Matheson's open “letter” to the British government and the general public in the form of *The Present Position and Prospect of Our Trade with China,* which did successfully arrive at its destination. In reassessing Lin's attempted enunciation of injury concerning the damaging effects of opium, therefore, we must not lose sight of that other letter by the opium dealer Matheson whose discourse of injury turned out to be much more effective and powerful than Lin's claims of damage for reasons I analyze below.

The Purloined Letter of the Opium War

Following his forceful seizure of the contraband opium from the British in 1839, Imperial Commissioner Lin Zexu (1785-1850) addressed a formal appeal to Queen Victoria to inform the British crown of the new regulations and deadlines for stopping future opium shipments and to ask the queen to cooperate with the Qing government in this effort. Lin opens his letter thus:

> Over the many years in which foreign countries have enjoyed trade relations [with us], there has been a mixture of law-abiding merchants and misbehaving merchants arriving here. The latter have been smuggling opium to seduce the *Hua* people and to cause every province of our land to overflow with that poison. These merchants seek only to profit themselves and do so by hurting others. Their selfish behavior cannot be tolerated by the principle of universal justice [tianli] and is repugnant to all who have human sensibility. Upon hearing of this situation, our great emperor was in great indignation and dispatched

> me, the Commissioner, to investigate and work with the Viceroy and Lieu. Governor of the province in Zhuangzhou to resolve the matter.[11]

With the approval of Daoguang emperor on August 3, 1839, Lin had multiple copies made and entrusted them to captains of a few British and European ships, for he was wary of the British traders' attempt to intersect his communication with their sovereign.[12] Lin's suspicion proved him prescient. To take one example, Captain Warner of the *Thomas Coutts* had promised to take a copy to the queen on January 18, 1840 but, after he arrived in England and requested an interview with Lord Palmerston on June 7, 1840, the Foreign Office refused to see him or take the letter in.[13]

Would a successful delivery of Lin's letter to Queen Victoria in the winter of 1839-1840 have helped avert the Opium War and altered the course of history? It is impossible to speculate an alternative outcome after the fact. But in the eyes of those who had caused the original letter to disappear, the timing of the interception was critical because the queen was being asked to authorize the war in the face of strong opposition from members of the Parliament (as the majority vote was too close to call), and she did give the order on April 4, 1840. As far as Lin himself was concerned, the ill-fated letter never reached its intended destination to make a difference in spite of his precautions and arrangement. Interestingly, when the letter was diverted from its course of destination, the document did not simply disappear but went on to conjure a new audience through the public channel of circulation: the printed periodical. For when Lin's letter was published in the February 1840 number of *Chinese Repository*—a missionary journal

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[11] Lin Zexu, et al., "Ni yu yingjili guowang xi" (A draft declaration to the sovereign of England), in Lai Xinxia, *Lin Zexu nianpu xinbian* (Revised chronicles of Lin Zexu's life), (Tianjin: Nankai daxue chubanshe), 1997, p. 341. My translation.

[12] See Lai Xinxia, *Lin Zexu nianpu xinbian* (Revised chronicles of Lin Zexu's life) (Tianjin: Nankai daxue chubanshe, 1997), pp. 311-313.

[13] See Hsin-pao Chang, *Commissioner Lin and the Opium War* (Cambridge: Harvard University Press, 1964), p. 138.

published in Guangzhou whose readership consisted largely of foreign communities and the opium traders, the contemporary and future audience of the missionary periodical became the unintended recipients of Lin's letter.[14]

This situation strongly reminds us of what Jacques Lacan has discovered in Edgar Allen Poe's fiction called "The Purloined Letter." In Lacan's reading, an interesting question arises concerning the delivery and non-delivery of meanings through Poe's clever maneuvering of a storyline that hinges on the loss and recovery of a letter purloined from the queen. Lacan asks: "Might a letter on which the sender retains certain rights then not quite belong to the person to whom it is addressed? Or might it be that the latter was never the real receiver?" [15] Perhaps, we can put these tantalizing questions to the letter under discussion: Might the letter on which Lin retains certain rights not quite belong to the person to whom it is addressed? Might it be that Queen Victoria was never the real receiver? Indeed, among the unintended audience of the missionary periodical *Chinese Repository*, those who were responsible for intercepting the letter had the satisfaction of knowing that Lin's argument of injury would never reach beyond China, much less gaining the ear of their sovereign. This turn of events is no trivial matter when we consider how hard the opium traders had been lobbying the Britain public to gain moral support and build a momentum for war. Many of them had been busy testifying in Parliament to the injuries that the British subjects had suffered at the hands of Chinese officials.[16] This brings to Matheson's competing letter that circulated widely through the print medium.

In his published testimony, Matheson had asserted that "The Emperor of China, by

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[14] Through an effective network of pre-war intelligence, the British had gotten hold of an earlier draft of Lin's letter and printed it in *Chinese Repository* as early as May1839.

[15] Jacques Lacan, "Seminar on the 'Purloined Letter'," in The Purloined Poe: Lacan, Derrida, and Psychoanalytic Reading, eds. John P. Muller and William J. Richardson (Baltimore and London: The Johns Hopkins University Press, 1988), p. 41.

[16] For their testimonials and related documents, see *British Parliamentary Papers*, China, vols. 30 and 31 (Shannon: Irish University Press, 1971).

ratifying the act of the local authorities in their outrageous treatment of Lord Napier, has rendered himself responsible for such treatment; it has 'become a public concern, and the injured party is to consider *the nation* as the real author of the injury, of which the citizen was only the instrument.'"[17] To press the legal point about the British claim to injury, Matheson draws upon the principles of justice in the law of nations and, in particular, Vattel's authoritative text which, according to Matheson, confers an essential right upon the British trader. Citing Vattel's position on trade (*Law of Nations*, Book ii, c.18, § 74) while carefully suppressing the word "opium," he argues: "*Men are, therefore, under an obligation to carry on that commerce with each other, if they wish not to depart from the views of nature. And this obligation extends also to whole nations, or states*."[18] China had violated the law of nations by refusing to trade with the British and shutting out the rest of the world from participation in "the benefits of so prodigious a portion of the most desirable parts of the earth."[19] To bear witness to such violation, Matheson includes in his written testimony copies of the British merchants' petitions to the queen outlining their grievances, statistics of trade revenue from the archives of the East India Company, as well as a sampling of the edicts of the Qing emperor in English translation, all these to marshal evidence in support of the pro-war position he promotes with *The Present Position and Prospects*.

Matheson's book was conceived as an open letter addressed to the British government and the general public as part of an elaborate lobbying effort on behalf of the largest drug-smuggling cartel known as the Jardine-Matheson partnership. As a matter of fact, the Appendix to this book reprints the actual memorials from 1834-1836 addressed to the King, Prime Minister Palmerston

[17] Matheson, p. 67.
[18] Matheson, p. 34.
[19] Ibid., p. 35.

or other government officials such as Lord Viscount Melbourne by aggressive British merchant groups from Manchester, Liverpool, Glasgow, and Canton. One of these petitions carries 88 signatures comprising of individuals from the resident British trading community in China as well as those the commanders of the East India Company. Not only had Matheson's open letter arrived three years earlier at the intended destination but also it proved to be much more powerful and effective than what Lin could possibly say in his letter to Queen Victoria. Matheson's letter had preempted Lin's attempt by carefully avoiding the word "opium" while emphasizing equal trade and an injury claim about China's arrogance on the discursive ground of international law. Lin's letter was exclusively focused on opium smuggling, its injurious effects on people, and the ways in which drug trafficking might be stopped. He argues:

> We have heard that opium is strictly forbidden in your own country, which indicates that you are thoroughly aware of its harmful effects. If opium is not allowed to injure your own country, it ought not to be allowed to injure other countries either, much less the Central States because, of all the goods we export to foreign countries, there is not a single item that is not beneficial to people: they are beneficial when eaten, beneficial when used, beneficial when resold. They are beneficial on all accounts. Is there a single article from the Central States that has done any harm to foreign countries?" [20]

As if contradicting Matheson's rhetoric about China's opposition to free trade as the main source of trouble, Lin's letter pinpoints the opium trade as the real point of contention between Britain and China. His argument of moral reciprocity would certainly strike a chord among Christians groups who were likewise opposed to the opium trade at this time. However, what Lin had to say about the *moral* value of export/import goods would have sounded strange to either the political

[20] Lin Zexu, et al., "Ni yu yingjili guowang xi" (A draft declaration to the sovereign of England), in *Lin Zexu nianpu xinbian* (Revised chronicles of Lin Zexu's life), (Tianjin: Nankai daxue chubanshe), 1997, p. 342. My translation.

economists of his time or the critics of British imperialism and liberal political economy such as Karl Marx.

Writing for *New York Daily Tribune* as a columnist, Marx caught the grotesque mismatch between the terms of debate between China and Britain during the Opium Wars. He called it "a deadly duel, in which the representative of the antiquated world appears prompted by ethical motives, while the representative of overwhelming modern society fights for the privilege of buying in the cheapest and selling in the dearest markets--this, indeed, is a sort of tragical couplet stranger than any poet would ever have dared to fancy."[21] A deadly duel, to be sure. But those who fought to preserve the privilege of buying in the cheapest and selling in the dearest markets also deemed themselves morally superior to the antiquated world and would resent being called a nation of shopkeepers as the British were often called. They preferred to be the ones who, poetically speaking, lay the groundwork of moral reasoning and win the war on that front as well the military front. Thus, the name of the drug trade must be suppressed, abstracted, rendered invisible or banished from moral discourse so that the discourse of injury may be safely grounded in the deterritorialized capitalist economy and be legitimated by it.

And we should not feel surprised when John Quincy Adams, the 6th President of the United States, told the Massachusetts Historical Society in 1841 that opium was a mere incident to the dispute between the British and the Qing. It was "no more the cause of the war than the throwing overboard of tea in Boston harbor was the cause of the North American revolution." The cause of the war, he said, was "the arrogant and insupportable pretensions of China that she will hold commercial intercourse with the rest of mankind not upon terms of equal reciprocity, but upon the insulting and degrading forms of the relation between lord and vassal."[22] Was it

[21] Karl Marx, "Trade or Opium," *New York Daily Tribune*, September 20, 1858.
[22] *Chinese Repository* 1842, pp. 274-89; also Edgar Holt, The Opium Wars in China, pp. 101-102.

really so? Adams's judgment fully corroborates the propaganda of the opium dealer Matheson who had carefully circumvented the word "opium" as he tried to tell a different story about the British-Chinese conflict in his testimonies. The reciprocity to which Adams' refers is not the same argument of reciprocity as Lin makes in his letter with respect to the kinds of merchandise being traded. Adams reiterates Matheson's accusation that China had injured the British honor and deserved punishment. In his open letter to the British government, for instance, Matheson had adumbrated the "principle sources of our grievances" and urged that "We must resolve upon vindicating our insulted honour as a nation, and protecting the injured interests of our commerce.[23] With the help of Lord Palmerston and other pro-war ministers, this belligerent message finally reached the ear of the queen who responded by granting an order to authorize war at the Buckingham Palace on April 4, 1840 in which she stated:

> Whereas we have taken into consideration the late injurious proceedings of certain officers of the Emperor of China towards certain of Our officers and subjects; and whereas We have given orders that satisfaction and reparation for the same shall be demanded from the Chinese Government; and whereas it is expedient, with the view to obtain such satisfaction and reparation, that ships and vessels and cargoes belonging to the Emperor of China and to his subjects, shall be detained and held in custody; and if such reparation and satisfaction be refused by the Chinese Government, the ships, vessels, and cargoes so detained, and others to be thereafter detained, shall be confiscated and sold, and that the proceeds thereof shall be applied.[24]

Once again, the word "opium" is carefully suppressed in the queen's address, although the control of the drug trade had been the true cause of tension between the two countries as well as

[23] Matheson, p. 79.
[24] "Order in Council" (Presented to Parliament by Command of Her Majesty, April 4, 1840), *British Parliamentary Papers*, China, vol. 30, p. 196.

the rationale of Lin Zexu's letter. Instead, the discourse that emerged from the British side was a thoroughly abstract legal discourse having to do with rights, grievances, injuries, reparations and so on but very little to do with drugs or drug dealers such as Matheson and William Jardin.

In short, injury claims are meaningful in this context only insofar as trade rights and related grievances are concerned. Matheson invoked the natural rights granted by the law of nations and urged the British government to take action against the Qing prohibition of the (opium) trade. The freedom of trade, in his view, conferred upon the British an inalienable right to conduct commerce with China by imposing a reciprocal obligation upon the latter to open its doors to the British (opium) merchants. Cynicism might lead us to treat all this talk about rights and injury as a mere pretext for war, but in so doing we would miss out on an important opportunity to examine how this manner of reasoning prevailed when they did and it has endured to this day. In my view, the British enunciation of claims has raised some fundamental issues about the moral and legal grounding of violence in colonial history.

The modern discourse of injury can certainly be traced to the early colonial conception of natural rights in the so-called encounter of civilization and barbarity. The reciprocity of natural rights in the theory of *jus gentium* implies that, if the European rights to trade with the natives are somehow violated by the natives, the latter can be said to have injured the natural rights of the Europeans. "The vindication of injuries constitutes a just war, and ultimately it was only by means of such a war that the Spaniards could legitimate their presence in America."[25] This colonial fashioning of the *jus gentium,* sovereignty, and rights of war since the 16th century has provided the legal and moral ground for the subsequent developments of the law of nations in the

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25 Anthony Pagden, "Dispossessing the Barbarian: the Language of Spanish Thomism and the Debate Over the Property Rights of the American Indians," in Anthony Pagden, ed., *The Language of Political Theory in Early-Modern Europe* (Cambridge: Cambridge University Press, 1987), p. 87.

European conquests of other parts of the world.[26] In due time, the freedoms of travel, trade, and proselytizing were to evolve into the standard of "civilization" as we know them today.[27]

Steeped as he was in the Chinese humanistic tradition, Lin evoked a different discourse of legality, reciprocity, and injury to argue his case, and he insists on drawing Queen Victoria's attention to the opium problem in his official letter. He states:

> Your honorable nation buy and ship the goods from our inner land not only for your own use and consumption but also for the purpose of making threefold profits by re-selling them to other countries. Even if you did not trade opium, this threefold profit would still have been guaranteed. How can you bear to sell a drug that is so injurious to your fellow men just to satisfy your unbridled craving after gain? Suppose foreigners from another country carried opium into England and tried to seduce your people into buying it and smoking it, would your honorable sovereign not feel indignant and do everything in your power to uproot the sources of evil? Since your highness enjoys the reputation of being a benevolent and magnanimous ruler, you would naturally not wish to do unto another that which you do not wish another to do unto you. We are gratified to learn that the ships coming to Canton have been provided with the regulations in which it is specifically stated that they are not permitted to carry contraband goods. This shows that the administrative orders of your honorable rule have originally been strict and clear. It must have been because the trading ships have become so numerous lately that inspections and supervision have lagged behind. For this reason, we address this communication to you

26 For further discussion, see Anthony Anghie, "Finding the Pheripheries : Sovereignty and Colonialism in Nineteenth-Century International Law," *Harvard International Law Journal*, 40 (Winter 1999): 1-80.

27 See Gerrit W. Gong, *The Standard of "Civilization" in International Society* (Oxford: Clarendon Press, 1984), p. 37.

> with the prohibitory orders of our dynasty so you will have a clear understanding and require your subjects not to violate them again.[28]

Had Lin's letter not been physically removed from the diplomatic channels of communication, would Queen Victoria and her cabinet have been persuaded by this argument and understood that it was the British who had injured the Chinese with their drug operations rather than the converse as alleged by Matheson?

Montgomery Martin, who wrote a post-war report to the queen and her government describing the situation of China in 1847, had an opportunity to peruse an earlier and shorter version of Lin's letter in English and was moved by "this beautiful and convincing letter" to comment: "Why, the 'slave trade' was merciful compared to the 'opium trade'. We did not destroy the bodies of the Africans, for it was our immediate interest to keep them alive;--we did not *debase their natures, corrupt their minds,--nor destroy their souls.* But the opium seller slays the body after he has corrupted, degraded and annihilated the moral being of unhappy sinners,--while, every hour is bringing new victims to a Moloch which knows no satiety--and where the English murderer and Chinese suicide vie with each other in offerings at his shrine."[29] If Lin seemed willing to extricate the British crown and her government from the behavior of opium traders, Martin is unforgiving in his scathing criticism: "the blame ought not to be cast solely on the individuals engaged in this dreadful traffic; it rests chiefly on the government of our Gracious Sovereign, and on that of the East India Company."[30] Martin's condemnation of the "opium trade" as worse than "slave trade" brings the long-standing legacy of colonial violence into the picture and can be taken as representative of the position of the many of the Christian

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[28] Lin Zexu, p.343.
[29] Montgomery Martin, *China: Political, Commercial, and Social; in an Official Report to Her Majesty's Government*, 2vols (London: James Madden, 8, Leadenhall Street, 1847), vol.2, p. 261.
[30] Ibid., p. 260.

missionaries in China. It also anticipated the anti-opium Quaker movements in England that would take off in the 1870s. But what Martin did not grasp any more than Lin had at the time was that the colonial violence he deplored was thoroughly implicated with the theory of natural rights and sovereignty to which Matheson repeatedly appealed in his testimonies.

That is to say, Matheson spoke a language of international law when he cited Vattel systematically to argue that the injured party was to consider *the nation* as the real author of the injury, of which the citizen was only the instrument. Of course, the architects of international law could never predict how the law would be used on every single occasion, but the governing principles of rights and freedoms as well as the discourse of injury and reparations do provide a consistent and coherent rhetoric of moral reasoning that has proven extremely effective in authorizing colonial warfare.

For this reason, Lin's letter to Queen Victoria had been stolen not just once but twice, because all is not equally entitled to the claims of injury.[31] In the colonial world order, the power to injure was structurally related to the ability to claim injury and adjudicate the matters of revenge and reparation. The Opium Wars and the history of modern colonialism provide us with the overwhelming evidence to suggest that the imperial powers regard injury as their own prerogative and have tried to suppress other injury claims until the legal and moral conditions of aggressive warfare are met. It seems to me, therefore, that acknowledging the *work of injury* as a powerful force is the first step toward a better understanding of the political structure of suffering in the modern world. What it means is that the colonial legacy of the past centuries must be interrogated with a view to bringing the legal and ethical grounding of colonial violence

[31] In their new 1954 translation of Lin's letter, American sinologists Ssu-yü Teng and John King Fairbank methodically replaced all instances of the character *yi* from the original English translation "foreigner" which had appeared in the Chinese Repository with the incriminating word "barbarian." The new translation reiterates Matheson's injury claims against the Qing government. See my analysis of this sleight of hand in *The Clash of Empires*.

to light. We must ask, moreover, in what ways this legacy has evolved to energize today's imperial war on terror so that a generalized enunciation of "injury" continues to prevail.

The Work of Injury

As a theoretical problem, injury has dominated the liberal considerations of political rule and civic liberty. In the realm of public health, injury claims have been central to the processes of public policymaking and changing industrial behavior as, for example, in the government's regulation of hazardous technologies involving automotive manufacturers.[32] In her study of injury as a focus of political rule and civic liberty in the modern state, Elaine Scarry brought to our attention an interesting set of structural attributes that constitute the core of what appears to be unstable and incoherent invocations of consent across the thresholds of medicine, law, and political philosophy. That core is what she terms "the material anchoring of consent in the body."[33] It is often in the injured, sleepy, anesthetized, dying body, Scarry argues, that "we have the sudden grounding of rights, sovereignty, dignity."[34] Consent carries extremely active powers by holding the notions of sovereignty and authorization within it; yet the issue of consent has tended to arise whenever there is an extreme case of passivity. The continual entry of political philosophy into medicine—in the determination of patient rights and the distribution of activity and passivity—is the inevitable outcome of the centering of the body in citizenship, understood in liberal terms. Scarry's good insights notwithstanding, her argument about the body and political philosophy can hardly go wrong because the protection of a person's body, property,

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32 For an analysis of state power and automobile manufacturers in their continual redefinition of automobile injuries, see Carol A. MacLennan, "From Accident to Crash: The Auto Industry and the Politics of Injury," *Medical Anthropology Quarterly*, New Series, 2;3 (Sept. 1988): 233-250.
33 Elaine Scarry, "Consent and the Body: Injury, Departure, and Desire," *New Literary History* 21;4 (Autumn, 1990): p. 868.
34 Ibid., p. 873.

and rights and the prevention of injury to them have been a common point of reference for both criminal law and liberal politics within the legal imaginings of the modern state.[35] In the realm of public health, for instance, injury claims often aim toward changing public policy and industrial behavior, such as the regulation of hazardous technologies involving automotive and other injuries with the modern liberal state.[36]

In her book *States of Injury* , Wendy Brown seeks to understand how the social agenda of politicized identity in North America has allowed disfranchised groups to press injury claims to the state. She argues that those who have previously been excluded or subjugated—women, people of color, Jews, homosexuals, and so on— by the dominant power have tried to install pain and injury at the heart of their demand for political recognition and reparations. Drawing on Nietzsche's speculations about the unhappy vindictiveness of the oppressed, Brown identifies a political structure of *ressentiment* in North American feminism and elsewhere:

> In locating a site of blame for its powerlessness over its past—a past of injury, a past as a hurt will—and locating a "reason" for the "unendurable pain" of social powerlessness in the present, it [politicized identity] converts this reasoning into an ethicizing politics, a politics of recrimination that seeks to avenge the hurt even while it reaffirms it, discursively codifies it. Politicized identity thus enunciates itself, makes claims for itself, only by entrenching, restating, dramatizing, and inscribing its pain in politics.[37]

Brown's diagnosis suggests how injury can articulate and be articulated by identity politics whenever the socially oppressed attempt to appeal to law and the state for social justice. She sees

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[35] For a contemporary discussion of the liberal stand on this issue, see Joel Feinberg, *Harm to Others: the Moral Limits of the Criminal Law* (Oxford: Oxford University Press, 1984).

[36] For an analysis of state power and automobile manufacturers in their continual redefinition of automobile injuries, see Carol A. MacLennan, "From Accident to Crash: The Auto Industry and the Politics of Injury," *Medical Anthropology Quarterly*, New Series, 2;3 (Sept. 1988): 233-250.

[37] Wendy Brown, *States of Injury: Power and Freedom in Late Modernity* (Princeton: Princeton University Press, 1995), p. 74.

the politics of recrimination as an ironic act of revenge based on a fundamental misrecognition of the identity and role of the state. This critique aptly draws our attention toward the typical impasse in the liberal conception of freedom and justice where law and the state are placed in a position of "neutral arbiter" of injury rather than themselves vested with the power to injure. While the thrust of Brown's argument seems convincing within the confines of liberal and radical discourse of political rights, there is a significant missing figure in the total picture she presents here; that is, the figure of the state that is busily engaged in the productive work of injury and in what she has termed the politics of recrimination.

What I wish to emphasize is that the state (or empire) is not only given the power to injure but also of being injured and making claims to that effect. There is no place for this seemingly perverse figure in mainstream discussions of liberal politics precisely because that figure has continually been occulted by the dialectic of "state" and "individual," which effectively camouflages the work of injury and its power in global politics. Consequently, one rules out a priori the scenario in which the strong and the powerful can be the first to lay legal and moral claims to injury against the disfranchised and retain an enormous stake in maintaining the political structure of ressentiment in the larger imperial order.

The idea of a "preemptive strike" in the United States today is proof that the discourse of injury continues to perform the legal and rhetorical work of empire as it did in the old colonial days. For too long we have allowed the liberal understanding of injury and its limited critique within the discursive space of the modern state to dominate political thinking to the exclusion of other interpretive possibilities. Inasmuch as the liberal state emerged in the wake of colonial expansion and is indebted to it in so many ways, some of the tenets that liberal thinkers and their critics have enshrined in modern political theory -- "rights," "justice," "freedom," and "sovereignty" and so on -- are better understood in relation to the centuries of European colonial exploration that generated these ideas long before they became incorporated into the theories and practices of the modern state.

That suggests why liberal notions of rights, property, body, and liberty ought no longer serve as the sole lens through which we examine the question of suffering in the colonial past or in the present, since these ideas have evolved through the privileged enunciations of "injury" in colonial history. We would do well to re-ground the work of injury in a postcolonial critique of liberal amnesia and ask how the inhibited or uninhibited physical movement (the literal meaning of "freedom") of the imperial subject have provided the occasion for thinking, imagining, legislating, and removing any perceived threats and injuries posed to such freedom of movement. Unpacking the colonial legacy of "injury" is crucial to understanding how moral reasoning operates and is seen to operate in imperial warfare, past and present.

Understanding the work of injury entails recognizing it as a dangerous and productive force in the making of the modern world. To the degree that the project of world-taking cannot be accomplished on the basis of military technology alone, legal justification and moral reasoning were employed to bring about a consensus, a worldview or, if neither could be achieved, at least the authorization of a course of action by those in power. Whereas narratives of trauma have tended to dwell on memories of the past as a means to sanction present or future action, the work of injury in imperial warfare was primarily future-oriented: a premeditation and prefiguration of violence in a future mode, much like the "pre-emptive strike" on Iraq by the United States. Similarly, the September 11th attack on the twin towers in New York aroused familiar outpourings of ressentiment and precipitated claims of injury. And just as the originary wrong vanished in the warfare of the past, so the claims of injury continued to elaborate grounds for revenge and punishment of "terrorism" on behalf of a new imperial order. The imperial state continues to present its suffering as the rationale for its exercise of power.

Two observations may be made on the discursive front. One is that the state's injury claim might be viewed as moral posturing that should be exposed by analyzing its true intent and those of the oil interests that drove the war machine. This does not, however, explain why the discourse of "injury" remains so central to the legal and affective determination of human rights in the West and why both liberal thinkers and their critics have so much to say about the state of injury in civil society and the international community. The other possibility would be to acknowledge a political structure of suffering in global politics that can be traced to its earlier enunciations in colonial history and explained in light of that history. This seems to me a more promising way to show that the accepted moral consensus is itself the product of a political structure of suffering that underlies the claims of injury on the part of a state or empire and provides the moral vindication for further acts of retaliation. Terrorism, not unlike thuggery or the threat posed by the mirror image of barbarians, provides the name that fuels this cycle of retaliation and violence.

Can we find a way out of this vicious cycle of recrimination? As we have observed in Lin's reasoning to Queen Victoria, alternative articulations of injury have existed in the past and continue to exist in the present, even if they are often silenced and must be expressed in the form of political fantasy. One such fantasy which comes to mind and which I do not have the space to analyze here is Salman Rushdie's novel *Midnight's Children*, as his work explores colonial and postcolonial subjugation from this very angle and is populated with enigmatic scenes of injury and self-injury. It is interesting to note, however, that *Midnight's Children* remains undecided on the attribution of injuries and self-injuries with respect to how postcolonial subjects can tell the story of their colonial past to themselves, to others, and to the future generation. This ambiguity suggests a vastly different scenario from the kinds of vindictiveness that characterize the liberal discourse of the state and self which I have tried to analyze in my paper. If the imperial discourse of injury remains in motion, it makes all the more sense for us to take historical narratives and philosophical reasoning beyond the circularity of rights, injury, and retaliation and strive toward a more complex and dignified understanding of the history of one's own suffering and also that of others.

Religion, Shinto and Academic Discourse

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1. Political connotations of the concept of "religion"

When the concept of "religion" was imported into Japanese society after the opening of the country to the West in 1858, it was with distinct political connotations. At that time Western countries required Japanese society to guarantee religious freedom for all their residents in Japan since Christianity had been banned in Japan from 1612. Without religious freedom and a modern constitution, Japan could not be recognized as a "civilized country" with rights of political sovereignty.

In 1873 Japanese government allowed all Japanese individuals the right to believe in Christianity, and the Japanese word "Shukyo" was gradually adopted as the only word corresponding to the Western word of "religion." Such a unification of translational words in Japanese was urged to as part of the homogenous discourse to assimilate Christianity with the native Japanese religions, Buddhism and Shinto. At this stage Japanese society begun to internalize the concept of "religion" in the domestic context of regulation by Westernization as a whole.

Originally the Japanese word "Shukyo" comes from a Buddhist sutra written in Chinese to mean the "Buddhist teaching of truth" as doctrinal belief. Such a Japanese understanding of "religion" centering on doctrinal belief among several other Japanese translational words reflects on a Protestant notion of religion based on founder, scripture and church, and it created an epistemological gap with the Japanese religious practice of everyday life through its ritual behaviors. Under the Japanese Imperial Constitution of 1889, the concept of "religion" was located categorically in the private sphere, while the overlapping concepts of "ritual" and "morality" were located in the public sphere following the Western dichotomy of "religion" and "secular." Under such a dichotomy obviously Christianity, which in Japan tended to mean Protestantism due to the keen proselytizing activities of American missionaries, seemed to belong to the private sphere as religion. Buddhism also tried to reform itself to become a religion like Protestantism from its former ritualistic role of providing funeral services in the early modern period, although such services remained a popular social custom among Japanese people even if they were ignorant of the actual teachings of Buddha. Shinto, however, adopted a strategy of arguing that it belonged to the public ritual as morality with the national duty to serve the Japanese Emperor so as to avoid being defined as a primitive religion in comparison with Christianity and Buddhism. Lastly, the folk traditions of Japanese people in their everyday life were categorized as superstitions which had to be annihilated if Japan were to become a "civilized country." Behind these religious categories lay the pervasive influence of Social Darwinism among Japanese intellectuals, which provided the ideal framework for society to evolve from superstition to religion, and from religion to morality. Shinto emerged at the top of the evolutionary ladder as a moral rather than religious code, because its ritual character lacked any clear doctrines like Protestantism, although on the other hand it risked being judged a primitive religion without a founder, scripture or church.

Under the political pressure of Western countries Japanese government imported the concept of "religion" with the idea of religious freedom, and at the same time the government was able to affirm the freedom of its citizens by relocating Shinto from the private sphere of religion to the public duty of national morality and ritual. Such a strategy obviously utilizes the Western liberal dichotomy of "religion" and "the secular" in a paradoxical way, but on the other hand as the literal definition of Japanese law there was never any proclamation of the separation of religion and state in a precise sense so that the boundary between private and public, namely between religion and morality, became extremely difficult to determine. First of all the Constitution did not allow for popular sovereignty but rather imperial sovereignty which made it difficult to guarantee the people's religious freedoms in any fundamental sense. The Japanese emperor was regarded as a living God above the law, and since Shinto was reinvented so as to worship the emperor in the modern period it also succeeded in blurring the boundary of the Western dichotomy of "religion" and "secular". Consequently such a political ambiguity caused a considerable argument among intellectuals and religious believers as to Shinto worship violated the religious freedom of the people. This debate inevitably involved the problem of whether or not Shinto was a religion, and if not then what was the concept of "religion." Academic discourse on religion became a matter of very precise definition as to the essence of "religion" in Japanese intellectual society.

2. Emergence of religious studies

The first lecture of religious studies, the "science of religion" in Japan, was given by Masaharu Anesaki at Imperial University of Tokyo in 1898 in which he gave the following definition of religion.

> Religion is not simply the history of a single confession or sect, but a concept based on the understanding that all religions are realities of the history of human civilization, and are, as products of the human mind, part of the same process of production.

This definition is based on a psychological viewpoint which regards the relations between gods and humans as "products of the human mind." Focusing on the religious consciousness of the individual believer under the influence of William James, Anesaki maintains that in spite of their differences, the various religions and professions of faith can be understood as variants of the same phenomenon of “religion.” Religion is therefore not part of a sacred realm or transcendental sphere and everyone possesses some religious inclination. No longer excluded from the secular, the sacred can be found within human interiority through which Japanese individuals had the strong tie with the authority of Japanese nation state symbolized as their emperor.

Through such a logic of discourse Anesaki became the founder or religious studies in modern Japan. Following his inaugural lecture in 1898, his chair in religious studies at the Imperial University of Tokyo was established in 1905. Subsequently, a professorship in religious studies was established at Kyoto Imperial University in 1906, at Tōhoku Imperial University in 1922, at Kyūshū Imperial University in 1925, and finally at Keijō (Seoul) Imperial University in 1927. A national Japan Religious Studies Association was founded in 1930 with Anesaki as its first president.

In contrast to Anesaki, Katō Genchi, however, somewhat belatedly came forward with another definition of religion, in which Shinto is emphasized as an indigenous religion:

> The field of Religious Studies made a huge progress when it no longer understood “religion” exclusively as a universal religion like Buddhism, Christianity and Islam, but also included the tribal beliefs of primitive societies or national creeds that prospered among common people since ancient times and regarded them with serious academic concern.

Needless to say from this point of view,

> one arrives at the understanding that a national religion, as for instance state Shinto, even if it does not possess all aspects of a universal religion or a private religion, is of foremost importance among all religions.

Katō's approach further led him to an affirmative recognition of Shinto as a form of religion. Nevertheless, Katō was in full accord with his colleague Anesaki that religious belief consciously held up by the individual devotee makes up the core of any concept of religion.

In an attempt to overcome this limitation, Yanagita Kunio, the founder of Japanese folklore studies, put forward an interpretation of Shinto that initiated yet another array of definitions of religion. In his article on Shinto in 1918, he criticized the viewpoint of the Japanese government which interpreted all gods as humans. Likewise, he was dissatisfied with the interpretations of Shinto scholars who understood shrines as non-religious phenomena. Instead, he regarded with utmost esteem "the thinking about the gods that we actually find in rural villages […], which has neither a doctrine nor a founder". Yanagita's emphasis on communal practice rather than on individual belief influenced a new generation of scholars following Emile Durkheim, who from the 1930s onward began to revise the ideas of Anesaki and Katō. As the religious ethnology introduced by Uno Enkū and the religious anthropology by Furuno Kiyoto, Yanagita's views gradually developed into the most common approach to non-Western religions, and were reinforced by the ideology of Japanese imperialism in Asian countries.

In modern Japan, interpretations according to the Protestant model still prevail but practice-oriented understandings of religion have begun to erode the preeminent importance attached to religious belief by exploration of the indigenous colonial societies that were subject to Japanese imperialism. The word "Shukyo" has therefore developed multiple layers of meaning. Accompanying with such an extended definition of the concept of "religion" around 1920's serious doubts were raised concerning the official doctrine of the non-religious nature of Shinto. The concept of religion, therefore, held conflicting implications that were never resolved one way or the other. These "fluctuations of the concept of religion" are still valid today, as Shimazono Susumu explains:

> The word "religion" was not simply introduced in its original meaning as soon as it began to be translated as *shūkyō*. […] In today's Japanese society, there is much confusion as to what *shūkyō* actually means, especially when one asks what the main religion of Japan is […]. In this sense, the Western concept of "religion" has not yet been neatly settled in Japan. Rather, it is widely recognized that there is a certain perplexity regarding the concept of "religion."

Morality was another term endowed with a number of meanings as well as religion. While scholars in the tradition of Western enlightenment simply contrasted it with religion, adherents of Shinto used it more or less as a synonym for "National Body" or Japanese emperor system. Especially from the 1920s onward, it was in this latter sense that morality was emphasized by Shinto scholars. Morality embodied a public space that subsumed the private realm as well. In the same way, the indigenous ritualism of Shinto transcended the distinction between the secular and religion. In both cases, the idea of Western enlightenment was increasingly rejected. There emerged a new academic discourse of "Shinto studies" which interpreted Shinto and

Japanese emperor system as the origin of the "National Body", that is to say the essence of the Japanese spirit which transcended any kind of Western categorization. At the same time, Shinto was purged of folk traditional elements that were rooted in Japanese everyday life by its abstraction as the national morality. Ironically, this conservative plan deprived Shinto of the religious seriousness which had encouraged ordinary Japanese people to adopt Shinto rituals in their everyday lives with such seriousness.

In Japanese society before World War Ⅱ, which did not separate religion from the state, both "religion" and "morality" were highly ambiguous terms that were related to each other: a change in the meaning of one term was likely to bring about changes in the other term's meaning as well. All in all, they pointed to an extremely difficult choice between a collectivist or individualistic conception of human life, and further, between moral and religious norms of human behavior.

3. Decline of religious studies

After the war, the American occupation army residing in Japan commanded the Japanese government to adopt the policy of separating state and religion, thus dismantling the institutional framework which had supported the ambivalences between the concept of religion and of Shinto as non-religious Shinto. As a result Shinto became not a morality of national duty but a religion dependent on personal choice with religious freedom to be defined by the new Constitution of 1946. Ironically at the same time, religious studies in postwar Japan lost its social significance because there was no longer any need for it to criticize the ambiguity of Shinto in terms of the dentition of the concept of "religion."

Hideo Kishimoto, Anesaki's successor at the University of Tokyo, assisted the American occupation army in executing its policy of prescribing Shinto as a religion separate from state control. He also started to reorganize the character of religious studies in line with American social and human sciences. In 1961, he stated that

> Religious studies aims to investigate the meaning of religions as cultural phenomena. Its object is religious phenomena which exist as human activities.

In his thinking, the notion of "religion" would lose its *sui generis* status and instead embrace the new discourse of social and human sciences that pervaded the secular culture of postwar Japanese society. Yet despite Kishimoto's endeavours, very few of the new national universities established in each of the prefectures of Japan had departments of religious studies as a result of the proscription of state Shinto. Religious phenomena were, however, studied in the fields of sociology, anthropology and historical studies rather than in religious studies .

In the 1970s, against a background of intense interest in secularization, scholars of religious studies questioned the theory of secularization based on their field work in the new religions and the ideas of Thomas Lookman. They argued that religious phenomena had been rooted in Japanese society in a different way from European Post-Christian society, one which was not limited to the private sphere while interpenetrating the public sphere to repudiate the dichotomy of religion and the secular. In 1972 Kei'ichi Yanagawa, a professor at the University of Tokyo, proclaimed the bankruptcy of religious studies as an objective and systematic science (as Kishimoto had espoused it). Yanagawa said that

> Religious studies can no longer be taken seriously as academic discourse. […] The important thing is religious phenomena in themselves.

Yamagawa emphasized the irrational positivity of religion against academic rationalism. Following his argument the positionality of scholars of religious studies may approach that of religious believers who are searching for answers to the truth of life when they abandon the particular function of academic discourse. It is easy to see how scholars of religious studies became vulnerable to criticism when a new religious group like Aum Shinrikyo killed thirteen Japanese citizens by letting off poison gas in the Tokyo subway in 1995. After this incident many scholars of religious studies in Japan have had to take seriously the political connotation of their own academic discourse and the violent aspect of religion itself under the new influence of cultural studies and postcolonialism from the West.

Concept of Heaven and God of East Asia in 19th century: Comparative research on the cases of Taiping rebellion and Dong-Hak

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The concept of Heaven(天) and God(上帝) had been the ultimate basis of political legitimacy in traditional East Asian. However these concepts experienced process of transformation and collapse like many important political concepts of East Asian tradition. Through the comparative research on history of concepts of Heaven and God of Taiping rebellion and Dong-Hak, this presentation tried to clarify the history of people's concepts of Heaven and God in the context of impact of concept of god of Christianity in late 19th century, and also tried to evaluate meaning of these concepts from the view point of political thought.

STYLES OF RHETORICAL IMAGINATION
IN COMPARATIVE POLITICAL THEORY AND CONCEPTUAL HISTORY

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The critique of ‘methodological nationalism’

The starting point of this paper is to discuss, how could we avoid the ‘methodological nationalism’ (Ulrich Beck 2002) that remains implicit in also many studies on political theory, conceptual history and related fields? How could we proceed not to take units such as states, nations or political cultures as separate quasi-natural units when writing comparative studies?

With such questions I take as my targets of criticism a few excellent recent studies which I enjoyed very much, but which remain still committed to a version of ‘methodological nationalism’. I mean Jörn Leonhard’s massive study *Liberalismus – Zur historischen Semantik eines europäischen Deutungsmusters*, Martti Koskenniemi’s world-famous comparative history of approaches to international law, *The Gentle Civilizer of Nations. The Rise and Fall of International Law* (2002) and Pasi Ihalainen’s original study *Protestant Nations Defined. Changing Perspectives of National Identity in the Rhetoric of English, Dutch and Swedish Public Churches 1865-1772* (2005).

Unlike many other studies, their advantage lies in not writing intellectual or conceptual history as a prolongation of the ‘ordinary’ history of events and processes. All three authors trust on the reader by referring to this kind of history as well-known and not in need of recapitulation of the context of the study. To avoid anachronistic projections to the past has also been a key target of such studies. According to Pasi Ihalainen, the point is: ”A comparative conceptual history might thus actually lead us to question and even deconstruct existing national identities, for instance by revealing that the ways in which the ideas related to the national identity or democracy in a certain country have been constructed are not unique.” (Ihalainen 2007, 130)

In so far all of them practise in thematic terms what Max Weber calls *einseitige Steigerung* of a perspective (see Weber 1904, 191). But taking ‘nations’ as the given unit of the narrative is renders them liable to lead submit to what Weber called an unfortunate tendency to use collective concepts (*Kollektivbegriffe*, see ibid, 210-212). This means also that it is assumed that the ‘national’ context is in each case both predominant and common to all the participants in the national debate.

The transfer studies, such as Leonhard’s, of course introduce a temporal element to the comparison and separate the decades in the analysis of liberalism instead of writing four complete separate studies. My critical point concerns rather that what Pasi Ihalainen defends in a programmatic article: ”As to the disposition of the analysis, it is best to analyse the conceptual development in each political culture in its own subchapter, which ensures that the national contexts of each culture are properly introduced and their significance discussed” (Ihalainen 2007, 134). In other words, he studies the introductions, shifts and dissolutions in concepts mainly through the national differences. In a ‘narrative nationalism’ political cultures” are taken as main units of analysis in the disposition.

Thus, how to such avoid also narrative nationalism in the disposition of comparative studies? What shall we then compare with what and how, if not states, nations, political cultures or similar separate unites forming more or less contexts treated independently of each other?

My starting point is that everything can be compared with everything: there are no *a priori* incommensurable units or perspectives on research. It is up to the scholars themselves to deliberate and decide on which entities they are interested and in which respects they want to analyse their differences and similarities. In a broader sense, all studies are ‘comparative’, if they go beyond the classification of their materials and discuss the broader significance of their questions, procedures, sources, conclusions, ‘results’ and so on.

When all studies are comparative, the subject matter as well as the procedures of comparison remains a subject of debate and choice. What is, then, worth being compared in which respect and how should the comparative analysis be practised? If everything is comparison, are there some privileged intellectual instruments for conducting comparisons?

The comparative powers of rhetoric

Rhetoric forms a historically powerful tradition in the European thought and action, which allows us to construct perspective of comparison. In this paper I want to discuss some obvious rhetorical possibilities to dispense with ‘national’ units in comparative studies.

By rhetoric I refer to human practices to persuade others to accept or reject certain items on the agenda (or: the existing agenda itself). The rhetoric of agents can concern statements, judgments, proposals, assumptions, situational interpretations, comprehensive perspectives and so on. The point of rhetoric is that there are always good reasons to speak *pro or contra*, to defend or to dispute any of the alternatives for the item in question as for as for the debates on which items should be taken the agenda. The rhetorical vision disputes the possibility of sufficient grounds for the decision while admitting that a decision must be taken sooner or later. It is up to the agents themselves to debate and to decide (for the Renaissance rhetoric's speaking *in utramque partem* see for example Skinner 1996, 2002).

My point here is that rhetoric offers us as an inherently comparative perspective of analysis in the elementary sense that it does not deal with the absolute entities. It analyses similarities and differences as well as advantages and disadvantages of the items to be discussed and decided. The point is not an either-or decision, but revisions and modifications of the alternatives themselves in the course of a debate in order to alter their conditions of their acceptance. Rhetoric offers us clues for comparison not only for the study of the outcome of the actual disputes but also for the changes of constellations through them. *Pace* Skinner (esp. 1996, ch. 4 and 2002, vol. 1, ch. 10) rhetoric thus also contains a programme for rendering conceptual changes intelligible.

In the history of rhetoric itself we can find a number of different resources of comparison, which have not been sufficiently thematised in the recent political theory and conceptual history. An interesting Cambridge volume called *Renaissance Figures of Speech* (ed. by Adamson & Alexander and Ettenhuber 2007) illustrates the comparative powers of rhetoric in terms of an innovative use of rhetorical figures. Most of its authors are literary scholars, but the figures that they discuss can equally well be used in political theory and conceptual history. The titles of many of the articles allude to the topic of comparison, the distinction between similarity and difference, the problems of inversion, amplification and reduction and so on. There even exists a distinct rhetorical figure of ”compar or parison” (Macdonald 2007). An explicit link to my problematic is, of course, provided by Quentin Skinner's discussion of the Renaissance uses of the scheme *paradiastole*, among others in the work of Shakespeare (Skinner 2007, see also Skinner 1996 and several essays in the three volumes of Skinner 2002).

The omnipresent possibility of making comparisons offer us chances for writing comparative rhetorical studies in terms of discussing similarities and differences or revaluations and devaluations based on the claims on comparable items – parallels, analogies, equivalences, correspondences and their counter-concepts – between some aspects of situations as well as their alternations due to the rhetorical controversies.

The comparing powers of rhetoric are, of course, inherently linked to the historical role of rhetoric in the European thought. In Skinner's terms, rhetoric has been part of the ”political life itself” that sets the problems for the political theorist (Skinner 1978 I, xi, see Palonen 2005). The question is which of the numerous possibilities indicated by the historically paradigmatic role of rhetoric for political controversies can and should we use for writing conceptual history or political theory?

In this paper I illustrate some possibilities to use rhetorical comparisons that I have applied in my own studies. They indicate the multiple facets of rhetoric and its relationships to politics since the antiquity. Even if my decisions to practise just a certain kind of rhetorical analysis were in each case highly pragmatic, related to the actual problems of each study, I will, in the final chapter, also shortly compare the different modes of rhetorical studies that I have myself being using as a perspective of comparison.

The four studies I take as examples of my different manners of using a rhetorical approach to comparison refer to different stages of work. The first is a published study, the second a completed study to be published this autumn, the third a work-in-progress, but the last one still remains rather a programmatic declaration of a research programme that is so far only fragmentarily tested in detailed research practices. Thus, the rhetorical genres have a broader political significance than what I have analysed, and here I will present some speculations around it.

The rhetoric of *topoi*

In *The Struggle with Time* (Palonen 2006) own preferred strategy to avoid methodological nationalism in comparative conceptual history of politics was to invert the perspective and to use 'national' singularities of debates as a supplementary feature of my narrative. The point is, then, of course, to construct such categories of comparison, which shape the disposition of the study itself.

When comparing the modes of conceptualisation of politics as a contingent activity in the period after the French revolution, my initial observation was the relative similarity of the problems of conceptualisation the activity of politics encountered in the British, French and German debates. This holds despite the huge differences in both 'political' and 'intellectual' history of the countries and despite the low intertextuality of the projects of conceptualisation of politics with each other. The issues on the agenda encountered at a certain time and within a broader European context by political agents and through them by political theorists have accentuated a large degree of similarity, even of the answers differ. These similarities may also be manifested in central political practices, which condition and mediate the activity of conceptualisation (see Palonen 2006, ch. 3).

The agenda of conceptualisation of the activity of politics is rhetorically constituted in terms of the issues problematised and discussed as ‘politics’ or ‘political’. My key methodological device in the identification of the agenda was to construct a repertoire of *topoi*, around which the debates of conceptualisation of politics-as-activity can be narrated in a concise manner. To quote Weber, the one-sided accentuation of the comparative perspective has been made possible by a *Begriffsstenographie*, a metaphor that Weber uses for his own methodological tool of ideal types (Weber 1904, 195). Like in stenography, the construction of the repertoire of the *topoi* allows us to form a first stage in the narrative, including a certain historical dimension in the presentation of the *topoi* hinting at the order of thematisation of each *topos*, which then must be deepened in the ‘situating’ of the differing views on the specific aspects of politics within this repertoire.

The classical rhetorical term *topos* refers to ‘common places’ where to look for attempts of thematisation of politics as an activity. When speaking of politics as temporal phenomenon, the *topos* consists in a distinct angle of thematisation of the concept which may be encountered at different contexts more or less independently of each other, when interpreting the problems as ‘similar enough’. The term repertoire refers here to possibility of comparing the *topoi* themselves with each other at least in certain respects. Admitting the additive character of *topoi*, speaking of a repertoire means I have at the same time followed the heuristic principle to include everything worth discussing to some of the *topoi* but without a claim to present an exhaustive list of them.

Whereas the repertoire alludes to the range of discussion, the *topoi* serve as heuristic instruments of analysis in the sense of offering a first step in situating a certain view within the repertoire. The next one consists in the differentiation and individualisation of the *topoi* through a more detailed analysis of single conceptions and their profile. The *topoi* must be distinguished from discourses which tend to be content with subsuming the individual views within a broader framework. The *topoi* serve, on the contrary, as media of comparison to be complemented and historicised by the range of variation of the uses of concept within them as well as the individual profiles given to the broad resources of that topos in the context of the study.

If there is a model for practicing such a rhetorical narrative, Quentin Skinner’s *The Foundations of Modern Political Thought* (1978) might be the best candidate. In particular, the ‘decentering’ of the individual authors’ views to different *topoi* indicates the complexity of the process of conceptualisation the activity of politics, which goes across the views of individual authors. The point of comparative study, for Skinner as well as for myself, is not to present the views of single authors as such. This should, of course, not to be mixed with any disrespect for the political value and significance of the individual's conceptual constructs, but the narrative of conceptualisations is built around the repertoire of *topoi*. The presence of for example Machiavelli's or Weber's views in the context of several *topoi*, rather indicate their own richness and complexity.

The rhetoric of temporal layers

In my recently completed monograph *The Politics of Limited Times. The Rhetoric of Temporal Judgment in Parliamentary Democracies* (2008), I have followed a different strategy of comparison than in *The Struggle with Time*. I operate this time with an ideal typical sketch of the distinct times of democratised parliamentary politics. I propose a reading of the history of democratisation and parliamentarisation of politics in temporal terms, regarding 'parliamentary democracies' as regimes that are constituted by the temporal scarcity and are time-intensive in their procedures and practices. Explicitly temporal units replace the metaphorical spaces of *topoi*, although also the 'layer' remains a spatial metaphor for the studying time.

The rhetorical analysis is since the antiquity inherently temporal, operating with experienced realities of time that are not located but situated (see Cassin 1995). Revising for my purposes Reinhart Koselleck's geological metaphor of temporal layers (*Zeitschichten*, see his essays from 2000), I have constructed a set of four ideal typical layers of time – lifetime, momentum, time-span, calendar – and used them for historical cases studies on the processes of democratisation and parliamentarism. All of them refer to the intermediate time of recurrent events between the merely repetitive processes and the dramatic *kairos* of extraordinary events. They are to be understood as typical layers of activities, not as tendencies that transcend the human activities themselves.

The temporal reading of democratisation and parliamentarisation of European politics is, of course, a thought experiment, based on the *einseitige Steigerung* of less thematised aspects of the historical changes in question. It differs from other temporal narratives, from the philosophies of historical stages to Koselleck's own paradigms for the *Verzeitlichung*, namely progress and acceleration. I have constructed my own scheme for distinguishing the constitutive rhetorical layers of political time in parliamentary democracies.

My temporal layers refer to the problems of time that the contemporary political agents faced and dealt in the context of democratic-cum-parliamentary break with the old order. Such problems are again rhetorically constructed, not strictly according to the issues on the agenda but rather more implicitly through the temporal presuppositions and distinctions that render the shifting issues on the agenda intelligible. The studies of the monograph illustrate examples when politicians have thematised these temporal dimensions and set them to the agenda or in some cases, this is rather done by theory politicians discussing the concepts of democracy and parliamentarism.

The relationships of the temporal layers to the debates of enfranchisement, alternation in government, parliamentary deliberation as well as to the types of politicians are discussed in terms of a historical thesis: democratic and parliamentary regimes play with temporal horizons that tend do be shorter than those in competing regimes, such as monarchy, bureaucracy or the older types of constitutional regimes. The rhetoric of democratisation and parlamentarisation consists in the willingness to recognise the play with limited – but not instantaneous – times as a rhetorical condition of the new regime. In other words, the comparative operations regarding the layers of time are dependent on a vision on distinctive novelty of the democratic and parliamentary politics as a time regime and of the specific possibilities opened up by this novelty.

In *The Politics of Limited Times* I assume that politicians themselves had a better insight into the role of temporal items and distinctions for the democratic-cum-parliamentary style of politics than theorists. Politicians acting in a deliberative struggle with each other have greater chances than scholars to get rid of those venerable *topoi* that prioritise long over short time, of orders over situations and structures over occasions. They may better equipped than theorists to understand that the novelty and singularity of parliamentary democracy has to do with shorter temporal horizons of politics. To invert a well-known nineteenth century proverb, in parliamentary democracies the 'future generations' of the statesmen are subordinated by the 'next elections' of the politicians.

The temporal intensity of political agency in parliamentary democracies complements the vision of politics as a contingent activity at the level of institutions and practices. The studies conducted in *The Politics of Limited Times* are based on exemplary readings of selected debates and other texts. They illustrate the thesis, set it to the context of definite debates on the political agenda and offer starting points for more specific studies with primary sources. The study also has a relatively narrow focus on the procedures and practices of democracy and parliamentarism in Western Europe after the French Revolution. The narrow focus allows us to direct the attention to the play with different layers of time and construct a typology of layers that combines the breaking point with the possibility of repetition as the distinct qualification of using political time in parliamentary democracies.

The politics of rhetorical genres

A further possibility to use rhetoric to a comparative political and conceptual historical analysis lies in the rhetorical genres, referring to different types of persuasive action. For the purposes of a study on Max Weber's rethinking of 'objectivity' in rhetorical terms, I have updated Aristotle's triad of deliberative, forensic and epideictic rhetoric with a fourth genre, namely the rhetoric of negotiation between given partners. In addition, the four genres are connected to distinct paradigms that render them applicable to contemporary politics. My starting point is to discuss the genres as modes of debating controversies and deciding upon them. From this perspective the rhetorical genres may offer us paradigms for the understanding of competing political modes to deal with controversies.

The rhetorical genres differ from each other in their aim of speaking, in their audience as well as in their mode of deciding upon the issues. The paradigm of deliberative rhetoric is the parliament, as it was stepwise formed as a new type of institution in early-modern England. The rhetorical point of the parliamentary style of politics lies in deliberating *pro et contra* and taking its decisions by counting the votes. The paradigm of forensic rhetoric is, of course, the law court, in which the prosecutor and the defendant appeal to the judge, who decides upon the case in question. The political paradigm of epideictic rhetoric is the referendum, in which the yes and no sides appeal to the acclamation of 'the people' (see Schmitt 1928). The paradigm of the rhetoric of negotiation is, of course, diplomacy, where the professional diplomats represent given standpoints of their 'country' and negotiate on a compromise that looks as advantageous as possible for each.

For the purposes of comparative political theory, it is possible to understand the parliament, the court, the referendum and the diplomacy as alternative and competing political styles which may occur on any arena. The strict party discipline may for example make parliaments sometimes to resemble sites of diplomatic negotiations, and the dissolution of the parliament in order to appeal to the people adds a quasi referendum element of epideictic rhetoric to the parliamentary politics. The veto power of constitutional courts may restrict the deliberative powers of the parliament in forensic terms. The jury in its turn introduces a deliberative element into the judiciary, and for example inside the parties of diplomatic negotiations intensive deliberations on the best line of the party may be conducted.

An alternative for the comparative political theory may thus consist of analysing political struggles in terms of second-level controversies between the rhetorical genres. The power struggle between courts and parliaments for example on the status of human rights concerns the struggle between a given criterion interpreted by the courts and the deliberative vision that in politics the freedom consists in disputing any criteria in the parliamentary process of deliberating *pro et contra* and deciding upon them by vote in the parliament. Similarly, we can understand voting either as an act of acclamation for the candidates analogous to the referendum or as a move extending on the election day the deliberative powers of the parliament to the voters themselves (thus inverting Rousseau's dictum from *Du contrat social* that the English are free only on the election day).

There are, of course, no extra- or supra-political criteria for deciding the disputes between the rhetorical genres. Each of them represents a different style of politics, between which also struggles of the range of applicability are on the agenda. In historical studies, we can be content with asking how the struggles between the rhetorical styles have been conducted in different situations.

As for the normative judgment it is up to us to choose, which kind of politics we are interested in to study. For the study of politics as an activity we can construct two dimensions of politics, namely contingency and its actualisation in controversiality be set in relation to the striving to reduce or to accentuate the political character of the struggle. Then we arrive to this scheme:

	Reduction of Politics	Accentuation of Politics
Contingency	Forensic rhetoric	Negotiation rhetoric
Controversiality	Epideictic rhetoric	Deliberative rhetoric

In other words, the forensic rhetoric of the courts aims at reducing both the contingent and the controversial in order to give the last word to the authoritative decision of a judge. The epideictic rhetoric of the referendum accentuates the contingency of the choice and the persuasion of the voters but allows their voice merely to be manifested in the acclamatory acceptance or rejection, without leaving time for either deliberation or negotiation. The rhetoric of negotiation accentuates the controversy between the opposed parties, but reduces politics to the search for a mutually acknowledged compromise. Finally the deliberative rhetoric of the parliamentary style celebrates both the controversial speeches *pro et contra* as well as the contingency of the results of debates, frequently expressed in a vote.

The point for a comparative rhetorical analysis of politics lies thus in the agents' degree of choice regarding the politics of rhetorical genres. Do they support a politics that claims to be something more than politics or one which openly recognises itself as politics? When accepting the political character of the controversies, do the agents this as something limited by a negotiated compromise or, on the contrary, celebrated in terms of an open procedure of deliberation *pro et contra* with voting as its last instance.

In Max Weber's discussion of 'objectivity' the crucial question concerns how to discuss scholarly controversies in an open and systematic manner, as a regular and valuable part of the scholarly activity itself (Weber 1905, esp. 161-162). Taking the disputes in the German-speaking economics around 1900 as his point of departure, Weber directed attention to the disinterest in such controversies in academic contexts due to lack of proper rhetorical procedures to conduct them.

The traditional mode of 'resolving' scholarly disputes recourses to the *ex cathedra* authority of professors, to the acclamation of their work among colleagues and students. However, an *exit* strategy is possible under the condition on a free movement of students between universities and the academic competition between established professors. The professorial appointments with external expertise introduce both negotiating and forensic elements, although the application of both remained highly questionable when the subject matter was openly contested and controversial.

Weber's seemingly paradoxical point was to realise that the conditions of *a fair play*, his regulative idea for 'objectivity', were much better realised in parliamentary style of politics, especially the British one, than in the *république de lettres.* In his essay Weber strongly emphasised the similarities between scholarly and political activities up to a point of regarding the *Wissenschaft* as a specific and simplified form of politics (no majority vote, less dramatic personal consequences for scholars of defeats, more space for thought experiments and so on). Accordingly, his point is that scholars should learn from parliamentarians how to openly deliberate their controversies *pro et contra* – without dictating for the scholars, how this learning should concretely take place.

The comparative rhetoric of parliamentary sources

I am interested above all in the deliberative style of politics of the parliaments based on speaking *pro et contra* as a condition of a fair treatment of any issue on the agenda. The discussion of proposals *pro et contra* is not merely tolerated but forms the very *raison d'être* of the parliamentary procedure and through it the intelligibility of parliamentary politics as such.

Conceptually and historically, the parliament offers us the paradigm for a politics of dissensus. During the struggle of the parliament with Tudor and Stuart Kings in sixteenth and seventeenth century, the English parliament distinguished itself from ancient and city assemblies as well as from the contemporary estate diets with its rhetorical principles of the free mandate, free elections, free speech and freedom from arrest (parliamentary immunity). They were complemented with more technical principles of the parliamentary procedure based on the principle of speaking *pro et contra*. The procedural principles were codified in the eighteenth century into a set of rules and practices that increased the powers of the opposition and supported the transition to the parliamentary government (see for example Kluxen 1983, Redlich 1905). The parliament also reached the status of the modern paradigm for deliberative rhetoric during the eighteenth century.

Verbatim reports of the parliamentary debates were legalised and institutionalised even in England only in the first years of the nineteenth century, although summaries of the previous debates from sixteenth century onwards do exist. In reporting the debates there are discrepancies between the official stenographic documentation (allowing the MPs to correct *lapsus* mistakes), newspaper reports and the so-called *life* debates in voice and image, and they should not be resolved in favour of one authoritative source. Thus, there exists for some 200 years of fairly reliable and many-sided public documentation of parliamentary deliberations.

All this allows us to use parliamentary debates as paradigmatic sources of comparative studies on political theory and conceptual history. This can be done in either longitudinal or latitudinal (for example in relation to certain types of debates, say those on the enfranchisement of women can be done in both respects) terms, in intra-parliamentary and inter-parliamentary studies, even between sovereign parliaments and other parliamentary assemblies and so on.

As compared for example with lexical sources, the paradigm of *Geschichtliche Grundbegriffe*, the study of parliamentary debates (in regimes with annual parliamentary sessions) may offer us a better chances in identifying in the debate new expressions or new rhetorical tones that may alter the meaning or the normative colour of a concept or transfer them from the wider debate to the parliamentary arena. In opposition to the *ex cathedra* pedagogy of lexica, dictionaries, handbooks and textbooks, the parliamentary debates accentuate above all the actual controversies among the political agents themselves around the concepts in specific contexts.

In the parliamentary debates you can both detect implicit and long-term conceptual changes and explicit changes produced in the course of the debate itself as well as. Regular and recurrent events, such as budget debates, turned to become a general debate on the policy of the government, also when, as the case was for example in Wilhelmine Germany, the budget was the main parliamentary power share in regime without a government responsible to the parliament. The annual budget debates can also be used to the analysis of the more tacit and implicit conceptual changes by making the dating of new terms and new meanings of old ones in a more detailed manner. The one-sided future-orientation of the budget debates shall, accordingly, to be complemented by relating conceptual changes to the political shifts in parliamentary majorities and governments.

Parliamentary debates also contain a rich source of spontaneous conceptual innovations, which have seldom been recognised, probably due to the neglect of the interest in conceptual aspects of the debate or to non-repeated aspects of using concepts. William Gerard Hamilton observed the speaking practices of the British parliament in the second half of the eighteenth century in a series of maxims collected posthumously in *Parliamentary Logick* (1808). A striking theme in the maxims is the use of conceptual alterations as rhetorical tools in the parliamentary debate, for example through the scheme for devaluation of virtues and attenuation of vices in the sense of the scheme *paradiastole* that Skinner has actualised in the contemporary academic debate.

In other words, parliamentary debates serve as an extraordinary occasion for conceptual revisions and innovations, which deserves a close attention of conceptual historians. We can assume that such revisions have increased after Hamilton's time under the competitive politics of parliamentary regimes and of democratised parliaments, when speaking became an indispensable arena for politicking for every Member of Parliament. The point is that the conceptual revisions, usually not directly related to political shifts, tend to go lost within the ocean of parliamentary records, if not a special attention is paid to them.

The slow and the rapid, the habitual and the intentional, the explicit and the implicit forms of conceptual changes are thus analysable in detail through parliamentary records. The relative profile of similarities and differences between the parliamentary procedures and practices also allows a comparison between similar occasions in the different parliaments at the same time or, also in analogous periods in relation to major parliamentary reforms, such as the parliamentarisation of the government or the democratisation of the franchise. We could, for example, compare the speeches of the first female MPs in Finland after 1907, in Britain in early 1920s and in France after 1945 from the point of view of conceptual history.

Another aspect in the inter-parliamentary comparison consists in the 'translation' of the political vocabulary, especially that distinctive of the parliamentary regimes. We can not only analyse the rhetorical history of the concept of government's and minister's responsibility to the parliament in different countries but also study the different linguistic resources of the ('natural' and political) languages spoken as well as the problems of reception and modification of the international debates in different parliaments (multilingual parliaments, such as the Swiss, the Finnish or the Canadian may be of special interests here). Interesting variations both in the vocabulary and in the political rhythms of change consists of the debates regarding the payment for the parliamentarians. The comparison between national parliaments is here obviously one dimension, but comparison can be also conducted in other respects, for example regarding the differences between the arguments for example the socialist members in the different parliaments and in different times.

When so far the national parliaments have played a decisive role over both the sub-national and the supra-national ones, the concentration on parliamentary sources seems to signify a certain return to the inter-national comparisons. However, this is an optical illusion: what we should compare is not the politics in Britain, France and Germany through parliamentary debates but the distinct features of the parliamentary style of politics (and its opposition to the other styles) as well as the singular modes and practices in definite national contexts. Beyond the national differences, other contextual elements, such as the chamber system, the parliamentary committees or the relations between government and parliament, may be of at least equal significance.

The key units of the comparison are then the principles and practices of the parliamentary rhetoric and parliamentary concepts manifested in the political controversies. We can analyse the nuances of the parliamentary vocabulary and rhetorical practices, for example in the modes of dealing with 'unparliamentary language'. Differences also exist for example in construction the parliamentary procedure between the English style of relying on historical precedents and the French mode of a written procedure (see Pierre 1887). In such details we can detect both historically relevant and still up-to-date controversies both inside the parliaments and between the parliamentarians of different political cultures.

The point is also to distinguish the rhetorical genre of parliamentary politics from the diversity of speaking practices in historically formed parliaments. The rhetorical genre forms a paradigm which is not so much a normative criterion of judging existing parliaments but which allows us both to distinguish ‘parliamentary’ features in politics inside and outside parliaments and to understand the richness and diversity of different parliamentary cultures of politics.

Comparing rhetorical practices of comparison

After having practised the rhetorical analysis of politics for some twenty years, I am convinced of the rich ”lost treasures” (cp. Skinner 1998, 112) of rhetoric for western politics. An uncompromising acceptance of dissensus serves as a condition of intelligibility of politics for example regarding the persuasive powers of speech to alter the constellations, to break down fixed positions and to shake the legitimacy of established authorities. Rhetoric is indispensable for the political analysis of dissensual practices, as represented by the parliamentary style of politics.

Besides being an expression of persuasive dissensus, rhetoric is also a tool of comparison. The possibilities of speaking *in utramque partem* or, for example, the situations of the Nietzschean *Umwertung der Werte*, more generally, of *paradiastolic* re- or devaluation of concepts, are of obvious interest. With rhetoric you can dispute everything that claims to have an unconditional value, which has its purpose in itself. In other words, all forms of rhetoric I have practised have to do with the rhetoric of dissensus, more specifically how to conceptualise the dissensus.

My comparison of the modes of using rhetoric in comparative political theory and conceptual history is here limited to my own research experiences. Nonetheless, they may give hints to the elective affinities between aspects of rhetoric and styles of writing political theory and conceptual history. The rhetoric of *topoi* can, above all, be used as a tool of conceptualisation, of a comparative abstraction of the key items, in terms of creating a repertoire of *topoi,* around which the narrative will be arranged in terms of their main points in relation to each other.

Instead of including authors and their views on a few predetermined discourses, the repertoire of the *topoi* serves as a starting point in the analysis of profiled individual views, to which I attempt to give a voice. The inclusion of a view into a definite *topos* does not exclude the discussion of the same formula under another *topos*. This topical rhetoric suits to studies that will arrange a great number of items from a wide (although not unlimited) variety of contexts within a single narrative. The repertoire of *topoi* offers at the same time an interpretative perspective in summarising the ‘results’ of a study and an analytical instrument for the reader to use her own imagination for applying or criticising the perspective itself in further studies.

As compared with the rhetoric of *topoi*, the rhetoric of playing with limited times remains closer to the vocabularies of the agents, but directs attention to its temporal subtext. In the language of politicians acting in parliamentary democracies temporal expressions are omnipresent, but so far hardly discussed in detail. My typology of temporal layers not only brings them from the periphery to the centre of the analysis but also offers clues for a political reading of their rhetorical uses. In a sense, the point of using the rhetoric of temporal layers lies in a politicisation of the quasi-natural use of temporal expressions.

Speaking for example of occasions, rhythms, urgencies and deadlines shall not serve to adapt political action to a popular socio-psychology of everyday life. On the contrary, the seemingly harmless everyday usages of time can be connected with the historically relevant paradigms of political regimes, procedures and rhetorical practices, such as the need to decide about budgets in annual terms or to prevent the obstruction in the parliament by arrangements of the agenda and by the limitations of speaking. My key *Wertbeziehung* in *The Politics of Limited Times* is to defend politicians in parliamentary democracies as highly time-sensitive persons that sets them into opposition with the ‘bourgeois’ patters of life and work, and, correspondingly, tend to render them highly unpopular in their own electorate.

The use of rhetorical genres is of course an established form of analysis. However, it is striking how little explicit discussions about the genres exist in the rhetorical and political theory, although the new paradigms for the genres are discussed in the British and French nineteenth century studies on the parliamentary eloquence. Using the genres as styles of political agency leaves thus room for one’s own inventions as combined with the familiarity with classical rhetoric. Through them also the presence of different modes of dealing with dissensus in the rhetorical tradition of thought becomes evident, as does the possibility of construction a political perspective on the comparison of different procedures, practices and institutions in terms of rhetorical ideal types.

During the last five years, I have become a parliament scholar myself, This has required from me to acquaint myself with the literature on parliamentary eloquence, parliamentary procedure and parliamentary history. All this has opened me a fascinating new political world, lost to most of contemporary parliament scholars and something that I, as a political science professor, have vaguely known for a long time, but which now appears in a different light. Having studied rhetoric for some 20 years and also advocated the priority of dissensus over consensus for a long time, I never had fully realised that there existed a historical paradigm for the rhetorical politics of dissensus, namely the parliament. The parliamentary rhetoric had all kinds of resources worth opening up for a discussion both of a political history of concepts and for political theorising.

The understanding of the parliament as a rhetorical paradigm for the politics of dissensus also offers me a dual perspective on the relationships between the historical institution and the ideal type. In the historical parliaments there are also numerous aspects that are independent of and even incompatible with the ideal type of a dissensual institution. This opens up possibilities for comparing the parliament in their relation to the ideal type as well as for a normative speculation of reforming parliaments in a dissensual perspective (for example in extending the speaking *pro et contra* more systematically to the agenda formation). The historical parliaments may also contain aspects inspiring a re-thinking the forms politics of dissensus or of rereading other institutions in a manner that their dissensual and parliamentary elements may better accentuated.

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Research Paper

The Conceptual History of 'Revolution in Military Affairs, RMA'

(An Analysis on the Evolving Process of the Concept of RMA Based on the Methodology of Conceptual History)

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1. Introduction

The purpose of this article is to analyze the evolving process of the concept of 'Revolution in Military Affairs, RMA' in the debates on the post cold war defense reformation in the U.S. through the methodology of German way of conceptual history led by Reinhart Koselleck.

The German way of conceptual history has received considerable scholarly attention since 1960's especially as a new approach to history. Built on a series of balanced assumptions, it has developed strategies to systematically analyze and explain the dynamics of the relationship between reality and language.

RMA, the abbreviation of 'Revolution in Military Affairs', essentially means the dramatic changes in the whole field of military. Although people already began to recognize rapid changes in military sphere with the introductions of new IT technologies from the middle of 1980's, the military implications of contemporary technological developments are still in debate. Also during last 20 years, terminologies and concepts for the revolutionary changes in military sector have been constantly evolving.

It may be problematic to apply the method of conceptual history which has been developed as a historical methodology to analyzing the recent political issues. However, the well-balanced point of view and systematic analytical frameworks of German conceptual history seem to provide valuable implications for understanding and elaborating the relationship of reality and language in current political issues.

The following sections will proceed as follows. First, a brief sketch of German conceptual history as a synthesis of 'change of reality followed by linguistic change,' and 'linguistic change followed by change of reality' will be given. Next, through the employment of this method, I will analyze the process of change of terminologies and concepts regarding RMA after the latter part of 1980's. By doing so, the article will present a sample case of analyzing current political issues with the methodology of conceptual history.

2. Methodology

Conceptual history disagrees with the standpoint of traditional historical research which assumes that the language is merely a device to read history. At the same time, however, it differs from postmodern historical theories after 'the linguistic turn' which presuppose 'the absolute predominance of language over reality.'

Koselleck holds the position that language has just a relative dominance to realtiy, because in the real world there are so many nonverbal existences which are not originated from language.[38]

The dynamic relationship between language and reality presumed by German way of conceptual history is embodied in the movements of concepts between reality and language which are observed in the process of analyzing history.

In conceptual history, concept does not mean a mere word. It exists between reality and language. Thus, a concept can be referred to by several words at the same time, or by a combination of several words, etc. In brief, the relation of concepts and words are flexible rather than fixed.[39]

Concept is different from 'ideology' or 'thought.' Ideology and thought are crystallizations of thinking which transcend the passage of time and era, while concept is assumed as a linguistic behavior performed in the context of certain historical period.[40]

However, concept does not mean a mere fragment of thought. Koselleck asserts that concepts, as semantic symbols, constitute the core of all individual arguments, texts, and discourses. Hence, the study of concepts naturally leads to the understanding of the history of 'thoughts' or 'discourses.'[41]

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38 Melvin Richter, "Begriffsgeschichte in Theory and Practice: Reconstructing the History of Political Concepts and Language," in W. Melching and W. Velema eds. *Main Trends in Cultural History*(Amsterdam/Atlanta, 1994), p. 137.

39 Koselleck, "Begriffsgeschichte and Social History," in trans. by Keith Tribe, *Futures Past: On the Semantics of Historical Time*(London: The MIT Press, 1979), pp. 73-91.

40 Reinhart Koselleck, "A Response to Comments on the Geschichtliche Grundgegriffe," in W. Melching and W. Velema eds. *Main Trends in Cultural History*(Amsterdam/Atlanta, 1994), p. 67.

At the same time, a concept can give rise to certain political thinking and action. In this way, concept itself can be a real factor of history as well as an indicator or reflection of the historical realities.

Then, how does the concept mediate between reality and language, and how can it be analyzed? First, conceptual history analyzes, with the help of 'history of words' and 'social history,' the process where the change of reality causes the change of language.

A concept is developed while using certain words in a particular pattern to depict a new historical experience, which go on to form a 'common usage'. Thus, when reality changes, and people's understanding of reality thereupon changes, alteration in common usage of words will take place, which will be followed by conceptual changes.

For example, we can suppose the process in which a 'universal concept' becomes a 'particular concept' after going through a debate on whether it can still explain the phenomena it was thought to explain before. This process, called 'the process of becoming relative concept' can be understood through the perspective of 'history of words' as the course through which a word originally corresponding to a universal concept evolves into be a multi-sense word meaning more than two things at the same time, and becomes a reduced-meaning word which refers to the original universal concept along with the newly coined word.

On the other hand, with the help of 'social history', it will be asked which social classes used each concept in a certain period of time. First, in synchronic dimension, we can find out that the same word is used differently when spoken by different kinds of people. Even when the exact meaning of a certain word is agreed upon by most people, it can still express different meanings or, at least, different attitudes.[42]

In diachronic dimension, a word could include whole historical records of different meanings and opinions of each era in a way similar to the underlying strata of the earth. The understanding of this diachronic characteristic of multi-sensitivity of a concept helps us to recognize the partisanship of concepts which carries the records of historical events.

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41 Reinhart Koselleck, "Smoe Reflections on the Temporal Structure of Conceptual Change," in W. Melching and W. Velema eds. *Main Trends in Cultural History*(Amsterdam/Atlanta, 1994), pp. 7-16.

42 Reinhart Koselleck, "Begriffsgeschichte and Social History," in trans. by Keith Tribe, *Futures Past: On the Semantics of Historical Time*(London: The MIT Press, 1979). pp. 73-91.

Analyzing the process through which language changes reality is more complex. It is because we have to trace the alterations in expectations for future to see this process.

One of Koselleck's central theoretical concerns in the study of the conceptual history is the reflection of changing conception of time on the historical conceptual change. According to Koselleck, time is historical.[43] Fundamental change of reality generally leads to the changes in the conception of time and creates new expectation for the future and the concepts reflecting it, boosting additional change of reality.

This process can be understood again in terms of the relations between words and concept. Mostly when new expectation for the future is formed, people seek for a word or a combination of words to depict the things which currently do not exist but are expected to come about in the future. In most cases, a new concept is first described through a compound word with or without hyphen. Later it becomes fixed as the solid compound or a new word, which, according to Skinner, provides the most convincing evidence that the concept is established in a society.[44]

After that, now is the time to trace the activities of people who use the new concept and the achievements they made. In this process, estimates can be made regarding how much the new concept influence the actions of the people and the course of history.

Until now we have briefly reviewed respectively the case where changing reality causes the alteration of language, and the case changing language alters situation of reality. In the research of conceptual history, however, the two processes are performed at the same time, or at least in turn.

Additionally, the change of reality and language do not always take place synchronously. This dissonance between the processes is well understood in German conceptual history research. Thus researchers take care to read the various patterns of its discrepancies and their meanings.

Discussions about the relationship of reality and language can easily lead to extreme philosophic arguments which provide few actual implications for study of real politics. That is why the role of language has been very limited in the analysis of actual political issues until now. On the contrary, the German way of conceptual history seems

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[43] Reinhart Koselleck, "Hostory, Histories, and Formal Structures of Time," in trans. by Keith Tribe, *Futures Past: On the Semantics of Historical Time*(London: The MIT Press, 1979). pp. 92-104.

[44] Quentin Skinner, "The State", Terence Ball, James Farr, and Russell L. Hanson eds. *Political Innovation and Conceptual Change*(Cambridge University Press, 1989), pp. 90-131.

to avoid unnecessary arguments by not assuming superiority of one side between reality and language transcendentally, and to provide various frames of analysis to help understand many different situations in reality.

The rapid change of concept of RMA which is dealt with below is the product of political disputes in the discussion of how to secure United States in the post cold war period. In the process, many words indicating the same phenomena repeatedly appeared and disappeared, and the conception of the phenomena itself also has changed continuously.

The evolving process of RMA concept during the periods of heated debates over the security posture of United States after the cold war is, on the one hand, part of actuality which has to be illuminated in order to get the right idea of those political discords during the period, and on the other hand, an integral part of reality itself, being used as a means of political mobilization.

3. Main subject

1) Essence and background of RMA Debate

With the innovative technologies by information revolution being widely applied in military field, arguments started to be raised in the middle of 1980's that there would be a dramatic change in military operations based on new IT technologies. The success of the 1991 Gulf War gave another boost to these assertions and since then, much attention has been paid on the prospect of such 'dramatic change', and a great number of research achievements have been produced.[45]

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[45] Eliot Cohen, "Change and Transformation in Military Affairs," *The Journal of Strategic Studies,* Vol. 27, No. 3. (September 2004), pp. 395-407.

The reason why practical and theoretical attentions are paid to drastic changes in the military sphere is that in history there have been several cases where the weak states in terms of size and resources defeated the strong ones by making fundamental changes in their arms, organizations, or doctrines, which was followed by rapid alteration of balance of power in international politics.[46]

In the meantime, many researchers have argued that this kind of radical change can not be achieved through mere exchange of weapons, but by accepting new organizational forms, new tactics, and new doctrines to maximize military potential of those weapons.[47]

Consequently, after realizing the possibility of the advent of novel ways to conduct war, United States found itself at the crossroads, having to choose between successive modernization of existing military force, or fundamental reformation of it.

Ironically the post cold war era presented a real challenge to the United States in that it forced the U.S. to establish a new national defense strategy and security posture entirely from the bottom. It was because, as a result of winning the cold war, United States lost its great enemy which functioned as the bases of cold war military strategy.

Many historians have suggested that it is extremely difficult for the top state to revolutionize its military organization.[48] Indeed, it would be paradoxical if a most successful army performs a radical reform, because it would amount to a denial of its own military capability. In addition, the organization of armed forces is principally conservative, for the military operations always face extreme danger. To complicate matters further, the U.S. Department of Defense, whose annual budget amounts to 400 billion dollars is the largest single organization of the world.

The fact that the portion of public opinion favoring a cut-down of the defense budget continuously increased constituted yet another challenge. After the Cold War, American people have shown a dual

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[46] Alvin and Heidi Toffler, War and Anti-War: Survival at the Dawn of the 21st Century (Boston: Little, Brown and Company, 1993); Stuart J. D. Schwartzstein, ed., The Information Revolution and National Security: Dimensions and Directions (Washington, D.C.: The CSIS Press, 1996); John Arquilla and David Rondfelt, eds., In Athena's Camp: Preparing for Conflict in The Information Age (Santa Monica, CA: RAND, 1997); Robert L. Pfaltzgraff, Jr., and Richard H. Schultz, Jr., eds., War in the Information Age: New Challenges for U.S. Security Policy (Washington: Brassey's, 1997); Zalmay M. Khalilzad and John P. White, eds., The Changing Role of Information in Warfare(Santa Monica, CA.: RAND, 1999)

[47] Richard O. Hundley, Past Revolutions, Future Transformations: What Can the History of Revolutions in Military Affairs Tell Us About Transforming the U.S. Military? (Santa Monica, CA: RAND, 1999), pp. 11-17.

[48] Hundley, 2000, pp. 11-12.

attitude demanding the same level of security they enjoyed before, but not willing to accept the costs its maintenance entailed.

In short, United States had to create a new justification for security to persuade its people again, and reform the number one nation's armed forces, which was the strongest in the world, while dealing with protests from them.

The concept of RMA is still under debate, but after the latter half of 1990s an agreement seems to have been reached on the basic meaning of RMA: a dramatic change in the whole field of military affairs including technologies, weapon systems, organizations, and doctrines.[49] Thus, through RMA, United States tried to find its enemy in the future which it had lost in the present. The new discourse for security, which United States adopted, was centered on the project to prepare for new types of war in the future.

However, the establishment of new security agreements was not a simple task. People generally think that decisions about national defense are made by pure rational choices because of their life-or-death characteristics. Yet, as mentioned above, the reformation of the defense had strong potential to provoke political dispute, and did actually give rise to much debate among scholars and defense planning officialdom. During the course of the debate, the nation was pulled into several major military operations, which always brought about changes in the evaluation of reality. Subsequently, the debate itself took on different modes. Such development of political disputes is all recorded in the changing process of concepts and words surrounding the term RMA.

2) Military Technical Revolution, MTR

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[49] Frank Kendall, "Exploiting the Military Technical Revolution: A Concept for Joint Warfare," *Strategic Review*(Spring 1992), pp. 23-30; Andrew W. Marshall, *Some Thoughts on Military Revolutions*(Washington, DC: OSD Office of Net Assessment, July 27, 1993); Michael J. Mazarr, Jeffrey Shaffer, and Benjamin Ederington, et al. *The Military Revolution: A Structural Framework*(Washington, DC: Center for Strategic and International Studies, 1993); Michael J. Mazarr, *The Revolution in Military Affairs: A Framework for Defense Planning*(Carlisle Barracks, Pa: US Army War College Press, 1994); Martin C. Libicki and James Hazlett, "The Revolution in Military Affairs," *Strategic Forum,* No. 11(Washington, DC: National Defense University Press, 1994); Jeffrey R. Barnett, *Future War: An Assessment of Aerospace Campaigns in 2010*(Maxwell AFB, AL: Air University Press, 1996); Glenn C. Buchan, *One-and-One-Half Cheers for the Revolution in Military Affairs*(Santa Monica, CA: RAND, 1998); Paul K. Davis et al., *Transforming the Force: Suggestions for DoD Strategy* (Santa Monica, CA: RAND, 1998); Martin C. Libicki, "Illuminating Tomorrow's War," *McNair Paper,* No. 60 (Washington, DC: National Defense University Press, 1999)

It was the former Soviet Union that recognized the possibility of dramatic change in the military sphere for the first time. The Chief of the General Staff of the former Soviet Union, Marshal N. V. Orgarkov asserted the revolutionary potential of new technology in military affairs and emphasized the need for the Union to propel a military reform before it was late.[50]

The Western military academic world has the long tradition of notion that the essence of war never changes, a legacy of Carl von Clausewitz. In contrast Soviet Union was not only accustomed to the concept of revolution, but also had severe experiences of great defeat in World War II by the German Blitzcrieg, which was possible only through fundamental reform of all fields including weapons, armored vehicles, organization structures, and even basic doctrines.[51]

Until then, Soviet combat system combined reconnaissance and fire only on the level of tactics. In other words, members of same unit, within the narrow area where the battle was fought, made coordinated efforts in reconnaissance and fire to attack the enemy unit they faced. However, with the help of the new control system employing highly developed IT technology and very accurate long range precision-guided missiles, it was possible to connect reconnaissance and fire over the larger area and, even in the strategic level, forming 'strategic reconnaissance-strike complex' which was expected to have similar combat effectiveness with a tactical nuclear weapon.[52]

The term the former Soviet used to describe this phenomenon was the 'Military Technical Revolution, MTR.' The term MTR mainly focused on the technology and weapon system as the booster of military reform. However, Soviet Union, because of lack of ability to produce enough computers, failed to realize the concept.[53]

The concept was instead taken up by the Office of Net Assessment, the think-tank of United States Defense Department. Andrew Marshall, the director of the Office, argued for a revolutionary change in

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50 Mary C. FitzGerald, *The New Revolution in Russian Military Affairs*(RUSI Wthitehall Paper Series, 1994), p. 1.

51 MacGregor Knox and Williamson Murray eds., *The dynamics of military revolution, 1300-2050* (New York: Cambridge University Press, 2001), pp. 2-3.

52 Knox and Murray, 2001, p. 3.

53 Eliot A. Cohen, "A Revolution in Warfare," *Foreign Affairs*, vol. 75 no. 2(March/April, 1996), p. 39.

the military sphere in a series of dissertations, official reports and testimonies to Congress. Owing to his efforts, the concept started to gain much attention.[54]

MTR was the term chosen to make clear distinctions from the term Military Revolution which has long used by historians.[55] Military Revolution was first suggested in 1955 by British historian Michael Roberts to describe rapid changes in the general mode of war the Swedish warrior King Gustavus Adolphus and his corps introduced during the Thirty Years War.[56]

However the term Military Revolution was mainly connected with social, political revolution at the macro level[57], so the debaters of 1980s and 1990s could not use the term to describe what they saw. As a result, the term MTR was widely used throughout 1980s and the early part of 1990s.[58]

3) Revolution in Military Affairs, RMA

The concept of MTR drew much attention from inside and outside of United States Defense Department with the success of the 1991 Gulf War. However, in the middle of 1990s, the term was gradually replaced by Revolution in Military Affairs, RMA.

For some time, the two terms were considered the same or at least interchangeable. Little by little, however, the two was distinguished from each other.[59] While MTR meant the dramatic change

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[54] Frank Kendall, "Exploiting the Military Technical Revolution: A Concept for Joint Warfare," *Strategic Review*(Spring 1992), pp. 23-30; Michael J. Mazzer, T*he Military Technical Revolution*(Center fo Strategic and International Studies, 1993); Andrew W. Marshall, *Some Thoughts on Military Revolutions*(Washington, DC: OSD Office of Net Assessment, July 27, 1993); John Bodnar, "The Military Technical Revolution: From Hardware to Information," Strategic Force Planning, eds by Richmond M. Lloyd (Newport, RI: Naval War College, 1995), pp. 598-612.; Raymond E. Frank, Jr. and Gregory G. Hildebrandt, "Competitive Aspects of the Contemporary Military Technical Revolution," *Defense Analysis* vol. 12. no. 2. (August 1996), pp. 239-258.

[55] Knox and Murray asserted that the two conceptual sources of RMA were 'Military Revolution' which historian had discussed for a long time and 'Military Technical Revolution' by Russian commanders. Knox and Murray, 2001, p. 3.

[56] Geoffrey Parker, "The "Military Revolution," 1955-2005: From Belfast to Barcelona and Hague", *The Journal of Military History*, vol. 69. no. 1. (January, 2005), pp. 205-209.

[57] Confer to Sang-Seop Park, *The Nation State and War*(Seoul: Nanam, 1996), pp. 74-75 about basic concept and the process of debate about 'Military Revolution' in field of historical study.

[58] Several researchers who dealt with this subject in larger scale often used the term 'Military Revolution'. Andrew W. Marshall, *Some Thoughts on Military Revolutions*(Washington, DC: OSD Office of Net Assessment, July 27, 1993); Andrew F. Krepinevich, "Cavalry to Computer: The Pattern of Military Revolutions," *National Interest*, No. 37 (Fall 1994).

originating from new technologies or weapon systems, RMA pointed to the fundamental change caused by the alteration in the whole field of the military sphere including technologies, weapons, organization structures, and doctrines. Finally, the equation 'MTR = a technology-based RMA' was formed.[60]

The fact that the center of discussion moved from MTR to RMA was a result of critiques from historians that the dramatic change of way of war could not be attained by new technologies and weapons alone[61] and the change of situation caused by the experience United Stated gained while implementing the concrete reform plan through the military sphere according to the lessons of the Gulf War.

However, RMA underwent severe debate during the mid-1990s until it was accepted as the core concept of the new security discourse of the post cold war era. During the period, the concept of RMA was sometimes supported by many historical and theoretical arguments[62], but other times it was bitterly criticized mainly about its possibility of realization and effectiveness.[63] As the premise of the debate, evaluation of the 1991 Gulf War and its revolutionary characteristics was widely discussed.[64] Many historians and theorists thoroughly reviewed historical cases to prove the validity of concept of RMA.

The fact that the concept of RMA was under continuous debate is best shown by the fact that the meaning of the concept was very vague and always unfixed. In his widely read book written in 2000, Michael O'Hanlon remarked, under a chapter called 'SO-CALLED RMA,' that 'now the concept of RMA is different from each scholar to scholar. The only thing agreed on is that the range the concept covers is

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59 For example, in his 1996 article Eliot Cohen used the expression 'Revolution in military affairs, sometimes described as the Military Technical Revolution'. Cohen, 1996, p. 37. These similar expressions were widely found in many articles written on those days.

60 MTR lost its position of universal concept to RMA, becoming a specific concept.

61 For some examples, Krepinevich, 1994, Cohen, 1996 Hundley, 2000.

62 Confer to footnote 8)

63 Dan Goure, "Is There a Military-Technical Revolution in America's Future?", *The Washington Quarterly*, Vol. 16, No. 4(Autumn 1993), pp. 175-192; Theodor W. Galdi, "Revolution in Military Affairs?" *Congressional Research Service* (December 1995); Jeffrey R. Cooper, "Another View of the Revolution in Military Affairs," in John Arquilla and David Ronfeldt, eds., *In Athena's Camp: Preparing for Conflict in the Information Age*(Santa Monica, CA: RAND, 1997), pp. 99-140.; Michael Horowitz and Stenphen Rosen, "Evolution or Revolution", *The Journal of Strategic Studies,* Vol. 27, No. 4. (December 2004)

64 Andrew F. Krepinevich, "Cavalry to Computer: The Pattern of Military Revolutions," *National Interest*, No. 37 (Fall 1994), pp. 30-42; Norman C. Davis, "An Information-Based Revolution in Military Affairs," in John Arquilla and David Ronfeldt, eds., *In Athena's Camp: Preparing for Conflict in The Information Age* (Santa Monica, CA: RAND, 1997), pp. 79-98; Jeffrey R. Cooper, "Another View of the Revolution in Military Affairs," in John Arquilla and David Ronfeldt, eds., *ibid.*, pp. 99-140; Robert L. Pfaltzgraff, Jr. and Richard H. Shultz, Jr. eds., *War in the Information Age: New Challenges for U.S. Security Policy* (Washington D.C: Brassey's, 1997)

very far reaching… The vagueness of the concept is not only shown in the articles of individual scholars, but in the official documents of the government.'[65] At the same time, many different words were used simultaneously to depict the same phenomena RMA described. They include 'Military Revolution', 'Military Technical Revolution', 'RMA', 'RSA(Revolution in Security Affairs)'[66] to name a few.

On the surface the debate on RMA seemed to proceed mainly among scholars and officials in defense department. It was, however, connected directly or indirectly with the political disputes about the directions and range of the United States armed forces reformation.

The proponents of RMA consisted of reformists who tried to build a new security discourse after the Cold War, defense industries which produced new weapons and weapon systems[67], and high rank officers of Navy and Air Force which always adopted highly developed technologies and weapon systems. They argued that it was high time to revolutionize the military and achieve the RMA first to maintain the top position in the world politics.

In contrast, opponents against RMA were composed of existing officials in Department of Defense, and Army high official circles, many of whom were veterans of Vietnam War, and military strategists and historian who emphasized the continuous characteristics of war. They asserted that the changes in military affairs could not be achieved through the way of something like RMA. United States armed forces only needed to gradually improve existing forces.

The attitudes of the United States government and Congress can be said to have been inconsistent. First, government may have been attracted by the vision of RMA to reduce the portion of man power in the war making because it would lower the level of political burden. However, promotion of RMA requires enormous amount of money and it will have to run the risk of venturing a new field in the military sphere which always have the possibility of great danger. So, government has shown flexibility in response to the change of reality or public opinion.

In the case of the Congress, it had traditionally been in the position which prefers overseas stationing of the U.S. army to keep influence in those areas. In contrast, RMA proponents argued for the reduction of overseas stationary troops to raise enough fund to promote RMA. They insisted that the

[65] Michael O'Hanlon, Technological Change and the Future of Warfare, (Washington DC: Brookings Institution, 2000), p. 11.
[66] INSS, Strategic Assessment(Washington DC, 1996), p. 198.
[67] Cohen, 1996. p. 43.

military effectiveness which RMA brings should be enough to compensate for the reduced stationary troops all over the world.

However this does not mean that the U.S. Congress consistently resisted the promotion of RMA. In fact, Congress established several institutional circumstances which enabled United States to perform fundamental defense reform.

In the latter part of 1990s, RMA was accepted as the official vision of the U.S. Defense Department. In this process, the role which several personages and their human network played was very important. Since the U.S. government was still the only one to perform the RMA, the promotion of RMA depended on the policies and leadership of the U.S. military and Department of Defense. Academic debates reacted sensitively to changes in the policies and attitude of Department of Defense, too.

William Perry, Defense Minister of the early Clinton Administration from 1994 to 1996, evaluating the 1991 Gulf War as a huge success of new military technologies, published a series of annual reports to introduce and publicize Marshall's concept of MTR. With the help of Under Secretary of Defense John Deuch, former Joint Chiefs of Staff Chairman John Shalikashivili, and JCS vice Chairman William Owens, Perry led the efforts to publish QDR-1997(Quadrennial Defense Review 1997)[68] which represents the acceptance of RMA as the official defense reform vision of United States.

However, the contribution of former admiral William Owens was most prominent. He elaborated the early version of 'reconnaissance-strike complex' into the more sophisticated theorem of 'A New System of Systems' providing the theoretical foundation for RMA and leading the academic debate in favor of RMA.[69]

Political implications of the rhetoric of RMA are multifold. First, the discussion of RMA provided the U.S. military reform a historical justification which enabled an effective response to objections from military organizations or public opinion. This is because the concept of RMA implies that the fundamental reforms which the United States armed forces were pushing forward are historical phenomena which will occur sooner of later in the course of history, thus framing the question not in terms of 'whether or not', but 'how to achieve it first'.

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[68] Office of the Secretary of Defense, *Report of The Quadrennial Defense Review*(September, 1997).

[69] William A. Owens, "The Emerging U.S. System of Systems," *Strategic Forum*, No. 63(Fort McNair, Washington, DC: National Defense University Press, 1996).

Second, the spread of the concept of RMA changed the concept of time in building the new security agreement. In the time of gradual progress, United States does not appear to be in reach of any country in terms of military capabilities, because of its overwhelming superiority. However, if the game is changed to 'the game of revolution', the situation is different. If it fails to revolutionize, it can be outrun by others in a short time. Hence, the discussion of RMA created 'a feeling of crisis' contributing to the establishment of new discourse of security.

Most of the official documents and the articles of military journals during those days were based on the concept of RMA. It is noteworthy that they just sought for the ways to fulfill RMA. As can be easily inferred, the question has now moved from 'what to do' to 'how to do'.

However, until the end of 1990s, the achievements of the U.S. military reform based on RMA were estimated to be not very satisfactory. Reform programs and their realizations under QDR 1997 were not revolutionary, but at most evolutionary.[70] In the actual reform progress, it was revealed that an ideal aim is possible only in theory.

4) Military Transformation

The term 'Military Transformation' reflected the recognition of this reality. Both 'revolution' and 'transformation' mean the radical change of fundamentals. But while revolution implies discontinuation from the present, transformation implies acknowledgment of the present. Many parts of QDR 2001 which seemed to be based on 'Military Transformation' confirmed this fact.[71]

The term Military Transformation was already used in QDR 1997. However, it was when the term was used in Bush's presidential election campaign in 2000 as one of his public pledge, that it became the core concept of defense reform.

Especially, Bush's first Defense Minister Donald Rumsfeld tried hard to provide the direction and contents of the Transformation. He arouse far reaching sympathy to boost it through various activities including Senate Military Committee verbal evidences, the article of Foreign Affairs 2002 May/June,

[70] Anthony H. Cordesman. "The Quadrennial Defense Review and Force Transformation: Notes for a Cautionary Analysis," Center for Strategic and International Studies (Washington D.C.: October 29, 2001).
[71] Office of the Secretary of Defense, *Report of The Quadrennial Defense Review*(February, 2006), p. A-7.

continuous contacts with the press such as interviews and debating, and regular meetings with high rank officers in Army, Navy and Air Force.

September 11 attacks dramatically promoted the Military Transformation with the awakening of U.S. people's awareness for security. The Bush administration propelled the Military Transformation confidently. In September 2001, QDR 2001, which was second of its kind, was published. In November, Office of Force Transformation, or OFT was established under direct control of the Defense Minister in order to encourage a substantial reform.

Following these development, transformation of the U.S. military entered into the practical phase of reform since the beginning of 2002. In April 2004, Department of Defense published 'Transformation Planning Guidance,' and each service drew up their 'Transformation Roadmap' in conformity with the guidance. After autumn of 2003, Department of Defense also published 'Military Transformation: A Strategic Approach' , 'Elements of Defense Transformation' and other publications regarding the same subject matter, for further embodiment and systematization of Transformation. Simultaneously all Departments of the U.S. government identified their own tasks to support military reforms and took substantial measures to do them.

The early phases of the 2002 Afghanistan War and 2003 Iraq War offered good opportunities to exhibit the accomplishments of the defense reform based on the concept of RMA and Military Transformation. The high-tech armed forces which were developed under RMA and Military Transformation displayed clear discontinuity from the past, exerting military effectiveness surpassing the enemy forces in the conventional battlefield. Allied forces gained military victory in a short time without heavy casualties even though they were inferior in terms of number of troops. As a result of these successes, Rumsfeld could accelerate the reforms, gaining fame as a War Minister.

However, once Allied forces became the target of continuous terrorist attacks and faced difficulties dealing with postwar problems and building democracy in Iraq, many started to criticize the Military Transformation as well as Bush administration's aggressive diplomacy.

One of the most severe critiques of Military Transformation was that United States was not able to react properly to the changing security environment in the age of globalization. In other words, while Military Transformation mainly focused on the conventional way of war which was the dominant pattern of war in the Cold War era, it did not devote enough attention to the so called 'asymmetric military threat' such as suicide bomb terrorist attacks.

These critiques were related to the argument that Military Transformation ignored the unchanging essence of war, in overconfidence of the potentials of military reform. According to the argument, since war is basically a game of interactions between two opposing sides, United States should have prepared for the reaction of the enemy against Military Transformation.

5) RMA Again

For a while, it seemed that 'Military Transformation' gained the status of universal concept to depict the radical change in military affairs, replacing the term, 'RMA.' Many researchers used Military Transformation to describe United States military reforms, or historical cases of great military change.[72]

However, after Bush administration's policies met with huge criticism, the relationship between the two terms was reversed. Nowadays, the term RMA tends to be used to indicate revolutionary change in military affairs in general, while Military Transformation refers to the specific efforts of the Bush administration to implement RMA.[73]

As with RMA, various meanings were attached to Military Transformation over the course of debate. Stephan J. Cimbala remarked that the term Military Transformation faced danger of becoming the most comprehensively used word in the field of security studies since 'deterrence.'[74] This is mainly because it has added many different meanings to itself in responding to various critiques about the basic concept of U.S. military reform plans.

Moreover, suspicions about RMA itself are growing. At first RMA meant a new vision of U.S. military reformation based on IT technologies. However it later became a universal concept to depict radical military change in general when it was accepted as the official vision of U.S. military reform. Furthermore, when the U.S. military was concluding several successive battles in overwhelming victories,

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[72] Jim Garamone, "Flexibility, Adaptability at Heart of Military Transformation," *American Forces Press Service*, http://www.defenselink.mil/news/Jan2002/n01312002_200201313.html, April 16, 2002.

[73] Hans Binnendjik, the professor of Nation Defense University of United States stated that Military Transformation is the tool to settle down RMA, which shows the relationship between two concepts. Hans Binnendijk, ed., *Transforming America's Military* (Washington, D.C. : National Defense University Press, 2002), p. xvii.

[74] Stephen J. Cimbala, "Transformation in Concept and Practiec," JFQ: Joint Force Quarterly, (Summer 2005) Issue 38, p. 28.

it was even used to mean the biggest military change ever in history, enabled by the advent of the information revolution.[75]

However, after the failure in Iraq, confidence in RMA decreased dramatically. Various questions have been raised. Can RMA truly improve military effectiveness of U.S armed forces as expected? Is it really possible for military change to take place at a revolutionary pace? These critiques existed before, but the change of reality and the resulting change in people's perception of reality strengthened the arguments.

If the gap widens, the meaning of RMA will, in the end, be reduced. In the most extreme case, it will be replaced by other words, or even fall into disuse. For an example, the term MTR is no longer used in any documents or researches on defense policy.

However, if we consider the fact that considerable change in the military sphere is inevitable due to the continuous introduction of new military technologies, the meaning of RMA will likely be reduced, or be supplemented or replaced by other similar terms, such as Military Transformation. The modified concept will then influence reality again, reshaping people's minds and their behaviors.

6) Translation of RMA

Until now, we have examined the evolving process of the RMA concept in the debate on U.S. defense reform. Before moving on to the conclusion, I would like to present a brief review of how RMA was translated in Korea.

Originally, one of the main purposes of German conceptual history was to minimize mistakes which can be made when using texts of the past in the context of the present. In other words, it aimed at helping readers to avoid misunderstanding the texts by providing exact accounts of the meanings and contexts of the concepts used in old books.

Conceptual history can serve similar purposes in cases of translation. Dictionary only shows the exchangeable relationship between words in the situation of general conversation. Thus, if the translator

[75] This prospect is well shown in the title of Owens's book, 'Lifting the Fog of War'. 'Fog of War' means the existence of unpredictability and confusion in the conduct of war which was chosen as unchanging essence of war by Clausewitz. Carl von Clausewitz, *On War,* eds., and trans., by Michael Howard and Peter Paret(Princeton: Princeton University Press, 1976).

uses the words listed in the dictionary to depict a certain concept, he or she can make errors that arise from not taking account of the contexts in which the concept was used. Therefore, understanding social and political contexts with the help of conceptual history can be very useful in avoiding the use of wrong words which are fitted to the usage of dictionary but far from real meaning.

Since the early 1990s, many researchers in Korea have produced a large number of studies to introduce or analyze the concept of RMA and the related policies of U.S. military. The first characteristic of the translation of RMA(including Military Revolution, Military Technical Revolution, Revolution in Military Affairs, Military Transformation, etc) in these studies was that more than two translations of the same term existed simultaneously. It again reflects the fact that RMA was under controversy, and utilized in various contexts with different meanings. Korean translators, too, had recognized the diversity of usages in this concept.

The translation of the term 'RMA' is especially interesting. As a translation of 'RMA', two expressions were generally used: '군사 분야 혁명(kun sa boon ya hyuk myung)' and '군사 혁신(kun sa hyuk shin).' '군사 분야 혁명' is the literal translation of 'Revolution in Military Affairs.' In contrast, '군사 혁신' is the translation of 'Military Innovation,' which can be easily associated with 'business organization innovation' in Korean language. It is not accidental that scholars usually use '군사 분야 혁명' while servicemen and officials in Department of Defense use '군사 혁신'. In effect, RMA was presented not only as a terminology to objectively depict a phenomenon, but also as a slogan to bring about certain political results. So servicemen and officials preferred '군사 혁신' which is closer to being a political slogan in the Korean language than '군사 분야 혁명.'

4. Conclusion

This article has presented a brief review of the changing process of RMA concept through the methodology of German way of conceptual history. Albeit in an elementary level, it has tried to apply the way of German conceptual history sincerely. It analyzed the linguistic change by the alteration of reality, and the change of reality by the alteration of language at the same time, or at least in turn. As a result, we were able to detect the reflection of reality on the changing course of language and the influence of language on the changing reality.

However, the article has limitation arising from insufficiency of research. The main body is based on several, but not all related articles and on writer's subjective judgments. It may be possible to carry out more sophisticated language analysis, statistical research of word usage frequency, or interviews with main researchers.

Until now, researches which take account of the role of language have been very rare in political science. It is mainly due to some obstacles that remain in building proper theoretical assumptions and systematical analyzing tools. Applying German conceptual history directly to the political analysis of reality might cause certain problems, because the basic purpose and object of the two disciplines are different. Even still, German conceptual history seems to provide abundant implications for such research. I hope more detailed researches continue to be published hereafter.

Ins and Outs of Lovers' Suicide: Introduction and Transformation of Western Individualism in Korea

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1. Introduction

On August 4, 1926, famous playwright Kim Woojin and popular singer Yoon Simduk committed suicide together by jumping off from a ferry, which was crossing over the Hyunhae-sea(玄海灘). Even after, there was a circulating rumor that they were alive in Italy or somewhere else. Therefore, the Samcheolli(三千里, periodical magazine) reported the gossip, in an article titled "After the grave incident: the life and death of Yoon Simduk investigated by a consul general in Italy" that had a brief interview with her sister, Yoon Sungduk. Why did their joint suicide catch attention of the mass, and has been in everyone's mouth as a representative of lovers' suicide in Korea until now?

This paper aims to examine the research question that traces the process of diffusion and transformation of western individualism in the early 20th century in Korea. 'individual(個人)' and 'individualism(個人主義)' are essential concepts in western democracy and market economy, that could not exist or even imagined in traditional Confucian culture. Such heterogeneous concepts and ideas had been radically accepted in the late 19th century, and co-existed and changed by conflict and interaction with pre-existent concepts and institution until the early 20th century.

Western individualism combined with death and love in Korea was as same as that of modern western culture: suicides and tragic affairs. Christian community had prohibited suicides as formal rule, and forbidden affairs should take scarlet letters. In East Asian society, suicide was one of the worst impieties to parents, and immoral affairs rigidly limited. For example, in the story of *Die Leiden des Jungen Werthers,* Werthers kills himself because he fell in love with Lothe who had been engaged to another man. The suicide was shocking to the 18th century Europe. Also the fact that a few modern girls tried to free love and commit suicides in some new-style novels was much far out in the early 20th century of Korea.

The joint suicide of Kim Woojin and Yoon Simduk in 1926 and the broad popularity of "Adoration of Death", a song of Yoon Simduk recorded just before her death, illustrates dynamism of introduction and development of western individualism. This event did not only relate to Kim and Yoon, but also the contemporary intellectuals, who perceived, anguished and practiced on individualism and suicide. Although they lived in the same period and location-colonized Korea-their responses were differentiated, because they focused on different aspects of the incident: self-desperation, aestheticism and romantic lovers' suicide.

Nevertheless, there are only a few works to deal with induction and diffusion of western individualism and individual in Korea. Kim Seokgeun(2002) and Park Myeongyu(2003) traced the course of 'individual' and 'individualism' from foreign books to Korean magazines and newspapers; however, they could not demonstrate differentiation of the concepts as time went by. Park Joowon also focused on 'individual' as a subject of human rights by analyzing editorials of *Independence Newspaper*. However, the research was only depending on editorials and limited the time in the late 19th century.

Yoo Minyoung, Kawase Kinou(川鷺駄) and Hong Changsu have similar perspectives with this paper. Yoo(1996) admitted that Kim and Yoon's joint suicide had been a typical lovers' suicide, and Kawase(1998) pointed out that Yoon Simduk's desperations and afflictions resulted from the conflict with social prejudice and customs. Moreover, according to Hong(2001), Kim Woojin was always a pessimist, and in particular, he had already decided to commit suicide when he left for Japan to meet Yoon Simduk.

Therefore, this work reconstructs introductive and expansive phases of western individualism in the early 20th century of Korea through the joint suicide of Kim Woojin and Yoon Simduk, its interpretation among contemporary intellectuals and the popularity of her song, "Adoration of Death." Most of all, it is necessary to review the backgrounds of western individualism and acceptance, and transformation in the late 19th Japan and Korea. In addition, there will be an inquiry on the two main actors of the joint suicide- Kim Woojin and Yoon Simduk- in the points of individual frustration and aestheticism. Finally, this research investigates the reason why the Korean people combined this incident and song "Adoration of Death" as a representation of romantic love. All sources are from Korean History Information System (www.history.org) which includes most Korean magazines and newspapers published in the early 20th century.

2. Advent and Diffusion of Modern Individualism

1) Origins and Representation Mode of Western Individualism

It is very difficult to define individualism. According to Max Weber, analyzing individuality and individualism in historical points of view is invaluable in academy. These had come from Latin words 'indiviuus' and introduced into English through the intermediary of the medieval French. Oxford English Dictionary defines it as 'specified on a certain person', citing Francis Bacon's statement, "Regarding on courtesy of intellectuals, it is personal and individual." On the contrary, individualism was accepted into England much later, which was in 1835.

Individualism, self-centeredness, liberal and independent action and thoughts as a principle, as current Oxford Dictionary explains, began with Descartes, emphasizing on 'I', and not 'We' as a subject of thinking. Rousseau and Goethe also contributed on the confirmation of individualism in seventeenth and eighteenth century. The former asserted that every individual is good but the society dragged them down in *Emile*, while the latter illustrated oneself, inside of oneself and existence of oneself by observing the outside world of oneself.

Such individualism was applied in everyday lives of the public before formation of discourse, and symbols of this trend in contemporary novels gained broad popularity from the mass. For instance, Don Quixote, Don Juan and Faust, even though they were created in different ages, usually challenged something new, acted independently, and did not worry about the outcomes. Don Quixote and Don Juan risked their necks for their lovers and Faust did not hesitate to destroy his soul. In common, they set their egos to confront with the world, did not care about the social, realistic and reasonable norms around them. They were models who practiced the definition of individualism.

In fact, western individualism was completed in *Die Leiden des Jungen Werthers*, where the character commits suicide for the impossible love. It was direct defiance to God and religion, which had prohibited suicide and restrained sexual desire. Radicalized individualism not only denied traditional ethics and morals on sex, but also recognized that the 'I' is the owner of life. One selected to abandon its own life, irrespective of the will of God. Furthermore, suicide became the means to express one's own delicate emotions and showed off some messages to specific or unspecific people. The increase of suicides in the eighteenth and nineteenth century in Europe was an indicator of expansion of individualism in the region.

2) Acceptance and Transformation of Individualism in Japan and Korea

It was 'human' that refers to people in Confucian civilization and there had not been a concept of 'individual'. Thus, it was impossible to imagine 'individualism.' The society had been prevailed by the norm that emphasized on mutual relationships: a monarch and subjects, friends and colleagues, parents and children. Fifty years passed from the Meiji Renovation, Natusme Soseki(夏目漱石) used the expression 'individualism', in his lecture.[76]

In 1860s, Fukujawa Yukichi(福澤諭吉) translated 'individual' to 'each person', and from 1870s to 1890s, the word 'one individual(一個人)' was changed into 'individual(個人)'. In a translation dictionary, Nakae Chomin(中江兆民) interpreted 'individualism' as 'independent party, independent discourse individualism' so that individual and individualism had settled down in 1891 of Japan.

For Korea, the idea of an individual appeared firstly on *Independent Newspaper*. Still, there was no clear word 'individual'; just 'people', 'nation' and 'self' were used as a name of subject. In twentieth century, 'one individual' was advent on *Grand Korea Daily Newspaper*, and *Eternity Report* published series of discussions on individual. In 1920, *Donga Daily Newspaper* criticized traditional family system as an obstacle for individual rights, and Hyun Sangyoon, one of the most famous novelists in Korea, said that materialism and individualism were integral elements of modern civilization.

Nevertheless, because of colonial situation, Korean individualism could not but be distorted to non-political personalism which oppressed individual's political, economic and social actions. Other movements, like dilettantism, which promoted immoral and deteriorated Liberalists, also could not overcome the situation in Korea. The intellectuals were addicted to masochism, heavy drinking, and divorce.

Moreover, continuous adulteries, suicides, and joint suicides in 1920s of Japan directly accelerated the depravity of Korean individualism. Joint suicides have been regarded as a final step of liaisons until Meiji Age, however, sympathetic and affirmative arguments often asserted publically from Taisho Age. Most articles and columns on joint suicides not only embellished deaths, but also naturally used the expression 'adorn of death.' Even Watanabae Yoshikatsu(渡邊料一), a literary critic who killed himself later, commented that death was described as a yearning world and Romanticism that flowed through the period. In sum, western individualism was transformed to internal aestheticism and nihilism in the accepting process of Japan and Korea, which led Kim Woojin and Yoon Simduk's joint suicide on the contrary to the lonely death of Werthers.

[76] "I desire you to act liberally and at the same time, understand duty. Such context, I do not hesitate to declare that I am individualist. As far as not affecting on others, it does not matter that I face left side and you turn toward right ones. It is individualism that I said."

2. Overcome of Frustrated Ego: the Choice of Yoon Simduk

… Being good at playing piano and acting on play, this passionate artist died for love, disappeared with nostalgia for Italy…

Such an exceptional artist, Yoon Simduk was born in 1897 at Pyongyang. All siblings had talents on music; Simduk majored in vocal music, her sister was a pianist and even though not a singer, her brother had excellent voice. There was a rumor that she had been a daughter of gisaeng, and was raised by adoptive parents. Whether it was true or not, her birth and the growing environment had not been favorable.

After graduation of Kyeongsung Girl's High school in 1918, she had studied abroad at Tokyo Music School and worked at Kyeongsung Teacher's High school. She had concerts as a famous vocalist, also appeared on play of Towolhoi(土月會) and broadcasted as a popular singer.

As much public attention was on her, rumors were always circulating around. Besides the scandal with Kim Woojin, there were several other gossips of love affairs. This was universal trend among educated young women of the time, so called 'modern girls', most of them being affected by 'Women Liberation' and individual perspective on love of Ellen Key and Alexandra Kollontai.

… 'individual' is one of the most important conditions in love and marriage of Key. In other words, respecting the personality of each other is the integral parts of marital life…

Furthermore, inappropriate relationships with a millionaire hurt herself and her reputation. Still, there were other interpretations: this was resulted from not just her liberal view of love, but also inevitable happenings in the process of finding sponsors for foundation and management of an orchestra.

… Mrs. Hwang: Criticizing Ms. Yoon is none of their business. It is only I who could understand her mentality to have chosen death, because I had been very close with her. In principle, love and chastity should go together; however, the opposite case has no reasons to be insulted directly.

Reporter: At any rate, should the lovers' suicide of Ms. Yoon be ostracized?

Mrs. Yoon: Why should it be? Based on social ethics, it could be ostracized unconditionally, however, there must be many exceptions considering humanities…

Nonetheless of the reactions from her acquaintances, the public kept on their gossips about her: affairs with the millionaire, and acting in Towolhoi even though she was a vocalist who had completed studying abroad. This was about the time when she began to think about death.

… My sister, Simduk, might have faced 'death' in that period. Most of all, she did not meet her time. A great gap was located between her ambition and the real world …

In other words, she began to deliberate death as a way to overcome conflict with the period and realize the self. Even though she has met advanced civilization and culture, she could not apply them in her country. There was a great difference between her lover Kim Woojin and her: Yoon was a more active and progressive person compared to Kim, who was attracted by nihilism and the theory that life and death are unitary. It is shown in “Adoration of Death”, which in fact could be considered as her will.

The lyrics of the “Adoration of Death” never express aspiration and pleasure of death. On the contrary, her desperation in life was reflected on the words “the world, which is made of tears, would this end with my death.” She wanted to say that her longing for death was as a matter of fact, the agony of life.

In contrasts to general perceptions, her frustration was not caused by the unrealizable love. The relationship between Simduk and Woojin recovered in 1925-26, and they made a plan to study abroad in Italy, after recording “Adoration of Death.” Yoon had no reason to decide romantic lovers’ suicide; instead, she was motivated enough to display her anger to the society and the public which did not appreciate her.

… My sister never mentioned about “Adoration of Death”, when discussing the list of recording songs for *Ildong Record* with me. She deceived recording staffs who did not know Korean, into recording “Adoration of Death” in Osaka, Japan. Listening to “Adoration of Death” after her death, we realized that she had planned to commit joint suicide early on …

As she intended, the world took notice of their join suicide. Still, they focused on their romantic love, not her dream, passion and frustrations with traditions and society, as a modern individual. She was an individualist who weighed on self-realization, when ego, love and death were co-existent in an age of transition for Korean individualism.

3. Realization of Aesthetic Death: the Decision of Kim Woojin

Kim Woojin, one of the famous authors in Korea, was born in Jangsung, and graduated from Waseda University. He wrote forty poems, twenty articles, five plays and five translations, and was one of the essential member of Towolhoi and a pioneer of modern Korean play-writer.

The philosophical agony of life and death had been continuing since his debut. Kim applied Wundt’s psychology to explain people’s suicides: committing suicide was a universal internal element as an involuntary movement. It was the influence of western individualism that attracted contemporary intellectuals in Korea.

… There are two ways for the conscious to define existence of ego: one is living, the start of ego, and the other is dying, the end of ego. In this respect, the idea of life and death is also a kind of conscious cooking …

… Empirical case of Chosun supports the statement that suicides are in proportion to degree of civilized cultural steps. In Kyeongsung(京城), total number of suicides is 2,161, male 1226 and female 925. The fact that men are more than women and only 9% is Koreans fortify the proverb mentioned above …

Woojin was not far from prevalent trend of Korean intellectual society, like Durkheim's adage: suicide is the cost of civilization. Nevertheless, his scrutiny on life and death had been deepened in his prose from 1925 to 1926. In particular, all of the poems written in March 1926 were full of rhetoric of death and desperation.

> In wrecked ship,
> There is no lifeboat,
> Whoever should not be blamed,
> The God,
> You are so coldhearted,
> Even a searchlight only as bright as a firefly,
> Why take it from us!
>
> Powerless dying man,
> For you,
> Only this apocalypse is provided,
> Perpetual tranquility in your mind,
> Joy that could not be changed by the God!
> When the world is filled with only derision, fraud,
> And noise,
> Glory of perpetual silence is just for you,
> Oh, death for only one thing!

Thirteen poems, from "While Asleep" to "Arrival on Death", expressed helpless, sufferings and aestheticism for death. Especially, world of death was described as the opposite of real world, which was full of scornful laughs, killings, frauds and disturbances. Thus, death is the only hideout to escape from terror and crisis in real world for permanent salvation and rest. Such pessimistic and aesthetic individualism, which was similar to decayed romantic poems in the mid 1920s, was observed in other his work.

> -Why do you live?
> -To die.
> …
> -Both living and dying are not reason. They are actually both sides of a life.
> -Therefore, it does not matter for someone to grab the essentials of life.
> -Are you living now?
> -No. But I long for death, to live truly.

According to this questions and answers, living and dying are just both sides of life. Thus, to live or die is not a big deal for someone to pursuit the core of life. In other words, it is possible for him to get the essence of life by dying. Such thinking was spread over among young intellectuals.

… Even extreme actions of suicide, in fact, most of them are for the satisfaction of living world. Committing suicide is one of the best ways for suicidal persons to achieve contentment in their lives …

There has been a debate on Woojin's ironic words and acts to investigate the truth of his joint suicide. In detail, he sent a letter to his wife that seemed like a will, however when leaving for Japan, he expressed his expectations and hopes on studying abroad to his friends. Nonetheless, it was so natural for him to show ambivalence of emotions, because of his view of the world: living and dying are just both sides of a life.

Therefore, death played a big part in his individualism. Compared to Yoon Simduk, he gave up self-realization, and was not as much of a romantist to risk his life for love. He was naturally thinking about committing suicide without a lover, or even in the case of joint suicide, not necessarily with Simduk. It was sure that he jumped into the sea with his lover, Simduk; however, it was not different from killing himself alone.

5. Desire for Romantic Love: Consolation of Intellectuals

… Be an individualist. Do not live for others, live for yourself. Think it is possible to sacrifice the world for yourself. This attitude is finally as same as sacrificing yourself for the world …

Advocator of free love and one of the most famous romanticists, Lee Kwangsu emphasized on being an individualist in a letter to his lover, Huh Youngsook. It had been so rare to risk one's neck for love in traditional Confucian society, because life and body was not to be owned by an individual subject. Disapproved love, for example, adultery or immorality, could not overcome the obstacles of civility. There were a few alignments with Lee's statement mentioned above, but general responses were negative for such love, in particular, lovers' suicides.

… Such unaccomplished love took away lives of the young. Their lovers' suicide was much tragic than that of *Romeo and Juliet*. It could be inappropriate to criticize their love. However, in the aspect of disagreement on suicides, their deaths were meaningless and indiscreet …

One interesting point is that the article focuses on suicides, not unaccomplished love. It is intolerable to commit suicides; however, there is no clear position on unaccomplished love. Actually, most mass media were covered with exceptional love and suicides at that time. The reason that joint suicide of Kim Woojin and Yoon Simduk received spotlight was not because of their unique case, but because they were famous celebrities in 1920s of Korea.

Some Japanese media reported the event as the first lovers' suicide in Korea and *Donga Daily Newspaper* filled a page with relevant articles. Additionally, the newspaper had a four-time series on joint suicide, in which sparked into a paper warfare.

… Even though there were some mistakes, the mass had expectation of them, because one is a playwright, and the other is a vocalist. Yet, they committed joint suicide imitating Arisima Takeo(流島武郎). Not only their actions, but also the admiration for Japanese spirit should be criticized. …

Among harsh comments, there were various nuances: suicide cannot be forgiven, but love could be understood. In the vortex of the argument, Simduk's "Adoration of Death" got popularity in accordance with the spread of gramophone. This music was based on Iosif Ivanovich's *Donauwellen Walzer* and Korean words were attached. However, the phrase, "this rate, that rate, the same whole life, both money and honor are meaningless," was not in the original version, and was added to the song. As much as the "Adoration of Death" changed the market of Korean recording industry, it also influenced the public opinion of Korean intellectuals.

Kim Donghwan: Is lovers' suicide a kind of crime? Were both Yoon Simduk and Kang Hyangran criminals? Is it impossible to praise Death?

Lee Sunhee: I can accept the death of Sunghyeong in *Frontiers* of Choonwon.

Nho Chunmyeong: I disagree. Why die? Love and happiness exist as far as being alive.

Mo Yoonsook: That is too ideal. If perfect love, which is combination of body and soul, is impossible, we should pursue mental love, even if it means suicide.

Choi Junghee: That's right. Aside from the fact that suicide or lovers' suicide is right or wrong, I can understand their mind in deciding death.

They recognized the people who risk their life for love. Furthermore, failure to keep love is regarded as an invasion of individual liberty and dignity, thus, the individual should die to defend their individuality, or love.

Kim Donghwan: Let me take an example, Choonhyang, a model of passionate lover. If there had not been a success of Mongryong, suicide would have been the best way for Choonhyang, or they would have committed joint suicide naturally. If they didn't, they were just ordinary libertines.

Mo Yoonsook: Sure. It is only right that they should die.

Lee Sunhee: It would have been the happiest way for them to commit suicide.

Choi Junghee: When dignity and sanctity of oneself is trampled, it is necessary to promote the soul. Death is the only way.

Although "Adoration of Death" was a popular song, only few young intellectuals listened and enjoyed it. Their joint suicide could have been everyone's mouth because the intellectuals were friendly to Kim Woojin and Yoon Simduk. It was not clear if Kim and Yoon agreed on committing suicide for love, however, contemporary intellectuals firmly believed their love, and the reason why the lovers killed themselves. They might want the substance of romantic love to risk ones' hides in Korea, a representation of modern individualism.

6. Conclusion

The joint suicide of Kim Woojin and Yoon Simduk and responses of the intellectuals demonstrate complex aspects of contemporary individualism. Even Kim Woojin, Yoon Simduk and intellectuals are all individualists, they weigh on different sides of individualism. In other words, there were three dimensions in the event: Overcoming a frustrated ego of Simduk, practice of yearning death of Woojin, and beautification as a romantic lovers' suicide of intellectuals. On the deck of ship in Hyunhae-sea on August 3 in 1926, Kim Woojin, Yoon Simduk and Korean highbrows' thinking were totally different.

Such 'Same Bed, Different Dreams,' contains past, present and future of Korean individualism in 1920s. Yoon's individualism, where self-realization was the best goal, was most similar to the western prototype. In contrast, transformed individualism was Kim's, which was more pessimistic and nihilistic under the colonial structure. On the other hand, intellectuals had more future oriented individualism, longing for transition from romantic love for individual to benevolence for nation. In fact, new outstanding Koreans, who live beyond all adversity, appeared on novels. Their love should make a role for not only themselves, but also society and nation.

Representation of love in colonized Korea was a cultural mechanism to produce a continuous warrior for lovers, an irrational actor from modern reasonable men. Therefore, Korean intellectuals revived the joint suicide of Kim Woojin and Yoon Simduk as a perpetual heroic love. Their death had to be not individual's joint suicides, but social lovers' suicide, which linked to modern philanthropy. Overall, Korean individualism must have been the most individualistic, but at the same time, the most political.

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The history of suffrage and comparative liberal thought[77]

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77 This paper is part of work in progress – some bibliography might be missing.
Kindly cite, but do not quote without the author's permission.

Introduction

Voting is the key element of representative democracy and the most established way of participating in the body politic of modern states. Today, many democracies apply a number of voting principles, including universal, equal, direct, secret, and free voting, what has been recently referred to as Western Europe's 'electoral heritage'. These principles developed slowly after long debates as part of a larger democratic impetus. At the end of these conceptual struggles, not only did the speakers invent new political principles and voting techniques, they also gave a whole new meaning to the concept and the importance of voting.

By the end of the eighteenth and mainly in the nineteenth century, the democratic and national independence movements that rocked the Western hemisphere created many new constituent republics and deepened the modern style of representation. To regulate the new system of government, which was to be elected by individuals, the respective founders and members of the newborn parliaments went in search of a voting system and rules of voting procedure.

At the same time, the surrounding socio-political constellations and party interests motivated various stakeholders to contribute to a large amount of constitutional and parliamentary rhetoric, which led to the fermentation of the specified ideas. However, it is through the use of concepts and ideas that the subjects expressed their purposes and made their claims. 'Party interest could not carry weight as a public argument: except in the most private of councils'[78]. Even if getting out the conservative farmers' vote lied at the bottom of a Belgian Catholic's thinking, they had to articulate their arguments in a way that, ultimately, changed their understanding of voting.

Contrary to common beliefs, the principles of voting that were thus crystallized are not merely technical instruments invented in order to organize the conduct of the elections. In reality, they are levers of conceptual change, involving concepts that do not only affect the relationship between states and citizens, but are affected themselves and change meaning through parliamentary and public deliberation. In other words, electoral principles were not only a procedural supplement,

[78] Jones, H.S. 2000, 'Political Uses of the Concept Representation' in *Finnish Yearbook of Political Thought*, v.4

but the axis of serious ideological controversies. Furthermore, each time they gave a new meaning to the concept of voting altogether, so that today we have come to understand it as we do: as a universal, equal, secret, direct and free political act.

Universal versus Limited Voting

The first attempts to make voting universal occurred in the late eighteenth century during the French Revolution. In an effort to accommodate at once social, individual and public interests, the main actors of the Revolution directed their confrontation on the subject of who should be eligible to vote. The old establishment, per Emmanuel-Joseph Sieyès, defended the idea of limited or census suffrage exercised by a privileged class of few, the so-called 'active' citizens, namely those who paid taxes. On the other hand, passive citizens, who did not pay taxes because they had no propriety, no salary, lived off social subsidies or a servants were only eligible to protection but not to full-scale active involvement in electing government officials[79]. This was a first-class argument to justify inequality of the vote as I will show later. It matters to see that in this debate voting is understood as a privilege, which is attributed to someone according to the general interest of society. And to honor a privilege given by the State, one is obliged to fulfill it. Thus, voting was defined as a privilege and at the same time, as a civic duty or a public 'function'.

The restriction of voting rights was strongly criticized by Maximilien Robespierre in the years that followed. Drawing on the Declaration of the Rights of Man, he claimed that 'all citizens, no matter who they are, have the right to aspire to every degree of representation'[80]. The idea of voting as a natural right pertaining to all members of a society was inspired by Jean-Jacques Rousseau's notion of the sovereignty of the People[81]. In other words, since the sovereign nation consisted of individuals, the expression of the will of the nation could only derive by each and every one of its individual members. Thus, there should be no restrictions on suffrage. Although the 1793 Constitution was not applied, the notion of voting was clearly described as a universal good, a natural right that belongs by birth to everyone on the merit of their being human.

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79 Sieyès, E. J. 1789, *Qu'est-ce que le Tiers état?*
80 Cited in Dunn J. 2005, *Setting the People Free : The Story of Democracy*, London: Atlantic Books, p.115
81 Rousseau J.J. 1762, *The Social Contract* (tr. G.D.Cole), Constitution Society: online edition, Book IV, Ch.1

Restrictions on the basis of religion were also common in England and Ireland before the middle of the nineteenth century. They were indirect, since they required a religious oath before granting the right to vote, or direct, for example the Irish Disenfranchising Act, which removed Catholics' voting rights from 1727 until 1788. The exclusion of 'Papists' was justified on the grounds that their loyalty to the Pope was stronger than to the Irish monarch. In other words, they featured as aliens and the notion of voting became a matter of national consciousness. In addition, the Levelers had also argued against Anglican bishops' political rights. Their rhetoric pointed at the bishops' 'total dependences' on the king, which undermined their freedom to think and act in favor of the country's welfare[82]. On the contrary, they were suspected of advancing the crown's own interest, which counteracted in a dangerous way the freedom of the parliament. So, voting was associated by the parliamentarians with a secular and republican consciousness.

Similarly, in the Greek debates before the introduction of universal suffrage in 1864, many conservatives suggested the exclusion of illiterate and uneducated people from the electorate[83]. Education was not only another form of safeguarding independent thinking, but the magic wheel for developing a vision for the common good and national progress. The best ideas could only breed in educated minds, whereas the illiterate could only lead the nation down the 'wrong' path. Although, the exclusion of the uneducated did not pass but indirectly through the exclusion of the poor, this foregrounding of reason was not surprising, given that the whole institution of representative democracy was built thereupon[84]. A cognitive elitism of this order, realized if anything in the exclusion of mentally deranged persons, gave a new characteristic to the practice of voting: selecting representatives involved an intellectual process, in other words a critical act of thinking.

Women were excluded from the vote throughout the nineteenth century and, in many cases, up to the middle of the twentieth, some even longer. New Zealand, Australia and Finland were the first countries to eliminate gender from the restrictions to vote, in 1893, 1902 and 1906 respectively. Before that, women were regarded as 'incomplete men' either by nature or by education and social status. The sociological argument, for example, contended that women's role was to take care of the family; therefore men were skeptical to grant them a public role. But, worst of all was the

82 Skinner Q. 2006, 'Rethinking Political Liberty', in *History Workshop Journal*, v.61, p.157
83 Sotirellis G. 1991, *Syntagma kai Ekloges stin Ellada 1864-1909. Ideologia kai Praksi tis Katholikis Psifoforias* [Constitution and Elections in Greece, 1864-1909. Ideology and Practice of Universal Suffrage], Athens: Themelio
84 Rosanvallon P. 1992, *Le sacré du citoyen*, Paris: Gallimard, p.193-208

anthropological argument about the incomplete nature of women and their physical or intellectual incapacities[85]. Not only, did this affirm the understanding of voting as an intellectual process, it also defined the electorate in biological terms and added a meaning of voting as a masculine affair, as if a natural talent.

The exclusion of other groups on the basis of race or color is a similar anthropological fallacy. In the United States, indirect regulations such as literacy tests or property qualifications were targeting African-Americans (blacks), who remained disenfranchised up until 1965, despite their formal enfranchisement in 1870. Imperial states often left out colonial people all the same. This made suffrage an ethnic privilege, subject to racial and territorial affiliation summarized in the juristic criteria of 'blood and soil'. Such an introvert policy is still in place today, by means of requirements such as permanent residence or citizenship. Aliens can vote only after naturalization, the criteria for which in the case of Greece are non-permissive: a prior in-country residence of 10 years and a standard naturalization fee of 1,500 Euro (2005).

The exclusion from the electorate because of a criminal conviction is also not uncommon in many states. Indeed, in the U.S. many states retain felony disenfranchisement laws that are granted automatically with a serious conviction and are usually retained even after coming out of prison. This treatment reflects another meaning of voting as a kind of moral reward, from which those who disobey laws are deprived. Finally, a very old distinction between voters and non-voters is justified on grounds of age. Today, in most countries the eligibility requirement to vote is 18 years of age, which has been so only since few decades ago. For example, in Britain the voting age was set to 21 and 30 for men and women respectively in 1918, to 21 for both in 1928 and to 18 only forty years later, as an outcome of the student movements, in 1969 (in the United States in 1971, in France in 1975). The age for standing at a public election was decreased from 21 to 18 only in 2006. This continuing gradual decrease of the age requirements has inspired the Youth Suffrage Movement to keep on demanding ever lower participation ages[86]. One could think of the exclusion of younger citizens as a direct consequence of their social, moral and intellectual dependence on their custodians and the state. But, today the first two types of dependence have lost significance as many young people under 18 are making their own living. However, they are still required to go to school

[85] Ibid. p.169-189
[86] YouthSpeak is one of the associations that work towards this aim, see http://oblivion.net/youthspeak/

until 18. Thus, as long as compulsory education stops when the enfranchisement starts, the association follows of suffrage eligibility on one hand and minimum knowledge or intellectual maturity on the other. This coincidence establishes that voting is considered a process of intellectual reasoning, a result of knowledge or else an act of deliberation.

TABLE 1
UNIVERSAL MALE AND FEMALE SUFFRAGE: YEAR OF INTRODUCTION

<table>
<tr><th>COUNTRY</th><th colspan="3">UNIVERSAL MALE</th><th colspan="3">FEMALE</th></tr>
<tr><td>France</td><td colspan="3">1848-52/1875</td><td colspan="3">1944</td></tr>
<tr><td>Switzerland</td><td colspan="3">1848</td><td colspan="3">1971</td></tr>
<tr><td>Greece</td><td colspan="3">1864</td><td colspan="3">1952</td></tr>
<tr><td>Germany/Prussia</td><td colspan="3">1867/1871</td><td colspan="3">1918</td></tr>
<tr><td>New Zealand</td><td colspan="3">1879</td><td colspan="3">1893</td></tr>
<tr><td>Belgium</td><td colspan="3">1893</td><td colspan="3">1948</td></tr>
<tr><td>Australia</td><td colspan="3">1894</td><td colspan="3">1902</td></tr>
<tr><td>Finland</td><td colspan="3">1906</td><td colspan="3">1906</td></tr>
<tr><td>Britain</td><td>1832</td><td>1867</td><td>1884</td><td>1918 (census)</td><td>1918/1928 (women)</td><td>1948 (plural)</td></tr>
<tr><td>United States</td><td colspan="3">1788/1870 (blacks legally)</td><td colspan="2">1920 (women)</td><td>1965 (blacks)</td></tr>
</table>

Equal versus Plural Voting

Equality is a central democratic value that is (or should be) applied on every law and policy. Political equality has been to a large extent connected to suffrage, which is the cornerstone of all democratic institutions. If anything, political equality has been a palliative for the absence of social equality[87]. In some countries, equal voting was the only alternative and it was automatically introduced along universal male voting, for example in Greece in 1864. In other places however, legislators have been diligent in undermining it via the invention of plural suffrage.

[87] Rosanvallon 1992, p.16-27, 88-89

In the first years of the French Revolution, the conceptual division between active citizens, i.e. tax-payers, and passive citizens, who deserve economic protection but not political engagement, justified the introduction of census suffrage in the Constitution of 1791. For Sieyès, who introduced this reform, the reason for such division of labor had to do with the commercialization of modern societies, were individuals were chiefly occupied in economic production and had no time to engage in political affairs[88]. He visualized voting as a time-consuming activity, probably because it involved information, deliberation and decision.

The most widely known plutocratic franchise system was in Prussia between 1849 and 1918. Voting rights were distributed to three corporate estates, according to the amount of taxes they paid[89]. The first class was paying the highest taxes, the second lower and the third the lowest or no taxes. Despite their asymmetric size, each class was electing one third of all the electors. Another system of unequal suffrage was the plural or graded vote. It was introduced in Belgium in 1893 and remained in force until 1919. Every voter had from one to three votes according to certain criteria[90], involving education, family status, age and earnings. In Britain, plural voting persisted well until 1948, allowing people affiliated with a university to vote twice and property owners three times.

Direct versus Indirect voting

In the Middle Ages, the concept of representation used to be associated with the mystical embodiment of the Christ, first by the Twelve Apostles, then by the Church[91]. This must have been an inspiration for setting up the selection of the Pope by a College of Cardinals in the Roman Catholic Church. The indirect system of voting reflected here the high, unearthly spirituality needed to take part in such a process.

The most known case, where the representative of the people is elected indirectly today, is the election of the American President. In 1788, the 'Founding Fathers' argued successively in favor

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88 Dunn J. 2005, *Setting the People Free. The Story of Democracy*, London: Atlantic Books
89 Kuehne T. 1994, *Dreiklassenwahlrecht und Wahlkultur in Preussen, 1867-1914: Landtagswahlen zwischen Korporativer Tradition und Politischem Massenmarkt*, Dusseldorf: Droste Verlag
90 'L'évolution du droit de vote', at www.belgium.be
91 Pitkin F.H. 1967. *The Concept of Representation*, Berkeley: UCP

of the Electoral College mainly for three reasons[92]. First, the large federation consisting of several smaller States that acted in a competitive manner needed a trade-off to promote a cross-sectional voting attitude. Second, the American Constitutional Convention was biased against political parties, influenced by Bolingbroke's reactionary ideas of non-party government. According to the latter, "party is a political evil, and faction is the worst of all parties" for it divides a people 'about general principles' and ultimately subordinates common to personal interests[93]. The last but not least of the reasons to have the president elected by an indirect vote was to get the most knowledgeable and informed individuals to select him based only on merit and without regard to state of origin and or political party. Once again, voting meant acting upon knowledge and information.

These priorities become clearer if one sees what alternative schemes of government the Founding Fathers of American democracy considered before opting for the current system of indirect vote. They first planned to let the Congress choose the President. But, this might have caused too many hard feelings among the Congressmen and upset the balance of power between the legislative and the executive. The second idea would have the State legislatures choose him. But again, this would have created a dependence of the President on them, who might eventually permit the erosion of federal authority. A third plan was to elect the President by direct popular vote. The problem here was not low public intelligence, but fear that the voters would not receive sufficient information on each candidate and therefore end up choosing someone from their own State[94]. This would not only obstruct the federal origin of the executive branch of government, it would also thwart the merit-based criterion of voting.

Secret versus open voting

Secrecy has become the general standard in all Western democracies by now. The principle of secret voting first appeared in France, in the 1795 Constitution, affirming a long-established tradition, possibly in order to scale down the opportunities for election fraud [95]. Secret voting was also discussed in Britain, though less favorably. Therefore, the London Working Men's Association

[92] Kimberling W.C. 1992, *The Electoral College*, online at www.fec.gov/pdf/eleccoll.pdf
[93] Bolingbroke H.St.J. 1997, *Political Writings* (ed. Armitage D.), CUP, p.257-259
[94] Kimberling 1992
[95] Crook M.-Crook T. 2007, 'The Advent of the Secret Ballot in Britain and France, 1789–1914: From Public Assembly to Private Compartment' in *History*, v.92, p.456

issued a petition called the People's Charter in 1837 to bring up the issue by complaining about the conservative First Reform Bill. The petition ended with the following phrase: 'The suffrage, to be exempt from the corruption of the wealthy and the violence of the powerful, must be secret'[96]. However, as it happened, the two countries formally introduced secret voting only in 1872, Britain, and 1913, France. Thus, the glory of the pioneer went to Australia, where the six points of Chartism were included in the electoral act of 1854 and implemented two years later.

As mentioned, the aim of introducing secret voting -or the 'Australian ballot' as it is often called- was to stop attempts to influence the voters by intimidation, bribery or blackmail. Indeed, when secret voting finally prevailed, this was because the existing social inequalities required a fresh measure to create the conditions for independent voting that the society had failed to offer. Another reason could have been the public exuberance and disorder of the electoral process, caused by the publicity of the event. The *'isoloir'* would help organize and civilize the British elections, which were marked by rioting and other violence[97]. To summarize, the defenders of secret voting highlighted that voting should be a peaceful act, undertaken privately and in a spirit of independence.

The objections to secret voting had been numerous, especially from the liberal camp. In the French case, apart from the arguments on principles, it was a way to replace voting and counting with a faster process[98]. Yet, many Englishmen preferred public to secret polling mainly because it guaranteed the accountability of electors for their choices. What more, openness was noble and manly, whereas secrecy was slavish, fearful and mean-spirited[99]. Ultimately, secrecy was 'un-English', for the Englishmen had always cherished liberty and openness. This view is reflected in John Stuart Mill's critique, who argued that secrecy was a somehow selfish way of acting[100]. A feverish opponent of the secret ballot, Mill feared that it might discourage voters from discussing and justifying their choices. Ultimately, it would mislead them to using voting for their own caprice, interest or pleasure and not for the common good. Today, the search for responsible voters, who can defend their vote

96 Online at http://www.chartists.net/The-six-points.htm, Cited in Cole G.D.H. and Filson A.W. (ed.) 1951, *British Working Class Movements: Select Documents 1789-1875*, Macmillan
97 Crook M.-Crook T. 2007, p.463
98 Ibid., p.456
99 Crook M.-Crook T. 2007, p.457-458
100 Mill J.S. 1862, *Considerations on Representative Government*, online by Project Gutenberg E-books, Ch. X

'discursively' by accepting public scrutiny for their choices, has re-directed the attention of some scholars to the benefits of open voting[101].

Objections to secret voting also came from the democratic camp. In the 1920's Carl Schmitt criticized secret voting as an 'undemocratic conception, resulting from a blend of liberal principles in the nineteenth century'[102]. Schmitt's opposition was based on a blending of the concept of people, public law, publicity and democracy[103]. According to the democratic ideal, the 'people' is a concept in public law and cannot be dissociated from publicity. Thus, the voter should act in a public position and not as a private individual in a selfish and secret manner. In Schmitt's thinking, the liberal or better individualistic principle of secrecy contradicted the democratic concept of publicity.

Free and obligatory voting

The rising concern about the independence of the voters' choices generated the principle of free voting. It is necessary to distinguish the concept of 'free voting' from the ideal of 'free elections' right from the beginning, although the former is sometimes implied as part of the latter. Freedom of voting is linked to the individual act of voting, whereas free elections refer to the overall conditions of the electoral process. The official view today [104] declares as free elections those 'based on the supremacy of the constitution which is the basis for the legal and other guarantees'. I would add that it also implies that political parties, candidates, election authorities, the courts, the media and civil society can exercise their designated role in the elections without any sort of influence, coercion, threat or any other unlawful pressure.

So, freedom of suffrage refers to the specific conditions that apply on individual voters. The official documents define free suffrage as the possibility to vote "<u>without influence, violence, threat to apply violence or an illegal coercion</u>, not being afraid of penalty or influence, regardless of the

[101] Brennan G.-Pettit Ph. 1990, 'Unveiling the Vote', in *British Journal of Political Science*, v.20, No. 3
[102] Schmitt C. 1926 The Crisis of Parliamentarism
[103] Buchstein H. 2002, 'Democracy's Secret: Carl Schmitt and the German Critique of Secret Voting' in *Finnish Yearbook of Political Thought*, v.6
[104] Council of Europe, European Commission for Democracy through Law (Venice Commission), 2007, *Opinion on the Convention on the standards of democratic elections, electoral rights and freedoms*, Opinion No. 399 / 2006, CDL-AD(2007)007, Strasbourg, p.8, n.45

results of the voting and results of elections, and with provision of legal and other guarantees"[105]. In addition, it is noted that the principle is based both on the formation of the elector's opinion and on the expression of this opinion. It seems that the concept of liberty found in the language of the Convention is a classical liberal understanding of liberty as the formal absence of coercion. In Isaiah Berlin's dual scheme of distinction, this corresponds to the negative type of liberty with all the consequences that it entails. In the meantime, it deserves noticing that voting is extended chronologically; it does not involve only the moment when the voter is casting the ballot in the ballot box on election-day, but the preceding time of deliberation and decision.

Despite the universal acceptance of the necessity to protect the voter from asymmetric and unlawful influence, towards the end of the nineteenth century politician and scholars alike observed that the principle of free suffrage started becoming problematic. By a far-stretched reading of its individualistic scope, voters refrained to participate in the vote altogether and the growing phenomenon of abstention was putting at stake the democratic supremacy of numbers. Organizational and legitimating principles such as majority and minority were loosing their significance by the small number of eligible voters that showed up.

In 1893, the Belgium parliament included the option of compulsory voting in the debates over their constitutional reform. The Catholics tried to revive the idea that voting was a duty, which had been defended by Sieyès during the French Revolution. However, although the axiom was the same, the scope of the debate now was completely different. In 1791, Sieyès was trying to restrict suffrage to the wealthy, whereas in 1893 Auguste Beernaert –the Belgian Catholic Prime Minister- was trying to fight the large wave of abstention that could have been caused by the simultaneous introduction of universal suffrage[106]. What more, unlike the 1791 French debate, universal suffrage was not only taken for granted in the 1893 Belgian discussion, it was being successively defended and introduced in the same year and in that precise reform. Thus, the notion of voting duty had to be re-introduced on softer more democratic grounds, not as a privilege, but as a public function, a trust conferred by the state to citizens[107]. Of course, it was a right too, but a public or political right,

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105 Council of Europe, European Commission for Democracy through Law (Venice Commission), 2007, *Convention on the standards of democratic elections, electoral rights and freedoms*, Opinion No. 399 / 2006, CDL-EL(2006)031rev, Strasbourg, Art. 8

106 *Annales parlementaires*, Chambre des Représentants, Séance du 30 mai 1893, p.1541, 1552

107 Benessiano W. 2005, 'Le vote obligatoire' in *Revue française du droit constitutionnel*, Vol.1, n.61

which has to be exercised with regard to the common interest and not a private or civil right, which can be disposed according to the private will. The natural versus divine law distinction does not come up anymore, for as said universal suffrage had safeguarded the aim it had appeared to serve.

In 1911, a short debate in Greece provided for an additional understanding of free voting[108]. Only in case there were protected from a relationship of dependence could the voters be really free to make their choice. This would leave employees unprotected from the dominant will of their employers, a prey to their political influence, unable to deliberate and decide by themselves. Dependence, the same reason that was used for many decades to exclude several groups of people from the electorate[109] did now help to justify their protection. Compulsory voting would guarantee that the voters could not be forced to abstain, either by their superiors or their own fear of them.

A trust is a mandate and, in this respect, voting was understood as a mandate. This finds a perfect correlative in the free versus imperative mandate antithesis. As the prevailing argument goes, the representatives must be free to deliberate in order to reach objectively right aims and policies. Conversely, the voters should also be free to deliberate and decide who to vote. However, just as representatives are expected to behave in a professional manner, to go to work and exercise their tasks as prescribed, so voters must behave as responsible citizens and present themselves at the polls. As long as this does not happen automatically, compulsory voting could be one possible corrective measure, to remind tax-payers that we are living in a primarily political and secondarily economic community. For, if inefficient MPs are socially stigmatized and risk their re-election, this is not the case with the large numbers of voters, especially in a political culture that is often inimical towards high-level politics and suspicious at the system of representative government.

Conclusion

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108 Malkopoulou A. 2007, 'Compulsory Voting in Greece', Paper presented at the *ECPR Workshop "Compulsory Voting: Principles and Practice"*, May 2007, University of Helsinki, Finland

109 Skinner Q. 2006. See also Palonen K. 2007, 'Voting and Liberty, Contemporary implications of the Skinnerian re-thinking of political liberty' in *Contributions*, v.3, no.1

Since the late eighteenth century, Western democracies have thought about and debated the present electoral values, usually on very similar grounds. This shows on one hand how easy and efficient the international transfers of concepts can take place, and on the other hand, how unique and common ways of understanding so many nations and languages can share. The historical analysis has shown that each of the five principles was invented to respond to particular problems. For example, universality and equality were solutions to social tension, secrecy and freedom a way to curb electoral fraud and directness a way to improve confidence in political representation.

Characteristically, the rhetoric of politicians and scholars gave a new meaning to the concept of voting. In the debate over universal suffrage, notions such as privilege, duty on one hand and natural right on the other came into play. The analytical categories that defined the enfranchised gave additional meanings to suffrage: a matter of national, republican and secular consciousness, an intellectual process, a masculine affair, an ethnic privilege, a moral reward. Furthermore, voting became an act of information, deliberation and decision, peaceful and unifying, serving the common interest, albeit exercised in a private manner, and a trust or public function conferred by the state to individual citizens.

This long list of meanings has shaped many political cultures today and plays an important role in designing democratic agendas. Today, no single definition of what voting means exists. In this paper, I tried to fill this gap by examining the historical development of voting and its different conceptualizations. It goes without saying that this is meant as a useful background for contemporary public discussions, as well as for private ones provided that they are oriented towards the common good.

Reception and Change of the concept of Right(s) in the thought of Nishi Amane and Yu Kilchun

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Introduction

The modern Western concept of right(s) or the idea of natural rights (and law) was introduced to the East Asian countries China, Japan, and Korea, through the mediation of Confucian thought, especially with the help of neo-Confucian concepts. For example, *ziranquan* (自然權; natural rights), *tianfurenquan* (天賦人權; rights endowed by Heaven)' or *xingfa* (性法)/*ziranfa* (自然法; natural law) could not be introduced without the neo-Confucian concepts of the 'Heavenly Principle of Nature, *tianli ziran* (天理自然)' or the idea of 'Nature as Principle /Reason, *xing ze li* (性卽理).' Here mediation means a way of reception which entails hybridization between 'ours' and 'others'.' In the process of receiving foreign concepts or ideas, the foreign concept usually were hybridized with native concepts.

Then, what does the above-mentioned 'mediation of (neo-) Confucianism' mean in concrete terms? It means that (neo-) Confucian thought contains its own notions of natural rights and human/people's rights. For instance, Mencius' belief in the 'significance of the people (*zhongmin*; 重民),' the so-called *renbŏn* (人本) thought, conceives of a notion of human/people's rights. And the idea of 'the public of All-under-Heaven, *gong tianxia* (公天下)' connotes a notion of natural rights endowed by Heaven.

According to an authentic lexicon *Suowen jiezi* (『說文解字』), the *gong* means 'the fairly allocated shares (平分; *pingfen*).' This concept of 'fair allocation' rested on the assumption that humans are all 'equal' creatures or beings under the *gong tianxia*. This *gong tianxia* was succeeded by the idea of '*gong* of *tianli ziran*' of neo-Confucianism, carrying the notion of natural rights based on the Heavenly Principle of Nature. I would like to call it the 'natural rights of *tianli*.' In this sense the concept of *tianli* as well as *li* in a singular term connotes a notion of natural rights.

According to the neo-Confucian thought, *li* is one and yet endowed on every creature/being (*liyifenshu*; 理一分殊). This *li*, residing in the human mind-and-heart (心; *xin*) or nature (性; *xing*), leads to the doctrine of 'Mind is Principle/Reason, *xin ze li*' or '*xing ze li*.' And *li* is intricately connected to other core Confucian concepts like *tian*, *dao* (道; the Way), *gong*, *yi* (義; righteousness or justice) etc. The neo-Confucian texts also combine *li* with other concepts to produce *li*-binomials such as *tianli*, *daoli*, *gongli*, and *yili*.

When this *li* reveals itself in society, it becomes *li** (禮; rites). Thus Confucian society was ordered by the ideas of 'rites' which govern moral behaviors. The exertion of *li** or *li* in Confucian society eventually led one to consider the relations between human beings in harmony, aiming at achieving a 'fair allocation' of values including rights. Confucians tended to think of

삭제됨: '…'…'…' ... [1]
삭제됨: received …i ... [2]
삭제됨: ,
삭제됨: by …medium …,… conceptions…made ion…such as…is …the 'medium'…tool …conception used to be…the ... [3]
삭제됨: it mean by . ... [4]
메모 [sts1]: ??? something is missing って感じがした、、、
삭제됨: ms?
삭제됨: conception…'…'…n ... [5]
삭제됨: Public
삭제됨: n…idea…'. ... [6]
삭제됨: same'
삭제됨: 'equal'
삭제됨: to
삭제됨: idea
삭제됨: endowed by ... [7]
삭제됨: n…idea ... [8]
삭제됨: including
삭제됨: the

human relations in terms of mutual obligations or duties.[110] In this Confucian conception, rights and duties necessarily went together.[111]

But if rights was grounded in the inborn moral nature, and understood in this sense as an inalienable endowment from Heaven, they would achieve a certain dignity and priority over duties, that is, not contingent on recognition by the state or the performance of duties incurred in society.[112] In Confucian society, people's basic rights, and socio-political rights (mainly of the intelligentsia) used to be guaranteed by *li**-*fa* (法; law) or the political practices. However, different from modern Western society, people's rights were not ordained by positive law. This was a question of serious concern for the modern East Asian intellectuals who believed, as a practical matter, that the most urgent priority of the day was the enactment of law to guarantee people's *individual* rights.

In this paper, I will examine the mode of reception and the change of the concept of right(s) in the thought of Nishi Amane (1829-97) and will compare Nishi with Yu Kilchun (1856-1914). How did both receive the concept of the natural rights and law? How did the notion of right(s) change in both? In this process of change, both tackled the question how to coordinate the relationship between rights and power; between natural rights and law-*bound* rights (i.e., people's rights enacted by law). Before answering these questions, in the next section, I would like to discuss the problems of translation concerned with renderings of right(s). Lastly, I will analyze of the differences in legal thinking of Nishi and Yu.

Problems of Translation: Renderings of Right(s)

W. A. P. Martin (1827-1916) chose *quan* (權; *ken* in Japanese, *kwon* in Korean) and/or *quanli'* (權利; *kenri'* in Japanese, *kwonli'* in Korean) for right(s) in 1864, when he translated *Elements of International Law* written by Henry Wheaton (1785-1848) into *Wanguogongfa* (『萬國公法』).[113] However, the term '*quan/quanli'*=right(s),' from the viewpoint of its original meaning, seems to be an oxymoron since *quan* means 'power (*li"*; 力 or *quanli"*; 權力), and *li'* means 'profit/benefit.'[114] And contingently, *quanli'* in Chinese pronunciation is the same as *quanli"*. The *quan/quanli'* must be an improper usage for 'rightness' – the authenticity of right(s).

Nevertheless the translation *quan/quanli'* later spread in the whole of East Asia. How did this happen? It seems that there was an ambiguity of the concept right(s). Or rather, two

삭제됨: '…(…)'…er … [9]
삭제됨: the
삭제됨: '…(…)' … [10]
삭제됨: , comparing … [11]
삭제됨: idea…'…(… [12]
삭제됨: mention
삭제됨: '…(…)…' … [13]
삭제됨: think …bot … [14]
삭제됨: '…' … [15]
삭제됨: *kenli'*
삭제됨: '…(…)' … [16]
메모 [sts2]: Or: the translation of the term '*quan/quanli'* as right(s)
삭제됨: authentic … [17]
삭제됨: was…a mistranslation, it was …or…'…' … [18]
삭제됨: became …over …n countries…come… … [19]
삭제됨: '…' … [20]

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[110] See Chung-ying Cheng, 'Transforming Confucian Virtues into Human Rights: A Study of Human Agency and Potency in Confucian Ethics,' in WM. Theodore de Bary & Tu Weiming eds.,*Confucianism and Human Rights* (Columbia University Press, 1998), pp.145-147.

[111] About my view on (neo-) Confucian rights and duties, see Kim Bongjin, 'Rethinking of the Pre-Modern East Asian Region Order,' *Journal of East Asian Studies*, Vol. 2, No. 2, August 2002, pp.79-84. In my view, the (neo-) Confucian way of thinking is the 'three dimensional thinking' based on the logic of 'dualistic monism or monistic dualism.' This mode of thinking, pursuing harmony of All-under-Heaven with its web of inter-connectedness, avoids the simplistic dichotomizing of a pair of contrasting notions. Notion *x* and its contrasting *y* are regarded as 'two and yet one; one and yet two,' because *x* cannot stand alone without *y* and vice versa. This proposition of 'two and yet one; one and yet two' seems a paradox, but I think it is 'true' in theory and practice. For instance, rights and duties cannot exist independently: Both are connected with each other.

[112] Wm. Theodore de Bary, 'Introduction,' in *Confucianism and Human Rights*, p. 19.

[113] Martin was an American missionary dispatched to China in 1850. In 1864, he was appointed as an English teacher for life to *Tongwenkuan* (同文館; The University of Foreign Languages in Beijing). He also translated such books as 『星軺指掌』 (1876. C. Martens, *Guide diplomatique ou Précis des droits et des functions des agents diplomatiques et consulaires*), 『公法便覽』(1877. T. Woolsey, *Introduction to the Study of International Law*), and 『公法會通』(1880. J. K. *Bluntschli, Das moderne Völkerrecht der zivilisierten Staaten als Rechtbuch dargestellt*).

[114] The same applies to *ziranquan* (*sizenken* in Japanese, *jayŏnkwon* in Korean).

삭제됨: Adding to this, I would like to tell one more view of mine as below. … ultimate…both …In … [21]

contradictory characters such as ‘rightness’ and ‘power’ were going together within the concept of right(s), and the latter, i.e. the character of ‘power’, was overwhelming in modern times. In fact, the modern ‘civil, political, and national’ rights had a Janus-faced character, combined with ‘power’ or ‘profit’ in terms of the property. They represented the idea of ‘power/property is rights’ or ‘rights is property of the powerful.’ This idea was strengthened by the current-thoughts of 19th century such as Utilitarianism, Positivism, and Social Darwinism. In this sense, *quan/quanli’* was a fit and proper rendering.

In relation to the above-mentioned, there was certainly a *recognizable* reason why Martin chose *quan/quanli’* for rendering right(s). That is, he used it mainly for rendering ‘sovereignty’ as *zizhu zi quan* (自主之權) or *zuquan* (主權); or the rights of the sovereign (nation/state) rather than that of humans or the people.[115] It seems obvious to me that he regarded ‘sovereignty’ as ‘national rights’ or ‘rights of state,’ and at the same time, to be ‘national power’ or ‘power of state.’ Martin also recognized the meaning of *quan* as ‘power.’ In fact, we can find usages of *quan* for rendering ‘power’ such as ‘judicial or administrative power’ in *Wanguogongfa*. Martin seemed to be conscious of the ambiguity of the *quan/quanli’* – ‘right’ and ‘power.’[116]

In the Book I and II of *Wanguogongfa*, we can see such renderings of ‘natural law’ as *xingfa*, *tianfa* (天法), *lifa* (理法); and *ziranziquan* (自然之權) for rendering ‘absolute rights (of nation/state). The former renderings show us a mode of receiving the concept of ‘natural law’ through the mediation of (neo-) Confucianism. And the latter shows us, in *Wanguogongfa*, a remnant of the notion of ‘natural rights’ in the sense of ‘absolute rights.’ It is worth noticing this even though *Wanguogongfa*, as a textbook of international law, hardly dealt with ‘natural rights’ itself.

Meanwhile Japanese intellectuals first introduced the concept of right(s) through the mediation of Confucian concepts; but after only a few years, they began to use *ken/kenri’* of Martin’s *Wanguogongfa*. A typical example is Fukuzawa Yukichi (1835-1901): He first used *tsūgi* (通義) as a rendering of right(s) in his *Western Affairs* Vol. I, II, and III (『西洋事情初編』, 1866; 『西洋事情外編』, 1867; 『西洋事情外編』, 1870). The term *tsūgi* originated from *Mencius* (『孟子』藤文公章句上) and represents the ‘Principle of the Way,’ *dōri* (道理) of ‘All-under-Heaven.’ Therefore *tsūgi* can be regarded as natural rights or human rights.

Adding to *tsūgi*, Fukuzawa also used *kenri* (權理) in the *Encouragement of Learning* (『學問のすすめ』二編, 1873). The term *kenri* can be construed as the ‘power of *ri*, i.e., Principle.’ It means that *kenri* represents natural rights. So we may say that Fukuzawa in those days understood the concept of right(s) as natural rights by the mediation of (neo-) Confucian thought.

But several years later, Fukuzawa began to use *ken/kenri’* instead of such terms as *tsūgi/kenri*.[117] At the same time, he began to insist on the priority of law/law-bound rights over natural rights; and national rights over people’s rights. He came to consent to the doctrine of ‘power/property is rights’ or ‘rights only of the powerful.’ At the same time Fukuzawa, showing

삭제됨: ‘…’ … [22]
삭제됨: the
삭제됨: ‘…’ … [23]
삭제됨: Ⅱ
삭제됨: by …medium terms … [24]
삭제됨: received
삭제됨: a…‘…’ … [25]
삭제됨: by …medium ion…next, …several became …*kenli’* … [26]
삭제됨: ‘…’ … [27]
삭제됨: a series book of
삭제됨: Ⅱ…Ⅲ … [28]
삭제됨: ,…), … [29]
삭제됨: ; *daoli* in Chinese…,…‘…’… … [30]
삭제됨: *kenli* …*kenli* *l*…*kenli* … [31]
삭제됨: ‘…’…‘…’ … [32]
삭제됨: medium
삭제됨: *kenli’* …*ke* … [33]
삭제됨: ‘…,’ … [34]

[115] See *Wanguogongfa*, Book I, Chapter Ⅱ, *passim*.

[116] It must be confusing for the Chinese, Japanes, and Korean in those days, because its ambiguity was nothing but a contradiction in terms. (I have no idea how they could overwhelm this confusion/contradiction. It might be said that the Chinese were overwhelmed by it.) By the way, it seems that Martin later became aware of the confusion caused by the ambiguity/contradiction of *quan/quanli’*, as he confessed that ‘*quan/quanli’* might hardly inform the Chinese of the *authentic* meaning of ‘right(s).’ See the ‘Forward’ of *Gongfahuitong* (『公法會通』).

[117] See *Doctrine of People’s Right* (『通俗民權論』 ,1878), *Doctrine of National Rights*, (『通俗國權論』 ,1878), *etc.*

his will to power, became an exponent of expansionism into Asia – an imperialist. It might be undeniable there was some relationship between his turn to imperialism and his using *ken/kenri'*.

Reception of the natural rights or law: hybridization of the native with the foreign

(1) Nishi Amane

Nishi Amane learned the 'five subjects' including *Natuurregt* (natural law or rights) and *Volkenregt* from Simon Vissering (1818-88) at Leiden University in the Netherlands. According to the 'Brief Record of the Classes in Five Subjects,' Nishi translated *Natuurregt* into *seihō gaku* (性法學; Learning of Natural Law), and *Volkenregt* into *bankokukōhō gaku* (萬國公法學; Learning of International Law).[118] Nishi had already used the terms of *seihō* or *bankokukōhō* in 1863, two years before Martin's *Wanguogongfa* was published in 1865.

By the way, seeing the 'Vissering's Memorandum on Learning Five Subjects' in *Documents on Learning Five Subjects*, Nishi translated *Natuurregt* into *tennen no honbun* (天然ノ本分; natural shares), and *Volkenregt* into *min'nin no honbun* (民人ノ本分; people's *proper* shares).[119] *Honbun*, in nowadays Japan, is usually regarded as a rendering of duties. But it was a Confucian term which originally meant 'people's *proper* share' based on the notion of 'All-under-Heaven' or 'Heavenly Principle of Nature.' So it necessarily entails the notion of natural rights, and rights as well as duties. In this sense, we may say, *tennen no honbun* as a rendering of *Natuurregt* represents natural rights; *min'nin no honbun* as a rendering of *Volkenregt* represents people's rights.

Nevertheless, Nishi's views changed in later years. In the *Details of Meaning of Law* (『原法提綱』, 1877), he regarded *honbun* as duties (*gimu*; 義務). Thus, the original meaning of *honbun* – natural rights in terms of 'people's *proper* shares' – was omitted. I think this was a result of his negating the being of natural rights along with his usage of *kenri'* as a rendering of rights in the same book, as we will see in the next section. In this sense, the usage of *kenri'* might prove that Nishi substituted the notion of natural rights for that of 'power/property is rights.' Or rather, it can be said that the term *kenri'* itself mainly represented 'power/property is rights' for Nishi.

Returning to Japan in 1865, Nishi was ordered by the Tokugawa Shogunate to translate Vissering's lecture on *Volkenregt* into Japanese. The publication of the translation *Vissering's Lecture*: *Bankokukōhō* was delayed by the political instability of the last days of the Tokugawa Shogunate, but was eventually published in 1868. As we can see in its 'Introductory Remarks,' Nishi referred to Martin's *Wanguogongfa* for his translation. In the text of this book, a lot of Martin's renderings were used including *quan* (*ken* in Japanese). But Martin's *quanli'* was not used yet. On the contrary, Nishi used *kengi* (權義) for rendering 'Regt' instead.[120] Nishi in those days might feel a sense of incongruity to *quanli'* as a rendering of right(s).

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[118] See *Documents on Learning Five-Subjects* (1863) in *Complete Works of Nishi Amane*, (Tokyo; Sōkō syobō, 1961), Vol. 2. pp. 134-145.

[119] Here we can see that Nishi used *hō* (law) on one hand, and on the other hand, he used *honbun* as 'right(s)' for rendering Regt. How did it come? The answer is because Regt in Dutch, like Recht in German or droit in French, carries both meanings of law and rights.

[120] The *kengi* (權義), with its authentic meaning, can be construed as 'power of righteousness or justice.' But later, in *the Details of Meaning of Law*, Nishi construed it as 'rights (*kenli'*) and duties (*gimu*),' with a note of " That is, *kenli'* and *honbun*." This note makes us know that he regarded *honbun* as *gimu*, i.e., duties, as I wrote above.

삭제됨: Asia-…insisting *kenli'* [35]
삭제됨: '…' [36]
메모 [sts3]: Of?
삭제됨: -
서식 있음: 글꼴: 기울임꼴
서식 있음: 글꼴: 기울임꼴
삭제됨: the R…- [37]
서식 있음: 글꼴: 기울임꼴
삭제됨: the
서식 있음: 글꼴: 기울임꼴
삭제됨: the
삭제됨: -
서식 있음 [38]
메모 [sts4]: だったら、うえも nature's proper share にした方がいいかな。
삭제됨: '…'…Therefore…idea…'…'…or [39]
서식 있음: 글꼴: 기울임꼴
삭제됨: '…' [40]
서식 있음: 글꼴: 기울임꼴
삭제됨: '…' [41]
삭제됨: Notwithstanding…has …; h… in the *Details of Meaning of Law* [42]
삭제됨: '…' [43]
삭제됨: became … [44]
메모 [sts5]: Existence?
삭제됨: '…' [45]
삭제됨: *kenli'*
삭제됨: (…) [46]
삭제됨: will be seen [47]
삭제됨: doctrine… [48]
삭제됨: *kenli'*
삭제됨: (and other [49]
삭제됨: the
서식 있음 [50]
삭제됨: His [51]
삭제됨: '…' [52]

The Chapter II of *Bankokukōhō* is a doctrine of international law based on *seihō* among nations, in other words, an explanation of the basic rights and the natural rights of a nation/state. Therefore we can see many usages of (neo-) Confucian concepts, mostly originated from Martin's *Wanguogofa*. For example, Nishi, mentioning '*ken* of which *seihō* treats,' i.e., natural rights, divided it into two kinds such as *jiyū no ken* (自有の權; *internal or natural rights*) and *kayū no ken* (假有の權; *provisional rights*). Here, Nishi made a reference to *jiyū no ken*, 'natural-proper rights (*tennen koyū no ken*; 天然固有の權)' based on 'Human Nature (*hito no sei*; 人の性).' And he explained that 'sovereignty (自主の權)' as a *jiyū no ken* should be based on *dōri*, 'Principle of the Way.'

Nishi in those days engaged in introducing natural rights as well as natural law. In 1871, Nishi helped Kanda Kōhei (神田孝平; 1830-98) to publish the *Brief Commentary on Natural Law* (『性法略』), and contributed the Preface and the Forword. According to the Forword, the original text of this book was Nishi's notes from Vissering's Lecture. Nishi says, "Vissering used to insist that *Bankokukōhō* (*Volkenregt*) is a practice of *seihō*." If it is true, Vissering must be a strong proponent of the doctrine of natural law. Nishi, under this influence, deplored the law of the jungle in international politics' arena, and stated: "A Treaty should not be regarded as useless will. Who dare say it is a false word that the law springs from the Human Nature?"

(2) Yu Kilchun

Yu Kilchun introduced the concept of right(s) by adopting such terms as *t'ongŭi* (*tsūgi* in Japanese), *kwonli* (權理) of Fukuzawa's renderings, and *kwon* (權), *kwonli'* (權利). Yu learned those terms from his mentor Fukuzawa Yukichi, when he studied at Keiô Gijuku (Keio University) from 1882 to 1883. But Yu used, different from Fukuzawa, at first *kwon*, *kwonli'* and next *t'ongŭi*.

After his return to Korea in 1883, Yu wrote *The Doctrine of the International Situation* (『世界大勢論』) consisting of 14 articles.[121] Among them, the article of 'Summary of Freedom' deals with the rights of individual and of the nation/state. The first paragraph states the following: "As a part of the world becoming civilized, people are swimming with the trend of extending individual rights, and the rights of nation/state." (p. 89) By the way, it is worth noticing that Yu at first used the term *kwonli* for rendering the individual rights, but, later, he rewrote this *kwonli* into *kwonli'*. Was there any meaning in this rewriting?

As I mentioned above, Fukuzawa's *kenri* represented natural rights. But his *kenri'* represented the idea that 'power/property is rights.' There was a notable difference between Fukuzawa's usage of *kenri* and *kenri'*. However, as for Yu, there was no difference. That is, Yu's usage of *kwonli'* does not mean that he accepted the idea of 'power/property is rights.' Yu's *kwonli'*, which is the same as *kwonli* or *t'ongŭi*, was a term representing natural rights.

Yu explains the "individual rights" that "everyone owns as the freedom to do whatever he/she likes, unless he/she disturbs politics and law, or harms others' things/affairs. Therefore the government cannot, even if it wants to, punish people with the power of state, unless people's deed offends the constitution or the law." (Ibid., p. 89) Here, 'individual rights' means a kind of natural rights in terms of freedom. The government must guarantee the freedom of individuals. To the contrary, however, individuals do not have the freedom to go against the government.

[121] *Complete Works of Yu Kilchun*, (Seoul; Ilchogak, 1971), Vol. III. pp. 89-102.

With regards to the “rights of the nation/state” Yu makes the following division into three categories (Ibid., pp. 89-90): First, the governmental right is a right to govern the state’s internal affairs; secondly, the independent right is a right not to receive others’ intervention and/or invasion; thirdly, the equal right is a right which makes no distinction between the superior and the inferior, even though there is a difference of the strong and the weak among nations. In this way, Yu expounds the ‘rights of the nation/state,’ i.e., the sovereignty as ‘basic rights or natural rights.’

In July 1883, Yu accompanied the Korean Envoy to the United States. Ending the formal itinerary, he started studying in Boston from November. Through the guidance of E. S. Morse (1838-1925) he was admitted into the third year of the high school (Governor Dummer Academy in South Byfield) in September 1884. But one year later, Yu could not help deciding to return to Korea since he heard the news of the abortive Kapsin coup d’état (December 1884) of his comrades of the Progressive Party.

Returning to Korea in December 1885, Yu was sentenced to confinement as a member of the Progressive party, and the confinement was not lifted until 1892. During the days of confinement he wrote *Sŏyugyŏnmun* (『西遊見聞』, 1889, published in 1895).[122] In this book, there are several articles expounding the concept of right(s). Among them, an article on ‘People’s Rights’ is an adaptation – with his own creative writing – from two sections of Fukuzawa’s *Western Affairs* Vol. II and III. Here Yu used the term *t’ongŭi* (Fukuzawa’s term *tsūgi*). But, at the same time, he also used *kwonli’* which had not appeared in *Western Affairs* yet.

Yu’s *t’ongŭi*, like Fukuzawa’s *tsūgi*, represents natural rights or human rights. And Yu’s *kwonli’*, different from Fukuzawa’s *kenri’*, also represents natural rights or human rights. Yu, saying that people’s rights consisted of “freedom and *t’ongŭi*,” explains as below:

> Freedom means doing anything without restraint, just following the mind by preference. However, it means neither an arbitrary dissipation nor an illegal behavior as one pleases. Nor an intention giving rein to selfish desire without considering the situation of others. The rights of freedom means keeping righteous *tori* (道理; Principle of the Way) and doing what one likes; with respecting the law, performing one’s duties, and without obstructing others…*T’ongŭi* is the natural *chŏngli* (正理; righteous principle/law)… The right of *t’ongŭi* means that everything [everyone] under Heaven follows the proper Way, with keeping the immutable principles and the reciprocal duties. Now, the rights of both freedom and *t’ongŭi* are necessarily enjoyed by all things and people under Heaven. (pp. 129-130)

Here we can see that Yu uses the terms of ‘freedom and *t’ongŭi*’ for expounding natural rights endowed by Heaven, or human basic rights. There is no distinction between *t’ongŭi* and *kwonli’*. And it is evident that he regards rights and duties going together, as if they were twins – two yet one.

Yu says, “Freedom and *t’ongŭi* are people’s rights inalienable, unwavering, and unyielding. But, one deserves to have rights endowed by Heaven and take pleasure in life on the condition of obeying the law and self-cultivating according to the righteous *tori*. It is natural for a person who loves and holds to one’s rights to take care of others’ rights. Invading the rights of others will not be tolerated, according to the fair Way (*kongdo*; 公道). The authority of the law only exerts on a person who commits an error. Therefore human rights are not alienable; not wavered by anything like dignity of emperor or courage of man.” (p. 133) Here the term *kowonli’*, right(s) represents

[122] *Complete Works of Yu Kilchun*, Vol. I.

삭제됨: In …,…divided into “three great rights,” …explains as below…whole [75]
삭제됨: nation’s/
삭제됨: , by … but [76]
삭제됨: became under sentence of
메모 [sts7]: Correct?
삭제됨: (…in …) [77]
삭제됨: ‘…’…III [78]
삭제됨: Therefore [79]
삭제됨: ed…‘…’.. [80]
삭제됨: l
삭제됨: ed…‘…’.. [81]
삭제됨: others’ … [82]
삭제됨: tori
서식 있음 [83]
삭제됨: ‘…’…and/ [84]
삭제됨: for
삭제됨: by
삭제됨: If one invades…others’ …, … of the law will not permit. [85]
삭제됨: ‘…’ [86]

none other than natural rights. And the law should be subordinate to natural law in Yu's interpretation.

Yu says, "Human rights make no distinction between the wise and fool, the high and the low, the haves and the have-nots, and the strong and the weak. Rights are based on the public Way endowed by Heaven, since the *li* (理) of becoming a person makes no difference whether the person is an emperor or an ordinary man." (p. 134) Like this, Yu received the concept of right(s) by the mediation of (neo-) Confucian concepts such as *to*, *kongdo*, *li*, *tori*, *chŏngli*, and *kongli*. It is necessary to notice that Yu put a strong emphasis on the original meanings of natural rights such as inalienability, righteousness, and equality.

Between Rights and Power; Natural Rights and Law-*bound* Rights

(1) Nishi Amane

As we have seen above, Nishi adapted the concept of right(s) through the mediation of (neo-) Confucian concepts such as *sei*, *honbun*, and *dōri*. However, he lost interest in those concepts thereafter and he negated the being of *seihō* and natural rights. At the same time, he changed and adapted the (neo-) Confucian *li* to the *li* of Western science; for example, *li* in physics (物理) or psychology (心理). He also became an admirer of positivism, utilitarianism, and social Darwinism.

His negation of *seihō* can be dated at the end of the 1870s. A good example is the above-mentioned *Details of the Meaning of Law*. At the head of this book, he asks, "What is the origin of the law?" And he gives the answer: "The law comes from the inevitable *sei** (勢; power or vigor) of the daily necessities of people's lifes… We cannot say that its origin is the *hito no sei*, human Nature." (*Complete Works of Nishi Amane*, Vol. 2, p. 146) The negation of *seihō* means that he now emphasized 'power' and was much more interested in legal positivism than in moral ethics in law. In the *Details of Meaning of Law*, Nishi develops his legal thinking as below:

First, in regard to rights and duties Nishi says, "Rights mean possessing superior shares (*bun*; 分) and dominating profits against others… Duties mean having inferior shares, and being subordinate to others." (p. 146) Here, the superiority or inferiority of 'shares/profits' is directly linked to the relationship between rights and duties. It means there is no room for moral ethics in his legal thinking. In other words, the difference of 'power/property' among people determines whether to have rights or duties. For Nishi, natural rights cannot exist.

Secondly, Nishi says that rights depend on "gradually accumulating power" (p. 148); rights are the "fruits of labor *or* efforts" – "the strength of mind and body." (p.149) Since it is the "true *li* (實理) consistent with the facts," (p. 149) he insists, "rights must be the actual power (實勢), not the false *li* (虛理)." (p. 152) Thus it was that he separated the *li* from the (neo-) Confucian *li* with its character of natural law and rights. In his legal thinking, only power can produce rights.

Thirdly, his legal thinking was inclined toward the idea of rights as property or proprietary rights. Nishi says, "The justifiable origin of rights is based on property." (p.152) In other words, the basis of rights is property; people's rights depend on their own property. It goes without saying that property entails difference among people. So he says, "It is proper that rights operate differently, correlating the high and low rank or the haves and have-nots." (p. 152) He also insists on 'no -rights of such persons as infants, mental defectives, children, old persons, women etc. who actually have no-power/property.'

삭제됨: '…'…' [87]
삭제됨: .
삭제됨: '…I [88]
삭제됨: rank…pe([89]
삭제됨: '…' [90]
삭제됨: medium …ion…take conspicuously …aut [91]
삭제됨: '…' [92]
삭제됨: received
삭제됨: '…' [93]
삭제됨: by …medium ion…has become less and less interested…such [94]
삭제됨: e
삭제됨: ion…. And [95]
삭제됨: '…' [96]
삭제됨: has …the [97]
삭제됨: happened …in '…the …puts… Answer: y…*o*…has become stressed on…, [98]
메모 [sts8]: Share of what?
메모 [sts9]: Of what?
서식 있음: 글꼴: 기울임꼴
삭제됨:
삭제됨: He insists
삭제됨: ,
삭제됨: that the sphere of the law is enacted by men? (the law-bound rights). [99]
삭제됨: '…' [100]
삭제됨: (…)…H…actually no-power or no-property' – for example, … [101]

Like this, Nishi received the idea of 'power/property is rights.' Or rather, he regarded the term *kenri'* itself as representing 'power/property is rights' with his legal thinking based on positivism. In other words, his positivistic way of thinking accepted the idea of 'power/property is rights.' Consequently, for Nishi, such propositions as 'strife for rights' and 'rights of the strong' became taken as a matter of course. Later in 1882, he translated *Der Kampf um's Recht* (first published 1872) of Rudolf von Jhering (1818-92) into Japanese, titled the *Doctrine of Strife for Right written by Jhering*. In this sense, we may say, Nishi received the 'negative' side of the modern/modernity, with his negation of *seihō* and natural rights. At the same time he became a realist, abandoning idealism.

(2) Yu Kilchun

In contrast to Nishi, Yu Kilchun, holding to the notion of natural rights, would not accept the idea of 'power/property is right.' Here, let us have a closer look at Yu's article 'People's Rights' again. Yu divides the *t'ongŭi* into two sorts such as the natural (天然) and the artificial (人爲); the inborn (inherent; 無係) and the acquired (related with others'; 有係), and he explains:

> The natural means keeping inborn without any change: The artificial means sharing one's lot with another, obeying the law enacted by human intelligence… The inborn *t'ongŭi* belongs to the endowment of Heaven, the *chŏngli*, righteous principle/law that anybody under Heaven can attain whether he/she is part of society or not: Different from this, the acquired *t'ongŭi* is subordinate to the artificial law. However, the artificial law is unable to force people to yield to coercion. (p. 130)

Two sorts of *t'ongŭi* were, in sum, the natural rights and the law-*bound* rights. Yu recognized that the artificially-enacted law is necessary for guaranteeing people's rights – the artificial, acquired *t'ongŭi*. The law-*bound* rights must be guaranteed as by law enacted. But the artificial law cannot be superior to the natural, inborn *t'ongŭi*. It should be subordinate to *chŏngli*, i.e., natural law as well as natural rights.

Yu's legal thinking is based on positivism, however, different from Nishi, there is no room for the idea of 'power/property is rights' in his positivistic way of thinking. Yu, explaining the rights of freedom, mentions 'power and desire (for property),' "If someone behaves as he/she likes, so do others freely exercise their own power; and they emotionally compete each other for private desire (greed), the great Law (大法) based on the Spirit (生靈) would fall down on the ground… Therefore humans seek for properly-equal profits under Heaven, slightly changing the authentic purpose for adding laws to the freedom of Heavenly endowment." (p. 132)

Human rights should not be discriminated against anyone – no difference should be made in power or property. So Yu says, as we have seen above, "Human rights make no distinction between the wise and the fool, the high and the low, the haves and the have-nots, and the strong and the weak. Rights are based on the public Way endowed by Heaven, since the *li* of becoming a person makes no difference whether the person is an emperor or an ordinary man." And further, he says, "From the viewpoint of *li* endowed to every human being, there is no 'over-under' discrimination against any human being. An emperor is a human, and an ordinary person is a human as well." (p. 134) Yu declared 'everyone is born free and equal' by the mediation of (neo-) Confucian core concepts, *li*.

It was natural that Yu did not accept the idea of 'power/property is rights,' or rather that he criticized it: "Humans distinguish between the strong and the weak by propriety – right or wrong, but beasts distinguish by power or strength… The strong prey upon the weak: It is the Way for

삭제됨: *l*
삭제됨: legal
삭제됨: for Nishi
삭제됨: way
삭제됨: had
삭제됨: the –
삭제됨: what I would call
삭제됨: –
삭제됨: had
삭제됨: o
삭제됨: idea
삭제됨: '
삭제됨: '
삭제됨: let's see
삭제됨: , and/or
삭제됨: in
삭제됨: is
삭제됨: overwhelm
삭제됨: n other words, i
삭제됨: i
삭제됨: necessarily
삭제됨: legal
삭제됨: i
삭제됨: about
삭제됨: the
서식 있음: 들여쓰기: 첫 줄: 2 글자
삭제됨: anyone
삭제됨: any
삭제됨: .
삭제됨: rank
삭제됨: people
삭제됨: medium
삭제됨: i.e.
삭제됨: ,

beasts to live. Beasts freely exercise their power, since they do not have *t'ongŭi* and law for keeping their freedom under control. But humans control their freedom and establish balance in human society, since they establish the sphere of *t'ongŭi* by setting up law and order." (pp. 135-136)

It seems obvious to me that Yu perceived the contradiction – or the Janus-faced character – of the modern Western rights. And he had a critical attitude against the idea of 'power/property is rights.' So he emphasized the significance of natural rights as an authentic character of rights, and managed to coordinate rights with law in harmony. Yu learned current ideas of the 19th century, but he never became an admirer of positivism, utilitarianism, or social Darwinism. On the contrary he criticized the 'negative' side of these ideas. Yu must have felt a lot of frustration between ideal and reality. Nevertheless he maintained both idealism and realism. We may say that he was a man of realistic idealism or idealistic realism.

Conclusion

The modern Western concept of right(s) was not alien to East Asian intellectuals, since they had the similar notions in their own (neo-) Confucian traditions.[123] They could adapt the notion of right(s) through the mediation of (neo-) Confucian concepts – the most representative one was *li*. This reception entailed hybridization between ours and others', or the native and the foreign. By the way, it also entailed difference in the mode of receiving and changing the notion of right(s), since there were differences among their (neo-) Confucian traditions.

As we have seen above, Nishi and Yu were the same, as both at first received the concept of right(s) and the notion of natural rights by the mediation of (neo-) Confucian concepts. Nevertheless, Nishi later became negate the existence of 'natural rights or law,' but Yu continued adhering to it. Nishi and Yu were different in their reception and change of the concept of right(s). Then, what was the factor of this difference? Although there could be various factors, I would like to single out one – the difference in their respective 'attitudes toward *li*.' Yu's attitude to *li* was so robust that his notion of natural rights became strong, but Nishi's was not. In this sense, it can be said that Yu assumed a pro-*li* attitude, but Nishi did not.[124]

This difference between Nishi and Yu, in my view, came from such historical background as neo-Confucian tradition in terms of 'attitude to *li*'; a distinction between 'anti-*li* attitude' of Japanese Confucians (in the Tokugawa Period) and the 'pro-*li* attitude' of Korean Confucians (of the Yi Dynasty). Of course, there was an 'anti-*li* attitude' tradition in Korean neo-Confucian history: But it simply does not mean criticizing 'pro-*li* attitude' as a whole or the *li* itself. It means criticizing the negative side of '*li*-oriented attitude' and the 'false' *li*.

삭제됨: well-…in … [102]
삭제됨: '…(…)…' … [103]
삭제됨: spirit …the …-thought…the …the … [104]
삭제됨: – the modern/modernity
삭제됨: '…'…cor … [105]
삭제됨: receive
삭제됨: idea…'…' … [106]
삭제됨: by …med … [107]
삭제됨: concept o … [108]
삭제됨: was
삭제됨: '…'…or. … [109]
삭제됨: medium . … [110]
삭제됨: But…late … [111]
삭제됨: became . … [112]
삭제됨: d
삭제됨: being
삭제됨: and
삭제됨: kept hold on it to
삭제됨: , on the contrary, d…It was a significant difference between … – '…'… … [113]
삭제됨: notice one factor…between N … [114]
삭제됨: idea…'…' … [115]

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[123] In this sense, the concept or idea of 'right(s)' was not the modern Western origin. Nevertheless Jack Donnelly remarks, "The 'Western' origin of human rights ideas and practices is a simple historical fact… Human rights initially emerged – were created or 'discovered' – in Europe not because of superior Western virtue or insight but because, for better or worse, modern states and capitalism first appeared there." (Jack Donnelly, "Human Rights and Asian Values: A Defense of 'Western' Universalism," in Joanne R. Bauer and Daniel A. Bell, eds., *The East Asian Challenge for Human Rights*, Cambridge University Press, 1999, p.69.)

In my view, Donnelly's remark is based on a kind of West-centric universalism or modernism. Different from Donnelly, Onuma Yasuaki, in his paper titled "Toward an Intercivilizational Approach to Human Rights," argues that human rights ideas and practices were not solely of Western origin but they existed in non-Western regions as well. (Ibid., p.108.) Nowadays, not a few intellectuals have criticized the universalistic discourse of the Western origin of human rights, claiming that human rights ideas and practices have been already in the teachings of non-Western religions, cultures, and customs.

[124] Nishi's cool attitude toward *li* may come from the learning in his youth the works of Ogyū Sorai (1666-1728). Sorai was famous for constructing his logic of artificiality. Sorai negated and destructed the logic of the natural order based upon *li* in neo-Confucianism.

삭제됨: wa…the ...,…since he …learned by re … [116]

Japanese neo-Confucian tradition was conspicuous for having a "cool attitude toward *li*," as Watanabe Hiroshi remarks.[125] And Kurozumi Makoto argues that "[Japanese] Confucians were showing a tendency to converge in particularity of now/here and to commit self-torturing-denial. The negation of the substantial being of *li*, consisting in Tokugawa Confucianism, has caused such currents as the abandonment of understanding and the logic of adaptation."[126] It seems obvious that the Japanese 'anti-*li* attitude' tradition was the core factor which has led Japanese intellectuals into indifference toward the natural rights or law.

삭제됨: being

삭제됨: ,

삭제됨: /or

삭제됨: ‘

삭제됨: ’

[125] Watanabe Hiroshi, *Royal authority and Thought in East Asia* (Tokyo University Press, 1997), p.72.
[126] Kurozumi Makoto, *Japanese early-modern Society and Confucianism* (Tokyo: Perikan Publishing Co., 2003), p.26.

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"Supplanting Love, Accepting Friendship"

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Introduction

In this paper we shall argue that one of the means of building political organization in Kievan and, later on, Muscovite Rus' and socializing this political entity into the European international system was the concept of friendship borrowed by the Russians from their western neighbors. The Russian princes found it expedient to extensively use the concept of friendship in the process of expanding their territorial possessions, establishing relations with foreign and Russian princes of different ranks and negotiating legal regimes. This suggestion sounds rather counter-intuitive given our conventional understandings of friendship and often violent power relations of Russian princes among themselves as well as among their Tatar and western counterparts. Nonetheless, as we shall demonstrate, friendship was constitutive of this complex picture of building the Muscovite state with its consequent socialization into European system. Russian diplomatic vocabulary, however, did not evolve out of a single source. Apparently, it could have been influenced by the first encounters with the Byzantine Empire and then by the intercourses with the Polish-Lithuanian commonwealth, the Hanseatic cities and the Livonian Order. Consequently, during the Middle ages Russian diplomatic vocabulary possessed several words (e.g. *lyubov'*, *priyazn'*, *priyatstvo*, and *druzhba*) all of which could be rendered into English as friendship. Thus, we shall attempt to investigate into patterns and contexts of the use of these terms, their interconnectedness, eventual unification of the convention and corresponding political processes.

In this paper we shall mainly study the treaties concluded by the Muscovite and other Russian princes and republics and their diplomatic correspondence. It is crucial to keep in mind that Russian medieval treaties were called *gramota* (charters), which had the form of a unilateral letter proclaiming the desires of the sender, accepting certain obligations or simply informing the recipient of the past of future actions. Thus, the genre of this document did not correspond to a rather modest, strict and poor rhetorical language of the modern treaty. Instead, it allowed for various modes of accusations, elevated appeals, requests and justifications as parts of argumentative efforts of an agent to achieve certain goals. Surely, the genre comprised a number of conventional modes to deliver one's own argument. It is these modes and conventions of addressing the counterpart and the involved diplomatic staff as well as the concepts employed that will be the subject of the following exposition.[127]

"Love" as a tool for integration

Some of the earliest uses of the concept of friendship are registered in the first Russian chronicles and belong to the accounts of the treaties concluded by the Russians and Byzantium in the X century.[128] For example, in *Lavrentievskaya chronicle* in the record for the year 912, in which the treaty between Rus' and Byzantium is reproduced, a chronicler mentions that Rus' and the Christians proclaim and maintain *lyubov'* (*lyubov'* in contemporary Russian means 'love').[129] Then, in the record for the year 945 (when another treaty was concluded) one reads that *lyubov'* between the Greeks and Rus' is to be confirmed. These records refer to the so-called first treaties between Old Rus' and Byzantium. *Lyubov'* in its turn may refer both to a particular type of a treaty and a special relation established between the parties as a chronicler uses the verbs "to observe" and "to keep" together with *lyubov'* (record for 912). In the same treaty one reads that Rus' and the Greeks "will love each other with all their heart", which bears apparent Christian connotations. These relations should be distinguished from a mere peace treaty since later the chronicle mentions that the Bulgarian tsar Simeon came to Constantinople and left it having concluded 'peace' (*mir*), no mention of *lyubov'* was made.

Supposedly, the appearance of *lyubov'* in the reproduction of the first treaties with the Greeks was related to an attempt to render Greek diplomatic term '*philia*' into Russian.[130] It is worth pointing out that Byzantium often used this term in its relations with barbarian peoples

[127] The approach that we follow in this paper is indebted to a number of methodological essays revised and collected by Quentin Skinner in the "Regarding Method" volume in *Visions of Politics*. vol. I. Cambridge: Cambridge University Press, 2002.

[128] We shall emphasize that we are not trying to indentify the very first origin of the Russian concept of friendship (whether it is Byzantine by nature or imported via north-western route). Rather we are interested in different contexts of its appearance and political relations, which it helped to describe and promote.

[129] Lavrentievskaya Letopis', in *Polnoe Sobranie Russkih Letopisei*, vol. I. St. Petersburg: Tipografiya E. Pratsa, 1846.

[130] For such a hypothesis see S. Gedeonov, *Varyagi i Rus': Istoricheskoe Izsledovanie*, Part I, St. Petersburg, 1876: 266-7; N. Lavrovskii, *O Vizantiiskom Elemente v Yazyke Dogovorov Russkih s Grekami*, St. Petersburg, 1853: 9; S. Kashtanov, *Iz Istorii Russkogo Srednevekovogo Istochnika (Akty X-XVI vv.).* Moscow: Nauka, 1996: 4-7; M. Sverdlov, *Domongolskaya Rus': Knyaz' i Knyazheskaya Vlast na Rusi VI-Pervoi Treti XIII v.,* St. Petersburg: Akademicheskii proekt, 2003: 136-8; J. Malingudi, 'Russko-Vizantiiskie Dogovory v X v. v Svete Diplomatiki', in *Vizantiiskii Vremennik* 57, Issue 82 (1997): 85.

while building and maintaining patron-client relations.[131] There are good reasons to suppose that the Russians simply borrowed the concept from the Greeks together with its habitual contexts of appearance, when they unreflectively reproduced it in the preambles to the first treaties with Byzantium. As early students of these treaties suggested, the Russians were more concerned about concrete clauses of the treaties than their rhetorical preambles.[132] Thus, imperial *philia* is learned by the Russians in the process of socialization into an existing system of Byzantine diplomatic relations. Another dimension of Byzantine *philia* was related to the context of familial relations, which tied peoples to the empire through the system of marriages.[133] In the following we shall demonstrate the implications of such conceptual socialization for the relations between Russian princes themselves and their emerging political organization.

The concept of *lyubov'* appeared to be one of the most popular in the vocabulary describing the relations between Russian princes who belonged to the same kin. Not only the concept was used in the first chronicles, the abundance of uses is contained in the corpus of available treaties concluded between Russian princes in the XIV-XVI centuries. Russian princes, who often conducted independent policies both towards the western and eastern neighbors were still united by the myth of the common descent. Their political organization was based on the principle of hierarchy that was intrinsic to the appanage system. Thus, this system allocated two positions that a prince could occupy, that of a grand prince and that of an appanage prince. Quite surprisingly, *lyubov'* was one of the concepts that helped maintaining the integrity of this system, building alliances and negotiating common policies.

This is evident from the conventions that regulated the use of *lyubov'* and the contexts of its appearance. Under these conventions princes with different statuses had different powers in making *lyubov'*. Only the Grand Princes could "take in", "grant", "hold in" or "accept into *lyubov'*" inferior princes. The following expressions are usually found in the treaties sent by the Grand princes to their inferior counterparts: "I have accepted into *lyubov'* my younger brother and my son"[134]; "And I, the Grand Prince, am granting and holding you in brotherhood and in

[131] On the history of the concept of *philia* in Byzantium see Bruno Paradisi. 'L'amitie internationale: les phases critiques de son ancienne histoire', in *Recueil des Cours de l'Academie de Droit International* 78 (1951): 329-377.
[132] Gedeonov, *Varyagi i Rus'*: 276.
[133] Paradisi, L'amitie: 365.
[134] *Dukhovnye i dogovornye gramoty velikikh i idel'nykh knyazei, XIV-XVI vv.* (DDG; Testaments and Treaties of Grand and Appanage Princes, XIV-XVI cc.). Moskva-Leningrad: AN SSSR, 1950. №11, 1389.

lyubov'".[135] A reversed or asymmetric language is characteristic of the treaties sent by the appanage princes to the Grand princes: "And you, our lord, the Grand prince, will hold me in brotherhood…"[136]; "[You] will grant us, your younger brothers, your *lyubov'* … [You] will accept us into *lyubov'*".[137]

Similar patterns could be traced in the communications with the Tatar czars. A curious change in the way to speak about *lyubov'*, which simultaneously brings its hierarchical dimension into light, is seen in the situation when the distribution of powers between the Muscovite and Crimean Tatar czars changed in favor of the former. In the 1474 treaty between Muscovite Grand prince and Crimean czar one could still find examples of how the Grand prince Ivan III thanked the Crimean czar Mengli-Girei for calling him "brother and friend", for granting him this status and for agreeing to hold him in *druzhba* (friendship) and *lyubov'*.[138] Then, in a XVI century letter to the German emperor the Muscovite czar already informed the former that the Crimean czar *asked for* his *lyubov'* and *druzhba*. The Muscovite czar concluded friendship with Kazy-Girei, but being bound by friendly obligations, he awaited the reaction of Caesar Rudolf and emphasized that the concluded friendship is *not firm*.[139]

The verbs "to ask for", "to grant", "to hold" and "to accept" used with the concept of *lyubov'* underline the character of relations between these princes, which prescribes unequal roles to the participants of this relation and subordinate status to the inferior party. In these relations inferior princes enjoy only a passive role. *Lyubov'* appears to be one of the concepts that define the limits of power of an inferior party, put that party in service of the superior one and require consequent redistribution of tributes.

Another convention in the use of *lyubov'* concerns the relations between the Grand Princes themselves. This convention vividly demonstrates the above-described hierarchical component in the relations designated by the concept of *lyubov'* as it employs drastically different ways of addressing the counterpart and different set of verbs limiting the range of actions available to the parties. Such verbs as "to accept" and "to grant" would be a part of an unacceptable *lyubov'* vocabulary in the intercourse between the Grand princes. Instead, the princes with comparable

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135 Ibid., № 70, 1473.
136 Ibid., №14, 1390.
137 Ibid., № 46, 1447.
138 *Sbornik Russkogo Istoricheskogo Obschestva* (A Collection of the Russian Historical Society), vol. 41, 1.
139 *Pamyatniki Diplomaticheskikh Snoshenii Drevnei Rossii s Derzhavami Inostrannymi* (The Monuments of Diplomatic Relations of the Old Russia with Foreign Powers), vol. II, 62.

statuses "take" *lyubov'* with each other. Thus, the Grand prince Basil I wrote to the Grand prince Mikhail Alexandrovich that he will not take *lyubov'* with other princes, which would not include him and his children.[140] In another example from the same collection one could read that the Lithuanian Grand prince Alexander took *lyubov'* with Ivan the czar of Muscovy.[141] In a way *lyubov'* also imposes limits on exercising power in the relations between the equals. A prince could not take or conclude *lyubov'* with other princes without receiving an agreement from his friends-princes with whom he had concluded *lyubov'* before. Thus, a usual formulation with *lyubov'* concerning this type of obligation goes as follows: you, my brother, shall not take *lyubov'* with other princes without consultations with myself and without receiving my agreement.[142] This is, however, different from subduing one party to another, when power shares and burdens of obligations seem incommensurable.

Lyubov' was also used in the context of delineating political space by means of distinguishing one's friends and enemies. Concluding *lyubov'* often leads to an obligation to treat certain princes as friends and others as enemies. It is registered in many treaties with the formula "a friend of yours will be a friend of mine" that accompanied the agreed condition of *lyubov'*. In the case when a prince dies, his successor confirms the structure of foreign relations by referring to previous agreements: "my grandfather was a friend to your grandfather, their children were in *lyubov'* and brotherhood, hence, we want to be your brother and friend".[143] *Lyubov'* makes princes enter into offensive alliances against other princes and, vice versa, on the basis of concluded *lyubov'* a prince could be forced to maintain peace with a third party. Thus, in the late XV century Crimean Tatar czar Mengli-Girei, according to this rule, promised to show "non-friendship" (*nelyubov'*) to Lithuanian lands and after a while he was suggested to make peace with the Lithuanian Grand prince Alexander so that he would be a friend to a Muscovite prince's friend.[144] This formula was not a mere political ritual, rather it represented a part of regulatory apparatus of an existing political order and an effective means of making war and peace. Randall

[140] DDG, №15, 1396.
[141] Ibid., № 83, 1494.
[142] See examples in DDG, № 34, 1434; № 37, 1439; №79, 1484-5.
[143] See examples from the late XV century in *Sbornik Russkogo Istoricheskogo Obschestva*, vol. 41.
[144] Ibid.: 183, 258.

Lesaffer observed similar obligations imposed by *amicitia* in many Renaissance treaties in Western Europe.[145]

Hence, *lyubov'* seems to be not only a power limiting instrument in hierarchical relations, it also sets limits on sovereign powers of the equal agents via quasi-juridical agreements with concrete stipulations. The concept was used in vertical and horizontal political dimensions thereby fixing a certain political and spatial order. Interestingly, this order was maintained mainly by the series of speech acts made in the treaties and not so much by means of formal institutions that later took the shape of the state bodies or, even later, of the international institutions. The appeals to *lyubov'*, which often appeared in the preambles to these treaties, indicate its justificatory role for the consequent policies. *Lyubov'* turned out to be suitable to designate both a type of a contract or a treaty and at the same time a special relation that would justify the policies agreed on in a particular treaty. Princes could build a special relation, associated with *lyubov'*, by making references to the ancient custom of their predecessors to hold each other in *lyubov'* and by appealing to brotherly love that should guide their conduct. By the XVI century the latter appeal was already bearing strong Christian connotations. For example, Ivan IV (the Terrible) instructed to 'preserve Christian religion … and live in love' and advised his son Ivan to have 'unhypocritical love with his brother … Fiodor'.[146] Emphasis on 'true' and 'unhypocritical' love was made in the letters sent to the western Christian monarchs, whereas as a rule no such mention was made in the letters sent to non-Christian rulers. Thus, the use of *lyubov'* in Russian documents was associated with complex social relations, which combined the notions of the contract and political decision with moral and religious significance. Moreover, these social relations preserved some room for questioning the status of the parties.

Taking into account this brief history of early Russian uses *lyubov'*, it is illuminating to look at the attempts of an emerging Muscovite state to maintain diplomatic relations with the German Caesar and other western rulers in the XVI century and the ways the concept figures in this context. These attempts demonstrate a certain incongruity of the Muscovite conventional appeals to *lyubov'* and a changing European convention. Firstly, this incongruity became apparent when the Muscovite czar Ivan IV described his relations with the German emperor and with the Pope himself in terms of *lyubov'*. In his reply the Pope emphasized that he always

[145] Randall Lesaffer, 'Amicitia in Renaissance Peace and Alliance Treaties', *Journal of the History of International Law* 4 (2002): 91.
[146] DDG, № 104, 1572.

favored *lyubov'* and friendship between Christian princes themselves, and between His Caesarian Majesty and the Muscovite czar. However, he did not respond to czar's proposal to have *lyubov'* with him.[147] Seemingly, the Pope still acted within the logic of hierarchical Europe headed by the German emperor and the Pope himself. In this political organization not all the actors possessed equal symbolic statuses, while the relations of friendship could already imply the symmetrical positions of their subjects. Secondly, the Muscovite czar made attempts to question the equal status of his counterparts by casting doubts upon their ancestry. As we mentioned above, *lyubov'* was conventionally confirmed by references to past treaties. So, Ivan IV, being insulted with his name placed after the name of the Swedish king in the latter's epistle, questioned the honor of the Swedish lands and suggested to establish the status and descent of the Swedish king Johan III by listing those czars with whom his predecessors had "brotherhood and friendship".[148] "Lovely" rhetoric was also characteristic of correspondence with the English queen Elizabeth I.[149] However, excessive appeals to true lovely feelings sometimes were met with Queen's reminders about the contractual nature of a relationship. For instance, in one of her replies Elizabeth wrote:

> Because we understand from you (Emperour et great Duke) … that you… earnestlie desire to enter into some contract of strict amitie with us … whereupon we have with good deliberation resolved to accept in most freindlie manner this the offer of the good will of so mightie a Prince, et to contract Amitie with you…[150]

These incongruities in the conventions of using the concept for the achievement of certain ends highlight a number of issues related to the emerging conception of state sovereignty, the recognition of the Muscovite prince and changing international norms on the eve of the Westphalia system. They also create a basis for gradual conceptual learning and the unification of the European convention. The difference in the conventional uses was also reflected in the appearance of several synonymous terms (*lyubov'*, *druzhba*, *priyazn'* and *priyatel'stvo*), which

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147 *Pamyatniki Diplomaticheskikh Snoshenii Drevnei Rossii s Derzhavami Inostrannymi*, vol. X, 36.

148 See the letter to the Swedish king in *Pamyatniki Literatury Drevnei Rusi* (The Monuments of Literature of the Old Russia), 122.

149 See examples in *Pamyatniki Literatury Drevnei Rusi*, 108; *Sbornik Russkogo Istoricheskogo Obschestva*, vol. 38: 13-14.

150 *Akty Istoricheskie, Otnosyaschiesya k Rossii, Izvlechionnye iz Inostrannyh Arkhivov i Bibliotek A. I. Turgenevym*. St. Petersburg: Tipografiya E. Pratsa, 1842. vol. II: 373 (№ IX, year 1570).

sometimes were enumerated in the same document creating difficulties for translation into other languages. After the time of troubles, with renewed attempts of the Muscovites to learn European norms of diplomatic conduct and diplomatic vocabulary, this was also reflected upon by the ambassadors and interpreters. We shall return to their reflections in the following sections.

Lyubov' as a regime-making tool

Now we shall leave aside the discursive peculiarities of the emerging and expanding Muscovite czardom and briefly examine another genealogical line of the concept of friendship. This line benefited from the influences from the princedoms and republics lying west and north-west of Muscovy. In contrast to the internal Muscovite picture, in the north-western Russian lands *lyubov'* appears to have less prominence and does not have direct links to the discursive construction and maintenance of the sovereign power. In the early Novgorod treaties with the Germans *lyubov'* was coupled with the concept of *mir* (peace). It was important to conclude *mir* with good will and *lyubov'* as a prerequisite for further relations.[151] However, these early treaties do not display an excessive "lovely rhetoric" and some contained only the concept of *mir*.[152]

Interestingly, *lyubov'* was invoked not in the context of sovereign games, but in the context of establishing peaceful and commercial relations with an equal party. The exchange of embassies between Novgorod prince Andrei and the representatives of the Danish king in the city of Revel were accompanied with the expressions of *lyubov'* and *laska* (the latter could be interpreted as caress, kindness or love) that were aimed at confirming 'plenipotentiary powers' of ambassadors.[153] Similarly, reference to *lyubov'* is made when Great Novgorod negotiates with the Hanseatic cities about dispute settlement.[154] Polotsk and Smolensk princes also appealed to the desired condition of being in *lyubov'* when substantiating their proposals to continue

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[151] See the treaty between Alexander Nevsky and the German ambassadors (circa 1257-1259) in *Gramoty, Kasayuschiesya do Snoshenii Severo-Zapadnoi Rossii s Rigoyu i Ganzeiskimi Gorodami v XII, XIII i XIV veke* (The Treaties Concerning the Relations of North-Western Russia with Riga and Hanseatic Cities in the XII, XIII and XIV centuries). St Petersburg, 1857. № Ia.

[152] See, for example, the Treaty between Prince Yaroslav and the Novgorodians with the German ambassadors (circa 1195), Ibid., № Ib, or between Novgorod and the Muscovite Grand princes Basil II and Ivan III, Lubeck, Livonian Order and Norway in *Gramoty Velikogo Novgoroda i Pskova* (The Treaties of Great Novgorod and Pskov), ed. S. N. Valka. Moscow and Leningrad: Academy of Sciences USSR, 1949 (№19, 1435, №26, 1471, №33, 1301, №37, 1323, №39, 1326 accordingly).

[153] *Gramoty, Kasayuschiesya do Snoshenii*, № V (year 1302).

[154] *Gramoty Velikogo Novgoroda i Pskova*, № 62, 1423.

commercial relations, paying indemnities or when merely inviting merchants from Riga. As an additional substantiation they referred to those *lyubov's* that their ancestors held with each other.[155]

One could also find examples of using *lyubov'* in the context of discussing alliances and obligations of the allies in the Novgorod and Pskov treaties. For example, in the peace treaty between the Novgorodians and the Lithuanian Grand prince Kazimier it is proposed 'to be in *lyubov'* and not to start conflicts over serfs and debtors'.[156] Nearly at the same time Kazimier informs Pskov that he 'is going to be in *lyubov'* with the Grand prince of Moscow'.[157] These treaties are mainly aimed at providing or, conversely, not providing help to or against a third party or simply at informing each other about the moves of that party. Noteworthy, *lyubov'* in these Novgorod and Pskov treaties is not used for defining the status and titles of the counteragents; it just fixes a certain condition when parties undertake to observe a number of rules.

This context also turned out to be the one in which the term *druzhba* (means friendship in contemporary Russian) and its derivatives appeared. In their treaty sent to Kolyvan the Novgorodians ask the city not to help Sweden and to inform them about the latter's actions, thereby the city would *izdruzhit* ('make a friendly act') to their neighbors.[158] The above-mentioned "be in *lyubov'*" syntagma is quite innovatively substituted for "be in *druzhba*" in the treaty sent by Pskov to the Livonian Order. In this treaty Pskov informs the magister that Wytowt from Polotsk asked them 'not to be in *druzhba'* with the magister. Having informed him about this, they let the magister know that Pskov is willing that he 'would be in great *druzhba* with Pskov'. What is important in this treaty is that its German copy uses in both cases the word "fruntschop"[159] showing the reader a western equivalent for the concept, with which a Novgorodian use of *lyubov'* could be compared. Indeed, when the 1423 treaty between Novgorod and the Hanseatic cities used the term "nelyubov'" (that could be translated into contemporary Russian as 'non-love') in regard to the disputes between Novgorod and the

155 See the treaties between Polotsk and Riga (№IIb, circa 1265, №VI, circa 1300) and between Smolensk prince Alexander and Riga (№ VIII, circa 1300), Ibid.
156 Ibid., № 70, circa 1440-1447.
157 Ibid., № 335, 1440.
158 Ibid., № 50, circa 1410-1411.
159 Ibid., № 334, 1417. In the same collection one could find a draft of the treaty between Novgorod and Lubeck from 1317, in which similar expression "v druzhbe i v pravde" is registered (№ 42).

Germans, it was translated in the German copy as 'unfruntschop'.[160] Against the background of widely used *lyubov'* we cannot conclude whether the use of *druzhba* was an aberration or not.[161] What is however important is that the use of both terms in these Slavonic lands followed more or less the same convention and this convention seemingly regulated the use of friendship in northern Europe either. Deprived of excessive Christian connotations and the logic of 'sovereign games', the concept was used for establishing and maintaining diplomatic relations as well as for regulating commercial intercourse.

One more source of Russian diplomatic vocabulary sprang from another major player in the regions west of Muscovy, that is the Grand duchy of Lithuania. A brief look at the body of documents produced in this princedom reveals yet another word standing for friendship, that is *priyazn'*. *Priyazn'* and its derivatives (e.g. *priyatelstvo* and *priyatel'*) then entered into Muscovite diplomatic vocabulary and remained there in XV-XVII centuries. This, however, does not mean that these terms replaced *lyubov'* and *druzhba* completely. Quite paradoxically, they became equally legitimate for the use in the Muscovite diplomatic documents and in fact sometimes were used in the same document. This observation, however, applies only to Muscovite treaties and letters. The documents originally produced in the Lithuanian princedom usually contained the term "priyazn'". Nonetheless, the use of *priyazn'* in the Lithuanian documents follows the general conventions that we have already described in the case of *lyubov'*.

First of all, diplomatic relations could be established with the constitutive decision on *lyubov'*/*priyazn'*. Thus, the XV century diplomatic correspondence between Muscovite and Lithuanian boyars testifies that in order for princely relations to commence they need to exchange with embassies and reach an agreement on *lyubov'* and treaty.[162] Before that, no normal diplomatic relations could take place. After reaching the necessary agreement, Ivan III and the Lithuanian prince Alexander exchanged the copies of a treaty. As the question of territorial belonging was for a long time a contested issue in the Muscovite-Lithuanian relations, one can also see that *lyubov'* is partly involved in the discursive confirmation of territorial

[160] Ibid., № 62, 1423.
[161] Oleg Kharkhordin, for instance, suggests that "druzhba" was a bookish term that was extended into diplomatic usage as it was natural for Christian princes to love their neighbors. See his 'Friendship: Early History of the Concept' in *Main Concepts of Russian Politics*, Lanham: University Press of America, 2005, p. 121. Similarly, one could suppose that in this case "druzhba" represented rather an unconventional use while the use of "lyubov'" was more traditional and corresponded to the conventions that we have identified in the chronicles of an earlier period.
[162] See correspondence in *Sbornik Russkogo Istoricheskogo Obschestva*, vol. 35: №17-19.

sovereignty. The text of Alexander's copy (year 1498) affords one to argue that the principle of territorial sovereignty is deduced from the relations of *lyubov'*:

> Alexander … said … if we had taken *lyubov'* and treaty with thou, our brother, and thou conceded to us those regions … and it was written in our treaty, that thou, our brother, cannot enter Smolensk lands…[163]

Lithuanian sources from the XVI century are very indicative of the constitutive role of *priyazn'* for diplomatic relations. For instance, the treaties sent from the king Sigismund Augustus to the Perekop czar contain appeals to "brotherly *priyazn'*" and "brotherhood and *priyazn'*" almost before every clause. These treaties highlight several contexts in which the use of *priyazn'* is legitimate and expedient. One could start the list with the very establishment of relations between the parties and proceed with the request of the Polish king directed to the czar to 'keep his brotherly *priyazn'* and word'. This could be roughly compared to the modern international institution of 'pacta sunt servanda'. In this respect, it is illustrative that the Polish ambassadors who are sent to Moscow are instructed to pronounce in a certain sequence that '*priyazn'* between their Graces could contribute to the good of Christianity'.[164] Another context has to do with the regulation of common foreign policy. The regulation is associated with the conventional formula 'priyatelyu nashemu priyatelem, a nepriyatelyu nepriyatelem byl' (be friend to our friend, and enemy to our enemy). This formula is almost identical to the one used in Muscovy, where the word 'priyatel'' is substituted for 'drug'. The next context, which turned out to be most significant for Pskov and Novgorod, includes commercial relations (e.g. the rights of merchants, payments of compensations, etc).[165]

The Polish-Lithuanian uses are still closer to the Muscovite ones in their appeals to Christianity and elevated brotherly love. Sigismund thus proposed to Ivan IV to stand against infidels and 'to be in brotherly *priyazn'*'.[166] Lithuanian sources display an abundance of such rhetorical elevated appeals to *priyazn'* with 'brotherly *priyazn'*', 'good *priyazn'* and faithful and

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[163] Ibid., 247.
[164] *Kniga Posol'skaya. Metriki Velikogo Knyazhestva Litovskogo, Soderzhaschaya v Sebe Diplomaticheskie Snosheniya Litvy v Gosudarstvovanie Korolya Stefana Batoriya.* Moskva: Universitetskaya tipografia, 1843, vol. II, № 11, 1577.
[165] See in particular documents №22, 1545, № 31 and №32, 1547-1548, Ibid., vol. I.
[166] Ibid., № 96, 1558.

truthful brotherhood' and 'great *priyazn'*' being most common expressions.[167] It is worth stressing that in the light of the 'Turkish' threat similar elevated rhetoric was inherent in the correspondence between the German Caesar and the Muscovite czar. Thus, in the late XVI century the German Caesar and Muscovite czar called each other as "Your Love", beloved friend and brother, while "brotherly love" was a constitutive part of nearly every letter and treaty in this correspondence. What is curious and might even seem inconsistent about this correspondence is that it employs all three terms (*lyubov'*, *priyatel'stvo* and *druzhba*). The Caesar, for instance sends his *priyatel'stvo* and then expresses his desire to have 'priyatelnoi i susedstvennoi lyubvi' (friendly and neighborly love/friendship).[168] Later on, the czar writes that he will never forget Caesar's 'priyatel'skie bratskie lyubvi i druzhby' (friendly brotherly love/friendship and friendship).[169] In rare German copies of such letters 'druzhba' and 'lyubov'' are translated as 'Freundtschaft' and 'Liebeschaft'.[170] Thus, in this correspondence that was exchanged in the attempts by all the parties to build alliances against Turkish and Polish threats one can see a snapshot of different languages and traditions and their inherent justificatory rhetoric. Despite all the elevation of brotherly love and appeals to common Christian course, these concepts and syntagmas (apart from those that included the good of Christianity) were used in the treaties with the Persian shah and Tatar czars either.[171]

Unification of the convention

In the course of the XVII century the Muscovite czar intensified diplomatic contacts with western powers. Intensified diplomatic intercourse included both exchange of correspondence and embassies. Apart from already mentioned powers, the Muscovite czar received letters from Amsterdam, France, Florence, Venice and other actors. The documents translated into Russian in this period still used *priyatstvo*, *druzhba* and *lyubov'* in combination with a highly elevated rhetoric. For example, one of the letters from the Venetian doge mentioned 'prevelikaya and

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[167] For all these examples see document № 22, Ibid.
[168] *Pamyatniki Diplomaticheskikh Snoshenii*, St. Petersburg, 1851. vol. I, pp. 835-838 (circa 1581).
[169] Ibid., p. 1326 (year 1594).
[170] Ibid, vol. II, St. Petersburg, 1851, p. 1282.
[171] See examples of 'brotherly *lyubov'*' with the Persian shah see in *Pamyatniki Diplomaticheskikh i Torgovykh Snoshenii Moskovskoi Rusi s Persiei,* ed. N.I.Veselovskii, St Petersburg, 1890, vol. I, pp. 3-5. For examples of 'holding firm brotherhood and *druzhba* and *lyubov'*' with the Tatar czar in the late XV century see *Sbornik Russkogo Istoricheskogo Obschestva*, vol. 41, №№ 3,26, 46.

serdechnaya lyubov'' (the greatest hearty love).[172] This elevated rhetoric of love and friendship employed in regard to a relatively new actor on the European stage was once again activated in the above-mentioned contexts and situations (e.g. launching different diplomatic and commercial regimes as well as in attempts to recruit a new ally).

However, an increased number of translated documents and experiences of dealing with foreign courts and ambassadors provided Muscovite diplomats with grounds and opportunities to reflect on the differences in diplomatic norms, constitution of international treaties and their vocabularies. To use the terms of IR constructivists, this was a situation of an active learning and socialization of an emerging actor into an existing 'international society'. In this situation Russian interpreters started noticing that their foreign colleagues had difficulties with translating Russian documents into their languages. They also learned how to compose international treaties. Even though their chief interest was in the way foreign rulers present their titles in these treaties, some also mentioned the way relations with other countries were usually described. According to their account, the western convention of mentioning friendly relations was more modest in elevated rhetoric and used one term only.[173]

Active diplomatic learning in the end of the XVII century and copying all the things European under Peter I gradually synchronized Russian and European treaty formulas. As a result of this synchronization druzhba was left as a master noun for amicable international relations whereas *lyubov'* became nearly an incomprehensible concept in the diplomatic intercourse. However, this change did not take place as a sudden rupture; rather it was a result of minor conceptual changes and replacements. First, in the late XVII century it was already difficult to render into foreign copies three synonymous terms used in the same formula in the Russian copies. Thus, the Russian phrase in the credentials given to the German ambassadors contains 'bratskie druzhby, priyatstva i lyubov'', whereas the German copy skips one of the nouns leaving only 'bruederliche Freundschaft und Liebe' in the text.[174] Later, all the German letters sent to the Russian monarch consistently used either a Latin 'amicitia' or a German 'Freundschaft'. For instance, in the correspondence concerning the draft of the peace treaty with Brandenburg court Russian diplomats wrote that His Majesty is willing to maintain 'drevnyuyu

[172] *Pamyatniki Diplomaticheskikh Snoshenii*, St. Petersburg, 1871, vol. X, p. 1266.
[173] See the account given by Ivan Sax to the Muscovite embassy. Ibid., p. 667.
[174] *Sobranie Traktatov i Konventsii, Zaklyuchennyh Rossieyu s Inostrannymi Derzhavami*, compiled by F. Martens, vol. I, St Petersburg 1874. № 1 (1675).

druzhbu i lyubov'' (ancient friendship and love/friendship) with the Kurfurst forever, whereas its French copy contains only 'l'ancienne amitie'.[175] Starting from the second decade of the XVIII century Russian copies of international treaties predominantly contained the term 'druzhba', whereas 'priyatstvo' appeared in texts only occasionally and 'lyubov'' became virtually nonexistent.[176]

This was also the time when the form of the international treaty was gradually changing. Russian *gramoty* reminding of personal letters with inherent justificatory rhetoric were replaced with the modern treaty, in which already two or more parties proclaim their desires in the preamble and concrete articles, hence all rhetorical attempts to convince the other party and establish ancient tradition of friendships had to be voiced elsewhere. Moreover, rhetorical devices associated particularly with the concept of *lyubov'* and referring to the context of political hierarchy and contested statuses seemed inadequate on the stage of European sovereign concert. Russian diplomatic conventions were thereby corrected according to the emerging European standards with subsequent unification of diplomatic formulas and terms.

Despite the described 'Europeanization' of diplomatic standards, friendship (*druzhba*) was still invoked in the context of international recognition, establishing relations and creating quasi-juridical regimes. We have traced the convention of appealing to friendship when negotiating and accepting different commercial obligations in the early Novgorod treaties with Hanseatic cities. This convention remains in force even after initial socialization into a new European system. For example, the appeal to friendship has clear juridical implications in Kuchuk-Kainarji peace treaty with the Ottoman Empire (1774). According to this treaty the subjects of the powers in friendship are promised standard taxation, provided with necessary documents, their vessels are guaranteed safe passage in friendly waters, etc.[177] However, this convention was actualized only on the initial stages of relations between the two parties. Later on the appeals to friendship were replaced with the treaties of commerce, navigation and others that built specific regimes of international interactions. Nonetheless, the initial stage of relations, which is about mutual recognition of the parties and a constitutive decision on the type and intensity of these relations, remains indispensably linked to the appeal to friendship. This is quite clearly demonstrated in the

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[175] Ibid., vol. V, St. Petersburg 1880, p. 42 (1697).

[176] More about this process see Evgeny Roshchin 'Ponyatie Druzhba v Kontexte Mezhdunarodnyh Otnoshenii', *Druzhba: Pragmaticheskii Analiz*, ed. O. Kharkhordin. St. Petersburg: EUSPB Press, 2008 (forthcoming).

[177] *Pod styagom Rossii. Sbornik arkhivnykh documentov* (A Collection of Archival Documents), compiled by A. Sazonov, G. Gerasimova, O. Glushkova, S. Kisterev. Moscow: Russkaya kniga, 1992, 82-84.

Turkmenchay peace treaty with Persia (1828), in which the Russian Emperor in order to publicly prove his ‘friendly disposition’ to the Persian shah ‘promises to recognize’ prince Abbas Mirza as a successor and heir to the Persian crown and in case of coronation ‘will consider him a legitimate ruler of that power’ (art. VII).[178] Nearly the same clause appears in the Treaty of Gulistan (1813), in which the Shah as a proof of friendship recognized certain khanates and czardoms as belonging to the Russian Empire whereas the Russian Emperor promised to help any son of the Persian shah who was to be chosen his official heir. Thus, having retained its controlling and binding powers over the counteragents, friendship facilitated forging common regimes, institutions (e.g. external sovereignty) and practices (e.g. recognition) in the community of equal sovereigns.

Conclusion

In our study of the Russian ‘international’ treaties we attempted to show that conceptual analysis should be pertaining to any serious efforts to understand the process of state formation and the emergence of international law and regimes. Apart from the very concept of state, one would also need to understand the way different entities are gathered under the umbrella of one sovereign state and the types of justifications put forward in this gathering. As we tried to demonstrate, the emergence of Muscovite state was mediated by the appeals to *lyubov’*, which turned out to be the concept that helped maintaining a hierarchical appanage system and tying princes of the same kin to the same symbolic realm. Moreover, *lyubov’* as well as *druzhba*, *priyazn’* and *priyatel’stvo* were used in the process of molding the international sphere with its own norms of conduct and specific regimes. We have showed that besides territorial sovereignty, *lyubov’* and its synonyms were often used to guarantee the rights of merchants trading in other countries. Having appealed to these concepts the parties could proceed with advancing concrete stipulations of the ways merchants should be treated, the privileges they could be granted, measures to secure their property rights and dispute settlement. Thus, friendship may, at first sight, seem as a purely contractual relationship. However, this contract also appears to acquire through a complex structure of justifications and elevated rhetoric some major moral and political significance. Its illocutionary and performative force is achieved through a series of

[178] Ibid., 314-324.

speech acts that link the concept to the past experiences, familial relations and feeling and to Christian morality.

Quite paradoxically, this concept became the one that the barbaric people inherited from the first encounters with the Christian Byzantine empire and the one that the Russian empire had to get rid of while socializing in the new European international system after a few centuries. While the Muscovite use of *lyubov'* and other concepts was compatible with the traditions existing in the hierarchical medieval Europe, its conventional association with highly elevated and excessive 'lovely rhetoric', which in turn was used in the confirmation of sovereign power and inequality, was hard to accommodate in the system based on the principle of sovereignty and juridical customs. Therefore, the Muscovite rulers had to employ other rhetorical strategies to maintain their status and to integrate into European concert. These strategies gradually led to the unification of diplomatic vocabularies and the formulation of the modern conventions of using friendship (druzhba) in European politics.

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ASIA AND CHINESE CIVILIZATION

Japanese Uses for the Concept of Asia 1695-1885

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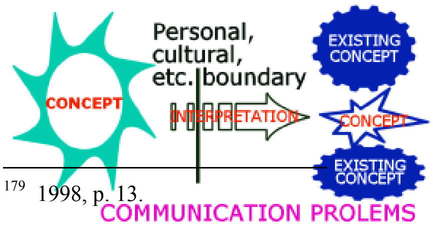
This essay deals with the ways the concept of Asia became used in Japan during the Tokugawa and early Meiji periods within the context of the Chinese cultural sphere, ending with a re-reading of the famous *Datsu-A Ron* of 1885. It is customary to place the starting point of the demise of the Chinese world order, or what D.R. Howland calls the Chinese Civilization[179], at the Opium War in 1840-43, when the Qing Empire clearly proved itself incapable of resisting British forces. However, this kind of reading of the history of the area is not satisfactory from the point of view of conceptual history. The Chinese Civilization did not contain only the Qing empire itself, but also neighbouring countries, which either had imported considerable doses of Chinese culture, such as Mongolia, Korea, Japan, Liuchiu and Vietnam, or which simply wanted to trade with China, such as the multinational Mongolian empires in the north and west, or the small maritime kingdoms in the south. European influences worked in the periphery of the Chinese cultural sphere. This did not happen in China itself, as the Chinese leadership was rather content with its supreme place at the centre of the world, and indeed its general legitimacy was based on that cosmology, but especially in Japan specific elements of European cosmology became debated, reinterpreted and reorganized to suit the specific Japanese political situation within Chinese hegemony.

These exchanges naturally took place under total Japanese control and in Japanese terms. The history of the concept of Asia within the Chinese cultural sphere is a typical example of the way ideas move over cultural boundaries. Concepts are not just simply disseminated to a new location intact, as physical objects carried by trade are transported from one location to another. The conceptual process requires on the part of the receiver an active process of importation and interpretation, which is complicated not only by various kinds of difficulties caused by language problems, the physical and legal condition of contacts, and personalities involved, but also by the fact that the



[179] 1998, p. 13.

conceptual space in the new location is already full. A comprehensive explanation of the world already exists there, and something new can be accepted only insofar there is a specific demand for it. The characteristics of this demand necessary influence the process of interpretation, and already existing concepts influence the space where the new concept can fit in. Thus, a concept never moves through a cultural and linguistic boundary intact; it can either change quite much during the process, or only a narrow range of denotations and connotations comes through. In the Japanese case the concept of a multitude of countries (萬國, *bankoku*), and the concept of Eastern Ocean (東洋, *Tōyō*), were more important concepts than Asia. Asia became imported into Japanese language only as a non-essential European geographic name, squeezed between these two mighty concepts. Asia was used so seldom that it actually would not warrant a specific analysis, except for the present importance of Asian rhetoric in regional politics. The active Japanese use of the concept of Asia started only during the twentieth century.

Asia in Tokugawa literature

Matsuda Kōichirō's study[180] of the uses of Asia during the Tokugawa period quite clearly points out the reason why there was an amount of interest in it. In Japan the basic explanation of the world was naturally formed with Chinese concepts, when Confucian and neo-Confucian ideas were purposefully imported to Japan, as they fit well with legitimizing the existence of an authoritarian government presiding over a stable society, where all social movement was minimized. The situation could not, nevertheless, be satisfactory, because the Chinese world explanation placed Japan into a less than satisfactory position as an uncivilized barbarian country. In learned Confucian literature, China necessarily appeared as the only civilized centre, and surrounding people were placed in the role of receivers of Chinese civilization. The Chinese used various names for these outer barbarians, but Japanese scholars usually used a codified formula to express the idea: 東夷南蛮西戎北狄 (C: *Dōngyí, Nánmán, Xīróng, Běidí*; J: *Tōi, Nanban, Seijū, Hokuteki*), meaning simply Eastern, Southern, Western and Northern barbarians. The names implied that people outside of China lacked proper and civilized political organization.

Conceptually, the greatest task in correcting Japan's interstate situation was to bring down the overwhelming structural position of China. This was not a small matter, attested to by the fact that discussion about this has taken place throughout most of Japan's literary history, and it went on well to the middle of the nineteenth century.[181] It was not only a cosmological problem, but a diplomatic one as well, making official Sino-Japanese contacts difficult over a millennium.[182] The most important counter-concept used during the Tokugawa period was 萬國 (*bankoku*), which literally means 10 000 countries, and in practice, depending on the context, a great amount of countries, or all countries. *Bankoku* preceded the arrival of European geographic terms, and it formed the conceptual opening, through which European cosmological concepts could be imported into the Chinese cultural sphere. It was used also by European cultural translators in China itself; Matteo Ricci used it (C: *wàngúo*) exactly in this sense in the title of his most widespread world map 坤輿萬國全圖 (*Kūnyú wàngúo quántú, Map of all countries on the earth*). In the Chinese context, it clearly is an active political term, derived from the situation

180 1998.
181 Katsurajima 1996, Shimizu 1999.
182 Mizuno 2003.

where Buddhist scholars found it necessary to conceptually displace China from its central position, and instead argue on one hand about the centrality of India, and on the other hand the existence of a great number of countries in the world. Both arguments made China appear as only an ordinary country – of course a very big ordinary country, but nevertheless occupying no special or exalted position.

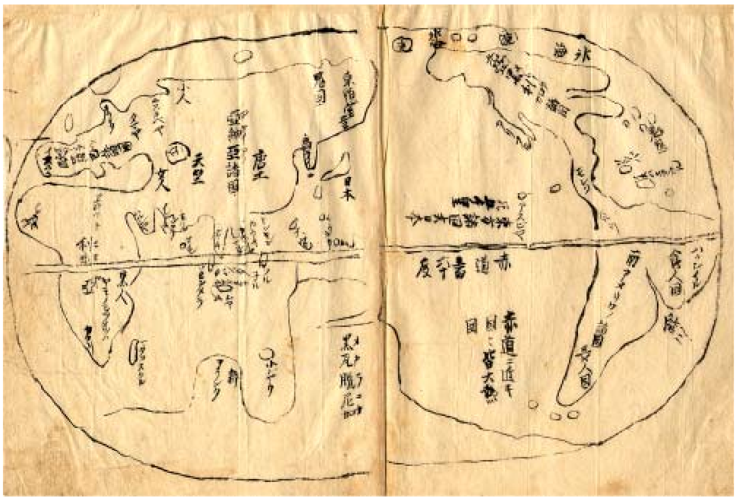
Pride has its own geography. In a situation where we have a proud hegemonic centre with a supremacist ideology, the geopolitical strategies of peripheral, but proud, actors easily fall into two categories: you either compete with the centre by adopting its cosmology and refine it into greater heights than the centre, or you compete by adopting, at least partly, a different cosmology. Korea after displacing Buddhism and adopting Confucianism as the central state ideology is considered as the example *par excellence* of the former strategy,[183] while Mongolia, Tibet and Vietnam, for instance, can be based in the latter strategy as they held fast to Buddhism. Japan clearly also belongs to the latter category, with the additional aspect that a number of Japanese scholars eventually began to add elements of European cosmology in their geopolitical argumentation. The historical record of Japanese relations with Europeans was clearly deeper than in any of these other countries, although of course Europeans were to a certain extent analyzed also in them. Korean rulers, for instance, steadily kept an eye on the outer world, and annual diplomatic traffic to Beijing brought back a stream of maps and books, some made by Jesuits. Korea was not closed to European information, but its amount and spread were controlled by Korean authorities, and it tended to remain at the level of reconnaissance intelligence. Japan's case was different. There was a 100 year period (1543-1639) of fairly deep relations with the Portuguese, resulting in numerous cultural borrowings.[184] The first records of globes and world maps being discussed by Japan's leader Oda Nobunaga with Jesuits are from the year 1580, four years before Matteo Ricci exhibited his first map in Shaoqing, and 28 years before Wanli Emperor saw prints of Ricci's maps.[185] The Japanese also developed their own distinct type of world maps, the *Nanbanzu* (南蛮図). They were large paintings on folding screens, but as a rule did not contain any place names, being used simply as decorations. Jesuits in Japan used Ricci's world maps in their instruction, and Japanese seafarers from traders to pirates used European nautical charts. Extensive land surveys were also launched at the time, and the shape of the Japanese islands was determined fairly accurately. Japanese at this time seem to have been keenly aware of being part of a large world.[186] Even though Japanese contacts with the outer world were narrowed with the Exclusion degrees of 1633, 1635 and 1639, expulsing the Portuguese, and prohibiting Japanese nationals to leave from or return to Japan, knowledge of the rest of the world did not disappear completely. There were perhaps 500 000 Christians in Japan at the beginning of the sixteenth century, and perhaps 100 000 continued to practice their religion in concealment even after decades of intense searches and persecution.[187] As a side effect, the constant need for surveillance against signs of Christianity kept Europe in the mental horizon in Japan, because this meant that propaganda against Christianity had to be published[188]. Commercial woodblock printing of world maps, both the Nanban maps and translations of Chinese editions of Ricci's maps, actually started in 1645, both as book illustrations and as

183 Kim 1980, pp. 2-3.
184 Boxer 1967.
185 Unno 1994, p. 377.
186 Unno 1994, p. 379.
187 Sansom 1977, p. 173.
188 Elison 1973.

separate maps. Editions by big publishing houses could run to more than ten thousand copies.[189] The non-Chinese outer world thus was not erased from public consciousness.

As the Chinese world order was based on the principle of unification of the whole world under the central position of China, the concept of *bankoku* opposed this by arguing with the principles of equality and differentiation, depicting the existence of independent cultures and political systems.[190] The name Asia was used in the same way, but we have to be careful here. Matsuda claims that Asia as a European name was used actively in this conceptual battle against the Chinese world order,[191] but this was not actually so. The name Asia indeed started to appear within an active argument, but no arguments were actually based on it, and there were no real attempts to give it new reinterpretations, apart from its pronunciation. The name Asia was not used actively at all during the Tokugawa period, and not even during the early Meiji period.

Nishikawa Joken



Perhaps the first surviving instance where Asia in written form appears in a Japanese text is a map published in 1695 by the astronomer and geographer Nishikawa Joken (西川如見 1648-1724), in the first edition of his *Ka-i tsūshōkō* (華夷通商考, Thoughts on trade with China and barbarian countries), expanded and republished in 1708. Joken lived in Nagasaki, with access both to Chinese and Dutch information. The map displays a rough sketch of the world, clearly modelled on a Matteo Ricci map, indicated by place names and the large continent of *Mekaranika* appearing in the south. China does not appear as Central Country, but as Tōdo (唐土), meaning 'Tangland', after the ancient Tang dynasty. It was in no way pejorative, but not praising either.[192] Asia appears beside it as *Asaia shokoku* (亞細亞諸国), all countries of Asia. The main difference with Ricci's maps is that in the centre of the landmass is placed the name Tenjiku (天竺), 'Heavenly Bamboo', which means India, or more accurately, India as the Buddhist centre of the world. The name is not placed over geographic India, but in the centre of the whole western landmass. The rhetorical effect of the map is that China is turned into an ordinary country in a world where many other countries also existed.

189 Unno 1994, p. 394.
190 Howland 1996, p. 2.
191 1998, p. 41.
192 Fogel 1989.

Joken is an interesting author, because his arguments are not consistent over time, clearly implying a situation where he over years obtained information from many different sources, and tried to reconcile the pieces as best as he could. The actual text of both versions of *Ka-i tsūshōkō* were clearly China centred, and the view was from China towards the outer seas. China was written as 中華 (*Chūka* in modern Japanese, *Chūkuwa* in Joken's reading), Central Flowery Country. It was surrounded by foreign countries (外國), such as Japan, Ryūkyū, Korea, Annam and Champa, which were civilized because they used Chinese characters. The rest were just foreign barbarians (外夷, *gai-i*), this category including Siam, Luzon, India, and Holland, among others. Specific information about the produce of countries, and similar things, were clearly obtained directly from discussions with Dutch or other foreign traders.

Joken's later works are markedly different. In his *Suido kaiben* (水土解辯, *Reflections on Geography*)[193] he calls China systematically *Tōdo*, as in the 1695 map. He also points out that the country is not as big as the Chinese think. Its area is only one hundredth of the earth, so that it is not very important. It is not in any way above Japan, and for the Chinese to call it Central Country is just myopic. Indians also think of themselves as the centre of the world, and in general, all people tend to place themselves in the middle of the earth[194]. Joken thus found what the Chinese-American geographer Yi-Fu Tuan nearly three centuries later argued as one of the central principles of human geographic perception in his *Topophilia*,[195] namely the geographic centrality of subjectivity. The theoretically liberating effects of European geography were clear in Joken's texts, after he had thoroughly accustomed to it, and he similarly used it in bringing down the centrality of China. His *Nihon Suidokō* (日本水土考, Thoughts on Japanese geography[196] contained unabashed praise for the excellence of Japan, and its valiant and virtuous people.

Asia was of little importance in Joken's argumentation; it simply appeared as an inconspicuous element that came with other European conceptual paraphernalia:

第一界は、中帶赤道の北にありて、… 三洲と作す。曰く亞細亞（アサイア）、曰く歐羅巴（エウロツパ）、曰く利未亞（リミア）。[197]

The proper place of the name Asia was in this kind of lists; either in lists enumerating all of the continents, or in lists where the author enumerated in turn all countries of a certain continent. No other uses for the name can be found in Tokugawa period Japanese literature. Its usage was passive, and always purely geographic, as a toponym, never as an ethnonym. It was only dragged along with more important information obtained from European books and Europeans themselves; the existence of a non-Chinese world containing a great number of big and small countries being the most important cosmological element.

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[193] 1720a.
[194] Nishikawa 1944, p. 29.
[195] Tuan 1974.
[196] 1720b.
[197] *Nihon Suidokō*, p. 19. Dai ichi kai wa, chūtai Sekidō no kita ni arite, sanshū to nasu. Iwaku Asaia, iwaku Europpa, iwaku Rimia.
The first world is situated to the north of the belt of the equator, and is named three continents. They are called Asia, Europe and Libya.

Arai Hakuseki

This fact is even more clear in the writings of Joken's contemporary Arai Hakuseki (新井白石 1657-1725), one of the leading Japanese Confucian scholars of the time, and personal adviser for the sixth Tokugawa shōgun, Ienobu (徳川家宣), as well as the seventh shōgun Ietsugu (家継), being an important figure in Bakufu (幕府) politics during 1709-1716. Both Joken and Hakuseki are considered as front runners of the school that during the eighteenth century slowly emerged in Japan, often called Ocean Studies (洋学 *Yōgaku*). Another name was Dutch studies (蘭学, *Rangaku*), which rhymed well with Chinese Confucian studies (漢学, *Kangaku*). *Rangaku* was the name that physician Sugita Genpaku (杉田 玄白 1733-1817), the most famous representative of the school, advocated in his memoirs in 1815[198]. Notwithstanding, *Yōgaku* is perhaps a more accurate term for the phenomenon, as various nationalities came to Nagasaki disguised as Dutch, and the Dutch books of course contained information drawn from all over Europe. *Yōgaku* can thus be translated also as European studies. *Yōgaku* scholars gathered all kinds of information from residents at Nagasaki, and from members of annual tribute missions to Edo. There was no necessary opposition between being a *Yōgaku* scholar and a *Kangaku* scholar; many Japanese authors were both. The situation encouraged eclectic influences.

Hakuseki's writings are more straightforwardly political than those of Joken, and his legacy in Japanese intellectual history is greater. In 1708 an Italian Jesuit named Giovanni Battista Sidotti (1668-1714) was sent clandestinely to Japan to try to find out what had happened to the orphaned children of the Holy Church, whose number theoretically was thought in Rome to be as high as one million. He was promptly caught by Japanese authorities, and kept for six years in prison before execution.[199] He was interrogated in 1709 by Hakuseki. A distinct feature of Hakuseki-the-scholar was that as he came from a poor samurai family, he was largely a self-taught Confucianist, which meant that he admired the classical Chinese philosophy of Kǒngfūzǐ (孔夫子) and Mèngzǐ (孟子), but the contemporary Qing (清) Empire appeared to Hakuseki-the-politician as a serious political problem. Much of
Hakuseki's seven years in power were spent in trying to find ways to elevate Japan's symbolic position in the interstate system composed of China, Korea and Japan.[200]

One of the striking things in *Seiyō Kibun* is that Hakuseki clearly had fairly thorough knowledge of the world. He used expertly maps from the Nanban period, Matteo Ricci's maps, and maps obtained from the Dutch. During the official interrogations Hakuseki had a copy of one of Matteo Ricci's world maps with him. It is not clear which kind of copy it was, because Ricci's maps were found in Japan in many forms, in Ricci's own editions as well as in Chinese and Japanese copies. Anyway, the map was used as the basis for geographic discussions, and because it was written with familiar Chinese characters, Hakuseki used it in interpreting the newer Dutch maps and Sidotti's stories[201].

As an etymologist Hakuseki was interested in names. He noted European names for continents, but did not use them as ethnic appellations. There was *Yōrōha* (Japanese reading of the Chinese characters 欧邏巴), but as Sidotti pronounced the name *Europa* (ヱウロパ),

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198 Sugita 1941, p. 66.
199 Boxer 1974, pp. 390-7; Elison 1973, pp. 237-8.
200 Arai 1979; Nakai 1988; Imatani 1996.
201 Ayuzawa 1943; 1953, pp. 81-6.

Hakuseki adopted this form.[202] The characters for Asia not only looked bad for Hakuseki, but they also sounded bad in Japanese, being pronounced as Yāsuiyā (ヤアスイヤア). *Yasui* (安い) in Japanese means 'cheap'. After listening to Sidotti, Hakuseki changed the pronunciation to Ajia (アジア).[203] This Italian pronunciation is used in Japan also nowadays. Likewise, Hakuseki's Italian inspired formulations for *Afurika* (アフリカ) and *Amerika* (アメリカ) are used in present Japanese; only Europe has been changed to the English sounding *Yōroppa* (ヨーロッパ).

Although Hakuseki had no problem in using European continental names in geographic contexts, he was not willing to use them as ethnic denominations. This indicates that they still remained distant concepts. Hakuseki based ethnonymes on ocean names in Chinese style, adopting them from Ricci's world map. He noted Sidotti's *Maare Attorantifumu* for the Atlantic Ocean, but preferred Ricci's *Taiseiyō* (大西洋, Great Western Ocean). Hakuseki listed the various barbarian names historically used by the Chinese and Japanese for Europeans, but did not use them himself, deriving the ethnic name from the ocean name.[204] He called Europeans *Taiseiyō no hito* (大西洋の人, People of the Great Western Ocean);[205] *Taiseijin* (大西人, People of the Great West);[206] or simply *Seijin* (西人, Western People)[207]. In the East we have the corresponding general geographic name Tōdo (東土, Eastern Soil),[208] and the ethnic name Tōdo no hito (東土の人, People of the Eastern Soil).[209] In the later work *Sairan Igen* one can find a multitude of ocean names for the east, such as Tōkai (東海 Eastern Sea)[210] and Tōhōkai (東方海 Eastern Direction Sea);[211] as well as Tōshōyō (東小洋 Eastern Small Ocean) for areas near China,[212] and finally the larger concept of Eastern Ocean (東洋 Tōyō).[213] In addition, in discussing trade over the oceans, Hakuseki combines the ocean names into the expression Tōzai Taiyō (東西大洋 Eastern and Western Great Oceans),[214] clearly indicating that they are opposite and symmetric poles in world geography. This may look like an insignificant and confusing list of names, but they are important names. With these directional names Hakuseki created a new cosmological geopolitical structure for world geography, suitable for the contemporary Japanese debate. The continental names that European barbarians used did not have enough argumentative power, but with these ocean names Hakuseki created a picture of a world with two geographic and cultural poles without a centre – namely China – in between.

Hakuseki arrived at the same situation also with a different kind of naming act. The playing with names actually prompted him to become one of the front runners of Japanese

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[202] Europe's eastern boundary at that time was of course in River Don, Russia still being considered in Europe as part of Asia. In 1709, when Hakuseki discussed with Sidotti, Philip Johan Stralenberg participated in the Swedish defeat in the Battle of Poltava in Ukraine, and was only at the beginning of his long sojourn to the east of the Urals, which then ended in transformation of the boundary to the Russian mountains.
[203] Arai 2002, pp. 29-30.
[204] Miyazaki 1973, p. 257.
[205] 2002, 74.
[206] 2002, pp. 21, 66, 74.
[207] 2002, p. 29.
[208] 2002, p. 81.
[209] 2002, p. 74.
[210] pp. 835, 844, 848.
[211] p. 845.
[212] p. 831.
[213] p. 848.
[214] p. 843.

theoretical linguistics.[215] He never used the name Central Country for China in *Seiyō kibun*, and noted only in passing *Chūdo* (中土, Central Soil),[216] as well as *Daimin* (大明) for the Ming dynasty, and *Daishin* (大清) for the Qing. Throughout the book he normally preferred the name as he heard it from Sidotti's mouth, *Chiina*. This is also the form that appears in *Sairan igen*. Hakuseki wrote the name down both in *katakana* (チイナ) and in *kanji* (支那, *Shina*), using characters meaning 'branch' and 'what'. He did not invent this name; a large number of characters had been used for transliterating the name in various Buddhist scriptures written in Chinese, and Hakuseki simply chose one variant.[217] The name *Chiina* implied that you looked at the country from outside of Chinese Civilization, treating it only as a political unit among others. The characters chosen implied only pronunciation and a dubious meaning, as all connotations of Chinese superiority were absent. Thus Hakuseki could say:

我国、ひとり東にあるのみならす、チイナもまた東にありて…[218]
万国の中、其土壌広く大きなるは、タルターリヤ・トルカにしくものなし。[219]

It was as if a revelation to say that Japan is not the lonely single country situated in the east; China also was there, and thus it was dropped from its central position. Centre as a specific and separate direction did not exist in the European conceptual structure, which used only the four main directions. China was treated as an ordinary country, and not even the mightiest one by far. Hakuseki lets Sidotti tell his readers that the real big countries were Turkey and Tartaria, all the rest being by implication only small ones. The fact that both Hakuseki and Joken around the same time used roughly the same argument to prove the comparatively small size of China, attests to the geopolitical importance of the point. In Hakuseki's descriptions of countries, especially in the later work *Sairan Igen*, China appears in the company of Borneo, Celebes, the Moluccas, Macao, Luzon and other South Sea countries.[220] In this geographic rhetoric, China is firmly placed into the position of an ordinary country, in no way significant or special.

Size did not determine the worth of a country. Hakuseki lets Sidotti tell that even though the size of Rome is very small, it is the place where Christian teaching has been established, and for this reason Rome is the leader of the larger countries of Europe, especially those in the west and the south. An intellectually superior country like Rome was like the head, which is small in size, but which commands the four limbs. This is the specific metonymy Hakuseki uses here. He then took two elements from this, namely the small size and direction, pointing out that Japan was the easternmost country in the world, so that just like in the West, also in the East it would be natural that the countries to the west (namely China) and south (South Seas) would follow Japan's lead.[221] Thus the argument was carried to its logical

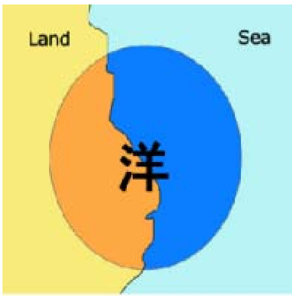
[215] Kotō 1995.
[216] *Seiyō kibun*, p. 74, 80.
[217] Fogel 1989.
[218] p. 80, Waga kuni, hitori higashi ni aru no minarasu, Chiina mo mata higashi ni arite …
Our country is not alone in the east, China also is in the east …
[219] p. 77, Bankoku no naka, sono dojō hiroku ōkinaru wa, Tarutāriya to Toruko ni shiku mono nashi
Among the myriad countries, in terms of the greatness of their land area, none reaches the level of Tartaria and Turkey.
[220] p. 846-7.
[221] *Seiyō kibun* p. 77-8.

conclusion. China was first dropped from its pedestal, and then it was placed at a level lower than Japan.

As Matsuda observes, criticism of the idea of China's centrality and the accompanying style of writing its name as Shina not only continued, but became gradually the norm both among *Yōgaku* and Confucian scholars.[222] Perhaps the most important legacy of Hakuseki was his new conceptualization of the world geopolitical structure. He with his contemporaries dissolved the Chinese cultural sphere as a cosmological entity, and replaced it with the idea of the West and the East as separate cultural and geopolitical areas. Both Buddhist and European geographic concepts were used as hand-maids in this, but the etymological basis was nevertheless in Chinese concepts. A classical Chinese idea was to depict China as a square land surrounded on four sides by seas (海, *hăi*), namely the Eastern, Southern, Western and Northern Seas. When trade with the South Sea lands increased, this idea collided with Malay division of the world into two halves, based on the practical utilization of monsoon winds for sailing along the two sides of the Malay Peninsula. Lands to the west towards India were called Above the Winds, and to the east towards China Below the Winds. This lead in southern coastal China to the idea that the South Sea (南海, Nánhăi) was divided into two, and the character of sea was changed into another with a similar meaning, namely 洋 (*yáng*). As a result the name Western Ocean (西洋, Xīyáng) began to mean the lands of what we now call the Indian ocean, and Eastern Ocean (東洋, Dōngyáng) correspondingly the area that we now call Western Pacific Ocean.[223] For Chinese the dividing line was not actually the Malay Peninsula, but run instead roughly south of Guangdong.[224] It is in this way that the names appear for instance in Zhang Xie's *Thoughts on the Eastern and Western Oceans* (東西洋考, *Dōngxīyáng kăo*). Similarly, Matteo Ricci used them in his world maps, resulting in names Small Western Ocean (小西洋, Xiăo Xīyáng) for the Indian Ocean, Great Western Ocean (大西洋, Dà Xīyáng) for the Atlantic, Small Eastern Ocean (小東洋, Xiăo Dōngyáng) for the Western Pacific, and Great Eastern Ocean (大東洋, Dà Dōngyáng) for the Pacific itself. Southern Ocean (南洋, Nányáng) remained also in use, depicting the lands directly south of China understood without this east-west division.

222 Matsuda 1998, p. 39-42.
223 Yamamoto 1933.
224 Miyazaki 1942, p. 14.

What is important to keep in mind here that the denotation of the Chinese concept of Ocean was not simply the physical expanse of salty water, as in the case of Western names for seas. As it etymologically became used in connection with maritime trade, which brought people, goods and ideas from one ocean to another, its physical meaning is the combination of the land where people live and the sea over which they travel. Thus its total package of meanings includes also the culture of these people, and it works perfectly also as an ethnonym, simply with the character person (人, C: *rén*, J: *jin*) attached to it. It is this wide package of meanings that Hakuseki imported to Japanese from Ricci's maps and Chinese literature. Consequently, it became a much more usable concept than that of European continental names. Asia was filtered into Japanese language only in its narrow geographic sense, and always remained as an essentially foreign import, while the name Eastern Ocean (東洋, *Tōyō*) had a much richer array of meanings and usages.[225] It also did not have the connotation of being a foreign name. China as a political entity could be a foreign country, but as a source of written language it was not; in this sense Japan definitely was a part of Chinese Civilization. In addition, as mentioned above, Hakuseki gave the concept an additional meaning that did not exist in Chinese, namely the idea that also China was part of the Eastern Ocean. In Chinese this would have been an impossibility. China was first and foremost land, while Oceans were foreign areas outside of China proper.



Later Tokugawa Period

During the Tokugawa period the usages of *Seiyō* and *Tōyō* became established, just like the usage of *Shina* for China. For instance Gotō Kuriharu (後藤栗春) uses it quite casually in his handwritten treatise of 1765 about Dutch trade over the oceans, saying:

大西洋を乗廻し、凡そ四箇月ばかりにして、亞弗利加といふ一大洲の極南の地、「喝叭」といふ湊に船をとどめ、風波のやうすを考へ、それより東洋に趣き…[226]

Kuriharu also says that Dutch sailing takes place over the Southern Sea (南海) before *Tōyō* is reached, so he clearly does not mix it with the Indian Ocean. His usage of the terms deals with ocean trade in a physical sense, but when a century later Sakuma Shōzan (佐久間象山, 1811-1864) made in 1856 his famous slogan of how to deal with threatening Europeans, saying that it is necessary to study both 'Eastern morals and Western technology' (東洋の道徳と西洋の芸術 *Tōyō no dōtoku to Seiyō no geijutsu*),[227] the meaning is clearly civilizational. It would not have

[225] Tsuda 1938.
[226] 1979, p. 296. Taiseiyō wo jōkai shi, oyoso shikagatsu bakari ni shite, Afurika to ifu ichi taishū no minami nosote no chi, 'Karabu' to ifu minato ni fune wo todome, kazenami no yausu wo kangahe, sore yori Tōyō ni omomuki …
After sailing over the Great Western Ocean for four months, the ship is put to a harbour called Karabu at the southern tip of a great continent named Africa. Then, after considering the situation of winds and waves, they head from there for the Eastern Ocean …
[227] 1988a, p. 95.

been possible for Shōzan to talk about studying 'Asian morals', because the name Asia did not have that kind of meaning at all. Ocean terminology included all necessary geographic, geopolitical and geocultural meanings, and kept the European continental concepts definitely in a narrow and peripheral place in Japanese language.

In 1857 Sakuma Shōzan in a letter he wrote from house arrest lamented strongly the fact that the Bakufu was unable to proceed towards any kind of real reform. The model countries he mentioned were Russia of Peter the Great; contemporary Turkey, which was importing European technology and making itself an unbeatable country; and Western countries as a whole group, which add reforms on top of reforms on a continual basis (改革に改革を重ね, *kaikaku ni kaikaku wo kasane*).[228] As the 1860s proceeded, China as a Civilization begins to fade away from the mental picture of Japanese authors, while Western countries become direct role models. Howland's analysis of experiences of Chinese diplomats in Japan after 1854 is very telling. They at first were able to converse amicably with educated Japanese in writing, using the so called brush talk (C: 筆談 *bǐtán*, J: 筆話 *hitsuwa*), which as a highly developed literary form implied thorough knowledge of Chinese Civilization. It required making skilful intertextual references to classical Chinese literature, and ability to write poetry related to the moment, being thus much more than the mere use of same characters (同文, C: *tóngwén*, J: *dōbun*). By the 1880s their Japanese hosts simply ceased being interested, and knowledge of Chinese classics plummeted. This ended the existence of a common language, and brush talk as a diplomatic practice dissipated. Instead, the Chinese started to *translate* new concepts from Japanese, but the act of translation exactly implied the presence of a civilizational boundary, where earlier nothing of the sort had been perceived.[229] Japan had moved out of Chinese Civilization.

Fukuzawa Yukichi

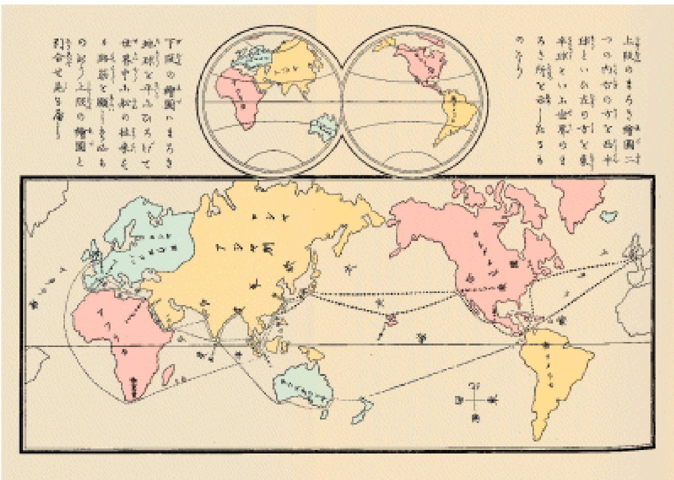
The movement of Japanese authors deeper into European Civilization was not always a happy ride. European racially and culturally imbued thought of the nineteenth century was, as a totality, a supremacist ideology, and definitely oppressive from the point of view of non-Europeans. There was, nevertheless, a difference. While classical Chinese Civilizational concepts were stable, and did not allow movement across categories – the Korean case is debatable – the nineteenth century European concepts were post- *Sattelzeit* concepts in Reinhart Koselleck's sense. At least as pure basic concepts they displayed the possibility of movement, although this aspect was often hidden under essentializing tendencies, attempting to create narratives of a stable state of affairs, with the European race/civilization appearing eternally at the top of the world. Movement had a geography: Europe and Europeans moved, while others remained still, or moved only on a slow pace, always after the Europeans. This is the conceptual problem that Japanese authors, from the 1860's onwards, had to tackle while immersing themselves within the totality of contemporary European learning. Simultaneously, retaining specific elements of Chinese Civilization became a defensive measure against European imperial cosmology. The cosmological tables were turned in this sense, and the concept of *Tōyō* proved useful in this.

Among Japanese scholars, especially Fukuzawa Yukichi (福澤諭吉 1835-1901) was important in this movement. As a boy he studied first *yōgaku* and Dutch, later English, and

[228] 1988d, p. 186.
[229] Howland 1998, p. 240.

in 1860, at the age of 25, thanks to his linguistic skills, he succeeded in becoming a member of the first official delegation of the Bakufu abroad. This diplomatic mission went to the United States to ratify the new treaty of Amity and Commerce signed in 1858, and its purpose also was observing foreign countries. The journey lasted almost a year, including a circumnavigation of the world, and at its end Fukuzawa was made the official translator for the Bakufu. Already in 1860 he published the first English-Japanese dictionary *Zōtei Ka-Ei tsūgo* (増訂華英通語, Increased Chinese-English Dictionary). It was a Japanese application of an existing English-Cantonese dictionary, where Fukuzawa added the pronunciation of the English words with *katakana*. In 1862, at the age of 27, he visited England, France, Holland, Prussia and Russia as the translator of the Bakufu diplomatic mission to Europe. Also this journey lasted almost a year, and at its end Fukuzawa was regarded as the best informed Japanese expert on all things Western, both on the basis of his practical experience of them, and his extensive reading. He eventually withdrew from government service and became an independent intellectual, starting to publish extensively from 1866 onwards. Many of his books became bestsellers, making him financially independent, and his intellectual influence in Japan was enormous. His picture appears nowadays in the 10 000 yen note in Japan, it being the highest denomination.

In 1867 Fukuzawa published a book called *Seiyō tabi annai* (西洋旅案内, Guide for a journey to the West). It was not necessarily a book only for those who wanted physically to travel to the West, but also for those who were content to do it in their imagination. In the book there was published a map of the world, one part showing it as a globe consisting of two halves, and the bigger map presenting the world as a collection of continents, clearly distinguished from each other by colours and boundaries, drawn according to European cartography. Asia started in the Urals, as was usual in post-Stralenberg cartography. Nevertheless, the map was not centred in Europe, but rather in the Pacific, which of course placed Japan at the centre of the world. Even though Fukuzawa was an earnest Westernizer of Japan, he in no way was subservient to the West. He saw it necessary to import a tremendous amount of information from the West, but he quite consciously reinterpreted it from an Eastern perspective.



The idea of civilization as an evolutionary form of national existence, which Fukuzawa later exposed in his major philosophical work *Bunmeiron no gairyaku* (文明論の概略 1875) seems to have appeared first in a small booklet on world geography *Shōchū bankoku ichiran* (掌中萬國一覧 Ten thousand countries seen in your hand with one glimpse), published in 1869. It gave basic information of the categories of the European world and countries in it. Fukuzawa adopted here the Chinese concept *bunmei* (文明, C: *wénmíng*) as an equivalent to the European concept of civilization. The term is composed of two characters, the first meaning 'literature', and the second 'light'. For learned Chinese, *wenming* traditionally meant clarifying the world through literary activity. One patterned the world, clarified its shapes and categories, and thus was able to act in it successfully. The concept is based on the idea of a long literary civilization, carried from ancient sages onwards through generations of writers, historians, and commentators. They read what is written before them, and add their own contributions, thus maintaining the existence of clarity in the world. As Howland puts it, *wenming* describes a superior state of human society made luminous (*ming*) through writing (*wen*).[230] This kind of concept could easily be fitted with Fukuzawa's personal activity, and the activity of learning that he recommended for his readers: you simply shifted from the Chinese literary tradition to the European tradition, patterned the world with it, and acted in it successfully. Also in nineteenth century European cosmology civilization and barbarity were basic geopolitical categories:

> 蠻野とは、居に常處なく、食を追て此彼に移轉するものを云ふ。文明とは、常處安宅に居り、禮儀を知り、宗旨に信じ、工を勤めて、順序を守り、以て天與の幸福を享けるものを云ふ。[231]

There is a clear dichotomy between the low and high positions, and the idea does not differ in any serious manner from corresponding Chinese concepts. Then Fukuzawa introduces four categories, the first of which is chaos (渾沌, *konton*), which resembles a Hobbesian state of nature, where human organization does not exist. The next one is the same as in the quotation, namely the barbarity (蠻野, *banya*) of traditional hunting-gathering societies – seen from a European racist viewpoint, which disregarded the complicated social mores prevalent also in such societies. The third category is 'not-yet-opened' (未開, *mikai*), which is easier to interpret after taking a look at the fourth and highest category, namely civilization (開化文明, *kaika bunmei*). Also *kaika* can be translated as civilization. It is composed of characters, which mean 'open', and 'change'. This may at first seem puzzling, but is logical when interpreted with the original German concept of *Aufklärung*. As Immanuel Kant wrote in his classic definition of the concept, *Aufklärung ist der Ausgang des Menschen aus seiner selbst verschuldeten Unmündigkeit*.[232] The mental state Kant was fighting against was what he called immaturity, which he understood as a closed state, where people refused to use their own intellect for understanding the world around them, preferring to remain in the guidance of others. Metonymically it was a closed and dark mental state. 'Opening to clarity', as *Aufklärung* can be translated into English, is the opposite to this, and clearly the basis of Fukuzawa's concept of *kaika*. Just like Kant's concept of *Aufklärung*, also Fukuzawa's *kaika* was an evolutionary concept; enlightenment is not a steady state, but the activity of studying the world within and around oneself, constantly creating new knowledge, and continuously raising the humankind to higher cultural levels.

Fukuzawa resembles Kant also in the sense that neither of them were 'democrats'. Kant was perfectly content with living under the enlightened but absolute monarchy of King

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230 1996, p. 13.

231 *Shōchū bankoku ichiran*, p. 8. Banya to wa, ya ni jōsho naku, shoku wo ote korekare ni iten suru mono wo ifu. Bunmei to wa, jōsho antaku ni ori, reigi wo shiri, shūshi ni shinji, takumi wo tsutomete, junjo wo mamori, motte tenyo no kōfuku wo ukeru mono wo ifu.
Barbarity is called the situation where people do not have a steady dwelling place; they move around hunting for their food. Civilization is called the situation where people live in steady dwellings, know good manners, believe in principles, use technologies, maintain order, and as a consequence receive the blessings of the Heaven.

232 Kant 1784.

Frederic II of Prussia, just like Fukuzawa was content under Meiji Emperor; what they simply valued was a modest freedom to publish their learned treatises and engage in moderate public debate. That kind of situation gave ample opportunities for developing education and spreading knowledge in society. Enlightenment does not mean more than that. Yet, it was for both scholars a great step forward compared with a situation of living under an unenlightened absolutist monarch. Another misunderstanding that commentators nowadays easily make with Fukuzawa is to confuse his educational endeavours with international peace making. He was a samurai with a military training, and retained that outlook throughout his life. War as such was not abhorrent to him, and his views on morality can perhaps be compressed in the idea that in a situation where growth and strengthening of oneself is possible, weak actors, whether individuals or states, are responsible for their own weakness. It was a morality developed in the situation of struggle, and not basically different from that of Mohandas Gandhi a century later. Both of them valued strength; only means of fighting were different.

In Fukuzawa's case the national debates about the pros and cons of opening the country, which were taking place in Japan, Korea and China, may also have influenced the term *kaika*. In 1869, when the book was published, the Boshin War ((戊辰戦争), which ended the Tokugawa Bakufu, was just drawing to a close, but the battle cry of the imperial forces during the war had of course been *sonnō jōi* (尊王攘夷, revere the Emperor and expel the barbarians). Although the winners in the end did not follow the policy of a new closing of the country, it certainly was part of the atmosphere of the moment. More widely, the whole issue with Westerners in China and Japan dealt with opening of the countries, and the degree with which this was done. Fukuzawa's third category of civilization, *mikai*, the 'not-yet-opened', logically referred to Japanese and Chinese kind of societies, which scientifically, militarily and economically were behind leading European countries and the United States. *Mikai* is the civilizational meaning that came to fill the name Asia. Asia is a collection of countries that are not yet opened, and which thus are not at the highest level of European Civilization.

Another meaning came directly from European race theory, with which Fukuzawa now tries to tackle. The original source probably has been Friedrich Blumenbach's race theory, whatever exposition Fukuzawa then used, as the world is patterned with the white, yellow, red, black and brown races.[233] The 'white and philosophical' race (白哲人種, *hakutetsu jinshu*) has intellectually the capability of reaching to the highest stages of civilization (文明の極度に達する可きの性あり, *bunmei no kyokudo ni tassuru kiki no sei ari*). The apparently strange use of the term philosophy (*tetsu*) in connection with the white race is a direct translation of Blumenbach's term *cultiviert*,[234] meaning civilized or refined. The yellow race has no special qualification as being wise. Of it is said:

艱苦に堪へ、勉勵事を為すと雖ども、其の才力狭くして、事物の進歩甚だ遅し[235]

[233] Blumenbach 1798, pp. 91-6.
[234] Blumenbach 1798, p. 128.
[235] *Shōchū bankoku ichiran* 1869, p. 8. kanku ni taehe, benrei koto wo nasu to iedomo, sono sairyoku semaku shite, jibutsu no shinpo hanahada ososhi
It is patient in case of hardships, and good in hard work, but the intellect is narrow, and its speed of getting things done is extremely low

Representatives of the yellow race were given as the Chinese, Finns and Lapps. It is noticeable that Fukuzawa definitely avoided saying that the Japanese belong to the yellow race, and nor does he say that Japan is in Asia. He is clearly translating either directly from Blumenbach or some Western exposition of that theory, as the perspective is sensible only from a European point of view, where the curious Finns were present, but Japan, closed until recently, was hidden behind the larger concept of China. This probably was the first time that the existence of Finns and Lapps was introduced to the Japanese audience. *Shōchū bankoku ichiran* clearly represents a rough stage of making notes of Western books and translating them into Japanese, but Fukuzawa has not yet made a comprehensive and inherently logical Japanese interpretation of them.

A more coherent argument was presented in a nice book of world geography for children published in the same year, 1869. Its name was *Sekaikoku tsukushi* (世界國盡, All countries of the world). The picture in its title page presumably describes its intended auditorium, and simultaneously prescribes the form of action that members of this auditorium should engage in. We see a Japanese girl in Western dress, with a Western haircut, in a noble pose, holding a big Western book in her right hand, gazing at it intensely, with a pair of compasses in her left hand, measuring dimensions of a globe with them. At her feet there is a pile of more Western books, and on top of them the motto of the book: 世教出・自慈母 (*Sekyō shutsu - jijibo*, going out to the teachings of the world is like being a loving mother to yourself). Fukuzawa encourages his young readers, both girls and boys, to studying, and this idea clearly did not fit together with the above description of Asians as slow witted people suitable for hard labour. During 1872-76 he even published in 17 volumes a series of texts titled *Gakumon no susume* (學門の進め *Encouragement to studying*), which were an application of Kantian enlightenment at the individual level, to a setting of nineteenth century nationalism at the national level. In other words, Fukuzawa advocated the growth of independent minded and industrious people, with passion towards learning. Of this kind of people a strong and independent Japanese nation could then be constructed. In this Fukuzawa clearly differed from his predecessors from Arai Hakuseki to Sakuma Shōzan in that he was not content with importing Western technology while keeping mentality intact; Fukuzawa thought that it was exactly culture that had first to be changed at the personal level, while material changes towards the better would follow in due time.

Japan is in Asia. No doubt about it now. Fukuzawa clearly tells to children that 'our Japan is situated at the eastern end of Asia' 「亞細亞洲」の東なる我「日本」(*Ajiashū no higashi naru waga Nippon*).[236] Other Asian countries are China, India, Siam, Vietnam, Burma, Tibet, Afganistan, Turkestan, Baluchistan, Persia, Arabia and Turkey, which together with Russia possesses territory both in Asia and in Europe. England also belonged to a similar category; if not an Asian country as such, then at least as a constant presence all over Asia. Fukuzawa's understanding of Asia differs from usual European geographic definitions in that he placed islands south of Japan and China to the racio-geographic category of 'Pacific', meaning

[236] *Sekaikoku tsukushi*, I, 2, p. 3.

islands from Hawaii to Sumatra. Fukuzawa also attempts to look at the world from a Japanese perspective, although the constant adoption of new European vocabulary makes this difficult. Fukuzawa for instance uses the names 'Front India' (前印度 *Zen Indo*) and 'Back India' (後印度 *Kō Indo*),[237] but in the opposite way the terms were used in Europe. During the nineteenth century it was common to call the lands east of India and south of China with the name Farther India, or *Hinter India* in German, but Fukuzawa turns this to Front India, because he looks at it from Japan. He tries to fight against European centralizing vocabulary.

So, how then to explain contemporary European racial concepts to Japanese children? The result is the following:

歐羅巴の人種は色白し。其数四億二千萬人。[238]
亞細亞の人種は色少しく黄なり。其数四億六千萬人。
亞米利加の山に住へる人種は色赤し。其数一千萬人。
阿非利加の人種は色黒し。其數七千萬人。
大洋州に住へる島人は茶色なり。其數四千萬人。

Because people move, no continent is homogeneous in terms of races, but the situation presented in the quotation is the general picture. Asians populate most of Asia. The European designation 'yellow' as the skin colour of Asians naturally caused consternation for Fukuzawa, because the claim defied the senses. Fukuzawa takes all the other racial colours as given, but only in the case of Asians he had to qualify the situation by saying that it was 'a little yellowish'. In reality there is nothing yellow in the skin; the concept itself forced people to try to see the colour in the object. American Indians do not have a red skin; the imagery comes from the red paint that some Indian tribes applied to their skins in ceremonial occasions. Similarly, yellow derives from vestiges of Chinese colour symbolism, with yellow as the centre, carried over to Europe sometime during the sixteenth or seventeenth centuries.

The argumentative strategy to introduce the Japanese as members of a yellow Asian race implied discarding all European notions of inherent intellectual capacities of races, and instead concentrating on population numbers. They are important, because they appear as rational in this kind of reified categorizations. A large population implied vitality. Only the white and yellow races had become great in numbers, while lesser races had remained small. The fact that the brown race has so many members results from

[237] I, 2, p. 8.
[238] I, 2, p. 2. Europpa no hitotane wa iro shiroshi. Sono kazu shioku nisenman nin.
The race of Europe is white. Their number is 420 million people.
Ajiya no hitotane wa iro sukoshiku ki nari. Sono kazu shioku rokusenman nin.
The race of Asia is just a little bit yellowish. Their number is 460 million people.
Amerika no yama ni sumaheru hitotane wa iro akashi. Sono kazu issenman nin.
The race that dwells in American mountains is red. Their number is 10 million people.
Afurika no hitotane wa iro kuroshi. Sono kazu shichisenman nin.
The race of Africa is black. Their number is 70 million people.
Taiyāshū ni sumaheru shimahito wa chairo nari. Sono kazu shisenman nin.
Islanders dwelling in the Pacific Ocean are brown. Their number is 40 million people.

counting all Southern Ocean islands to the Pacific, but simultaneously they became categorically different from Asians. Anyway, with population numbers Asians became placed close to Europeans in the civilizational scale, while the other races remained down. The red race was actually dwindling in numbers, probably being destined to disappear from the earth. Living in the mountain connotes a bad image in Japan; those who can, live in the fertile valleys, where population densities are high; mountains are peripheral.

As the metonymical expression of the Asian race Fukuzawa uses a picture of a Chinese physical labourer of low social strata (支那の下人, *Kara no kejin*).[239] Of China he tells to his child readers that it is an ancient country, which for a long time had maintained a high level of civilization, but because it had a despotic government, its elite began to care only for itself and not about the country, which lead to the contemporary situation where foreigners despise it. It lost shamefully in a war to England, which took a great indemnity and Hong Kong Island. Similarly, Russia had recently taken Manchuria from China. Also in future foreigners are expected to continue kicking China around (其後も始終外國人にふみつけらるゝよし, *sono ato mo shishū gaikokujin ni fumi tsukeraruru yoshi*).[240] Similarly, Fukuzawa tells of the countries of Front India, namely Annam, Siam, Burma and Tibet that although the people have been able to create states for themselves, they are lazy and illiterate people, whom Westerners hold in contempt, and consequently they have to live in fear of Westerners (西洋人の侮を受ておそるゝ計なり, *Seiyōjin no anadori wo ukete osoruru hakari nari*).[241] Back India, namely India itself, of course was a British colony, and the few nominally independent countries west of India, whose inhabitants were nomadic barbarians, were controlled by Britain. Only Persia had long and glorious past, although then Fukuzawa mentions of it only the armies of Xerxes pouring out to neighbouring countries. Only that episode was meaningful in the Greek history narrated in Europe at the time. Of Arabia, Turkey and Siberia, little else needed to be said than geographic facts.

The picture Fukuzawa paints of Asia is not rosy. The metanarrative is that his young readers should not be lazy, and above all they should guard against becoming despised by Europeans. It was demeaning and dangerous. The Japanese readers were placed in the role of spectators, watching a grand drama unfolding in the rest of the world, under the consciousness of being at a new historical starting point. Even though their country was physically in Asia, European notions of the Asiatic race did not necessarily apply to them. Japan was not colonized, nor were pieces of its national territory annexed. The book the child was reading clearly attached her to a high literary civilization, and the act of reading the lines itself already was a deed towards advancing to a higher civilizational level. The metanarrative of Asia gives the same command as the picture of the young well-dressed lady in the front cover of the book: study, become a civilized person, and help your nation to rise to a level of strength on par with Europeans. The Japanese position clearly was peripheral within the European world order, but now the point was to compete along the cosmology of the centre, not against it, as in the case of the Chinese world order during the previous centuries.

Datsu-A Ron

239 I, 2, p. 2.
240 I, 2, p. 8.
241 I, 2, p. 8.

The concept of Asia was now filled with content, being essentially a place of backwardness, stagnation and disorganization, and that did not essentially change during the following decades. We shall move now towards analyzing Fukuzawa's foreign political argumentation. He started to publish in 1882 a newspaper called *Jiji shinpō* (時事新報, News on current affairs), which enabled him to comment directly on daily political topics in his editorials, and in this way have a direct influence on Japanese public opinion and policy making. These editorials resulted in a great number of short essays on a multitude of topics, some of which dealt with Japan's international relations. However, Fukuzawa himself turns here into a collective author. Some editorials were written by him, for some he could give an idea while some other members of the editorial staff finalized it, and some of them came entirely from the pen of a different person. Whether a text was published under his name or not, we do not know exactly how much Fukuzawa had to do with it. The sheer number of editorials and similar short essays published in the paper runs into a couple of thousand during Meiji years 15-34, and they fill nine thick volumes in the Collective Works of Fukuzawa. Many combinations of authorship took place during those years. It is thus wisest to deal with these texts as arguments of the editors of the journal, rather than those of Fukuzawa, although references are given to his *Collected Works*.[242]

The Sino-French tension that had gathered momentum during the preceding years, proceeded to war in September 1884, and *Jiji shinpō* started a systematic campaign against China. In this it did not go against Japanese public opinion, which during the war tended to be strongly on the side of France against China. In December 1884 the Gapsin coup (甲申政變 *Gapsin jeongbyeon*) took place in Korea. A group of Koreans lead by Kim Ok-Kyun (金玉均) attempted to size power with a palace coup. Kim tried to emulate Japan's way of making the country strong, and some of his followers were Fukuzawa's students, such as Seo Jae-Pil (徐載弼). Their hold on power lasted only three days, after which Chinese troops stationed in Korea crushed them. The Chinese forces also clashed with Japanese forces stationed there to protect the Japanese embassy. The events were easily interpreted in Japan in the way that China was an enemy, and France a friend of Japan. *Jiji shinpō* reacted with frustration to the events in Korea, and to the backlash against progressives.[243] In August 1885 there were two editorials arguing that it would be a great luck for the people of Korea if it ceased to exist as a state and was conquered either by Britain or by Russia. Only that way could bad Chinese influence on the country be eliminated, and Koreans would get the possibility of becoming a civilized people.[244] However, because *Jiji shinpō* was at that time temporarily closed by the government, neither of these editorials was published.

By the 1880s Japan as an epistemic community had unfastened itself from the Chinese Civilization. There was even discussion of discarding the Chinese characters and move to using Roman letters, such as deliberations on the matter by Nishi Amane and Nishimura Shigeki in the very first issue of *Meiroku Zasshi* in 1874. It could of course be done, and actually happened in Vietnam under the French administration, but this is where a line was drawn in Japan. Instead of Chinese Civilization, the Japanese now placed themselves within the looser geocultural frame of *Tōyō*, and it implied holding fast, e.g., to the essential elements of Japanese

242 福澤諭吉全集 1969-71.
243 Narsimhan 1999, p. 111-2.
244 Fukuzawa 1970g; 1970h.

written language. Notwithstanding, they disengaged themselves from China as an object of identification, and not too much amity towards China as a fellow country suffering in the hands of Europeans remained. During the three decades since 1854 Japan had changed drastically with a new Westernized curriculum taught in schools, and various Western customs, from clothing to female education, spreading in Japanese society (Brownstein 1980). It had sent hundreds of Japanese to study in the West, and invited great numbers of Western technical and administrative advisors to work at various locations in Japan. Legally Japan turned into a European style territorial nation state with a constitution, centralized and efficient administrative system and clearly demarcated borders. Its economy was turning towards Western style industries. Western style army and navy were created, based on conscription, armed with Western weapons and drilled in Western tactics. All this was reflected in a new feeling of strength and optimism among the Japanese public, intellectuals, and administrators, who also of course were a new generation.

Jiji shinpō wrote in September 1884 how Japan clearly had been able to benefit a lot from European Civilization, unlike China.[245] In the same month it argued again more minutely how China in principle would have been able to acquire freely Western knowledge, but had not cared, while Japan after its opening had moved forwards as dynamically as Western countries. This had not happened only outwardly, but also inwardly at the level of individuals, as should happen with real enlightenment (我日本人が開國の一擧と共に人心を一新し, *waga Nipponjin ga kaikoku no ikkyo to tomoni hitogokoro wo isshin shi*).[246] In Japan especially the government and the intellectual elite was strongly pushing Westernization forward at all levels, while in China the situation was the reverse, a number of merchants and domestic servants employed by Westerners learning Western ways, but this was leading to no thorough going structural changes. The two countries were not only presented as existing in different categories, but an even sharper boundary should be drawn between Japan and China, so that the evil habits of the neighbouring country would not tarnish Japanese enlightenment (隣國の弊風を以て我文明を汚すの恐あればなり, *rinkoku no heifū wo motte waga bunmei wo yogosu no osore areba nari*).[247] *Jiji shinpō* easily uses the expression 'China of Asia' (亞細亞洲の支那帝國, *Ajiashū no Shina teikoku*),[248] but it usually refrains from using the name Asia when it writes about Japan. Whenever a regional geographic concept that includes also Japan is needed, there is a tendency to use *Tōyō*. For instance, there is written that

我日本國は地理上より言へばこそ東洋の一列国…[249]

Thus, e.g., in an editorial published in 27 March 1884, titled *Tōyō ni Bisumāku nashi to ifu koto nakare* (東洋にビスマークなしと云ふこと勿れ, It has to be said that there is no Bismarck in the Eastern Ocean),[250] where *Jiji shinpō* discusses the possibilities of a wise political leader, of the calibre of Ministerpräsident Otto Eduard Leopold von Bismarck-Schönhausen (1815-1898), to rise and unify the lands of Chinese Civilization against Europeans. Here he consistently always uses *Tōyō*, and not Asia. *Tōyō* is an integrative concept, and depicted here the historical

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245 Fukuzawa 1970b, p. 32.
246 1970c, p. 49.
247 1970c, p. 52.
248 1970d, p. 44.
249 1970b, p. 32. Waga Nippon wa chirijō yori iheba koso *Tōyō* no ichiretsu koku…
In terms of geography we can say that our Nippon is one of the Eastern Ocean countries …
250 1970a.

cultural unity of China, Korea, Japan and Annam. Yet, Fukuzawa's tone is full of sarcasm; not against the idea as such, but against contemporary Chinese discussion on the subject, which took it as a given that such a figure could only be a Chinese person. To Fukuzawa this was utterly myopic.

In 15 March 1885 was published the editorial *Datsu-A ron* (脱亞論, *Argument for leaving Asia*). It is claimed that it attained hardly any attention at the time of its publication; controversy surrounding it rose only after World War II, but it has continued until today. Hirayama Yō points out that the author of the text was the editorial 'we' (我輩, *wagahai*) . It was attached to Fukuzawa's name only when it was included in the 1933 edition of Fukuzawa's Collective Writings, 48 years after its publication, when new military hostilities against China had already started, and there was a political demand for legitimizing that policy. The real debate on it started from the 1950s onwards, when it was singled out as the most important single text causing Japanese military imperialism and the invasion of Asia.[251] The problem with it is that much of post World War II historical debate in Japan on the intellectual history of the late nineteenth and early twentieth centuries has concentrated on the question of war guilt. The gaze of the historian focuses at the beginning of military hostilities with China in 1931, looking backwards through the Japanese intellectual scene, trying to map the course of ideas that lead to the war. The classic text here is Takeuchi Yoshimi's eloquently written analysis in 1963,[252] and its influence is still strong.[253] Korean reading of the period is easily even more critical.[254] *Datsu-A ron* easily appears under this backward gaze as the greatest single culprit, but not because it incited with a loud voice the Japanese army to attack and conquer China. The editorial does not do that. Its fascination lies in the fact that in the light of historical after-thought it appears as the definitive statement of the shifting of cosmological categories, and the final discarding of Chinese Civilization.

In the post World War II situation Fukuzawa appeared as the major intellectual figure in Japanese modern history, so that the *ethos* of the text is assured for readers of later generations. The text itself is lucid, and its *pathos* remarkably strong. It is an important cosmological text reflecting the period of its writing, and merits well further analysis, whatever its actual influence at its own time then was. The text starts with a strong metaphorical onslaught:

世界交通の道、便にして、西洋文明の風、東に漸し、到る處、草も木もこの風に靡かざるはなし。[255]

[251] Hirayama 2004, pp. 203-10.
[252] Takeuchi 1980b.
[253] Koyasu 2003; Matsumoto 2006.
[254] Lee 2003.
[255] Fukuzawa 1970f, p. 238. Sekai kōtsū no michi, ben ni shite, Seiyō bunmei no kaze, higashi ni zenshi, itaru tokoro, kusa mo ki mo kono kaze ni nabikazaru wa nashi.
Using the roads of world commerce as its medium, the wind of Western civilization finally came to the East, and when it arrived, it bended both the grass and the trees.

Jiji shinpō uses naturalistic metaphors to create an impression of the inevitability of what historically happened, and above all, what was taking place at the moment, and would take place in the future. Like a wind, Western civilization had arrived and touched equally all members of the society, both the high and the low ones. *Jiji shinpō's* auditorium naturally understood that those who had bended with the wind and had become stronger because of it, were the Japanese, while those who still tried to fight against the historical inevitability were the Chinese and the Koreans. A revolution of the kind that took place in Japan in 1868 would be necessary also in these two neighbours, but there seemed to be no hope for such revolutions to take place any time soon.

Why was there such a hurry? Because the Western wind of civilization carried with it also Western navies and armies, which turned weak and uncivilized people into colonial subjects – no doubt for the purpose of learning civilization, but that road was in practice a long and tortuous one. A wise state bended with the wind early, strengthened itself rapidly, and remained independent. The scarcity of time was caused by the fact that all the Eastern countries were situated at a stage, where they were constantly observed by the eyes of the Civilized Westerners (西洋文明人の眼を以て, *Seiyō bunmeijin no me wo motte*).[256] Despite their own presumably high level of Civilization, Westerners did not necessarily at this time recognize the existence of other civilizations. The Portuguese explorers and Jesuit missionaries of the sixteenth and seventeenth centuries saw the world in terms of plural cultural centres, but by the late nineteenth century European Civilization had become a tool for legitimizing imperial domination of the rest of the world, and was conceptualized in singular.[257] Thus Asia appeared to European eyes as a place without Civilization, but this of course was a mistake from the point of view of *Jiji shinpō*:

我日本の國土は亞細亞の東邊に在りと雖も、その國民の精神は既に亞細亞の固陋を脱して西洋の文明に移りたり。[258]

Westerners did not necessarily recognize differences with China, Korea and Japan. If the Chinese or Koreans did something that Europeans regard as backward, like employed strange laws, Westerners would think of Japan also as backward. If Western scholars learn that there is no understanding of modern science in China and Korea, they will suppose that the situation is the same in Japan. Japan simply is placed within the concept of Asia together with China and Korea. There were enlightened individuals in both neighbouring countries attempting to create change in their mental and political structures, but their chances for success did not seem high. The probable future for both countries would be conquest and partition among a number of Western countries, as Fukuzawa had argued early with the map depicting China's future partition. The author especially opposes all arguments for increasing cooperation with China and Korea with the hope of staying together with them as a group:

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[256] 1970f, p. 240.

[257] Duara 2001; 2004; Adas 2004.

[258] 1970f, 239. Waga Nippon no kokudo wa Ajia no tōhen ni ori to iedomo, sono kokumin no seishin wa sude ni Ajia no korō wo datsu shite seiyō no bunmei ni utsuritari.
Although it can be said that the territory of our Japan is at the eastern edge of Asia, the spirit of our citizens has already left the old-fashioned ways of Asia, and are moving towards Western Civilization.

悪友を親しむ者は、共に悪名を免かるべからず。我れは心に於て亞細亞東方の悪友を謝絶するものなり。[259]

In other words, Japan has to get out of the same definitional category where China and Korea were, so that it would not be mixed up with them, and possibly be invaded by Europeans. It should be noticed how visually close the characters for evil (惡) and Asia (亞) are. As already mentioned, the latter can be understood as 'bad', and the former has been composed by adding the element meaning 'spirit' or 'heart' below it. The two characters work visually together, and the idea of evil friends is used to hammer through the idea that Asia is a bad category.

Datsu-A ron of course was a contribution to the contemporary foreign political debate about what to do with the near neighbours Korea and China, and there were still strong voices advocating some kind of cooperation with them. For instance, Nishimura Masanao warned in *Meiroku Zashi* about the dangers of despising China; even though its speed of change was slower than that of Japan, it was a great country with lots of resources, and also it had truly started to import Western skills.[260] In the same year as *Datsu-A Ron* was written Tarui Tōkichi (樽井藤吉) published in Japanese a book *Argument for a Great Eastern Unified State* (大東合邦論, *Daitō gōhō ron*), which he four years later republished with the same title in *kanbun*/Chinese (*Dàdōng hébāng lùn*), so that it became more accessible to Korean readers. He advocated a close unification of Korea and Japan against white Europeans, mainly on the grounds of being parts of the honourable Chinese Civilization, into which now was added the idea of being members of the common yellow Asiatic race (我亜細亜黄人, *wǒ Yàxìyà huángrén*).[261] Generally Tarui, nevertheless, preferred *Tōyō*, or sometimes *Tōhō* (東方, Eastern Direction), which came to be used as a translation for the word 'Orient'. *Tōhō* became vaguely mixed up with *Tōyō*, but the latter always remained the more important concept.[262] The editors of *Jiji Shinpō* represented one side of the civilizational debate, and their arguments should be interpreted as rhetorical moves within this language game. Thus we finally arrive at the famous sentence:

亞細亞全洲の中に在て新に一機軸を出し、主義とする所は唯脱亞の二字に在るのみ。[263]

The idea is at first sight rather surprising, even paradoxical, which certainly has added to its fame in the post- World War II situation. What does leaving Asia actually mean? A great amount of discussion has been conducted over the subject from the point of view of the political and diplomatic history of the first half of the 1880s – essentially as attempts to explain the emotional thrust behind such an outrageous idea – but let us take a different interpretative angle here. The

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[259] 1970f, p. 240. Akuyū wo shitashimu mono wa, tomo ni akumei wo manugaru bekarazu. Ware wa kokoro ni oite Ajia Tōhō no akuyū wo shazetsu suru mono nari.
The one who associates with evil friends, cannot avoid getting an evil name for himself. We have to make in our hearts a break with the bad friends of Oriental Asia.
[260] Nishimura 1875.
[261] Tarui 1976, p. 26.
[262] Tsuda 1938, p. 115-6.
[263] Fukuzawa 1970f, p. 239. Ajia zenshū no naka ni orite aratani ikkijiku wo dashi, shugi to suru tokoro wa tada datsu-A no niji ni oru nomi.
Being within the Asian continent, we have to make a clear break, and the policy that we should follow can be written with the two simple words: Leave Asia.

Wittgensteinian language game (*Sprachspiel*)[264] point of view that f. ex. Maruyama Masao suggests, namely that it should be understood as a cynical reference not to China and Korea as such, but to contemporary Japanese discussions about the possible revival of Asia,[265] seems sensible. The expression implies clear understanding that Asia is a rhetorical category, not a physical entity. It can be dealt with nominalistically. Leaving Asia is a rhetorical reinterpretation of the contemporary cosmological situation. It dealt simultaneously with two concepts that had become difficult, namely Chinese Civilization, and Asia. Asia had been in Japanese discussions merely a non-essential European geographic import, which only recently had been filled up with pejorative meanings of backwardness, stagnation, and disorganization. The ancient legacy of Chinese Civilization demanded empathy and loyalty also to its contemporary physical incarnations in the form of the Qing Empire and the Kingdom of Korea, while the editors of *Jiji Shinpō* felt this loyalty neither necessary nor politically advisable at the time. These two concepts were put together, and leaving Asia meant simply making a break with both of them.

On the other side of the boundary were also two concepts, namely European Civilization, which promised wealth, power and prestige, and *Tōyō*. *Datsu-A* of course did not mean *datsu-Tōyō*, leaving the Eastern Ocean. *Tōyō* at this stage can be defined as everything that from a Japanese point of view was felt necessary to salvage from the ruins of Chinese Civilization. Under *Tōyō* belong historical elements influenced by Chinese culture, which contemporary Japanese still were proud of and used daily, such as written language, history, religion, social customs, daily food, etc. Also the physical appearance of the Japanese belongs to *Tōyō.* These things did not need to be defined rationally, nor voiced constantly; they simply existed in the mental background as the traditional everyday basis on which a consciously Japanese author stood. *Tōyō* is a concept of *Gemeinschaft*. In addition, from this time onwards it also became an important official concept, as the Japanese Ministry of Education decreed that the proper term for historical studies concerning Japan with its neighbours was *Tōyōshi* (東洋史, history of the Eastern Ocean), rather than Asian history. *Tōyōshi* eventually became an important scholarly-ideological perspective to world history.[266] Compared with *Tōyō*, Asia was a rational concept, usable in political rhetoric, but it did not touch the existential experience of being Japanese. Asia as a name could thus be used lightly, and 'left behind' easily, because it did not carry deeply emotional identity forming connotations.

As Maruyama also suggests, it is not advisable to stop reading the editorials of *Jiji Shinpō* after 15 March 1885, as quite different nuances come up in other texts.[267] For instance, after the victorious Japan-Qing war, *Jiji Shinpō* commented in 22 March 1898 that it is now necessary for the Japanese to have a proper samurai attitude concerning the victory. Luck is an inherent element in winning and losing battles; when you happen to win, you should not become proud, and when it is time to loose, you should take the matter lightly. The tables may always eventually turn. Thus the journal recommended

其求むる所は土地に非ず、人民に非ず、只商賣貿易の一事にして、その目的は自から利し兼て他を利せんとするに外ならず。而して此目的を達するには成る可く彼の國人に近付き、相方の情意を通してお互いに相親しむに在るのみ。蓋し支那人も漸く日本人の心

[264] Wittgenstein 2006.
[265] Maruyama 1996c, p. 216.
[266] Tanaka 1993.
[267] Maruyama 1996c, p. 218.

事を解し、漸く年来の猜忌心を去りたる者にして、彼より進んで親しまんとすること。。。[268]

Jiji Shinpō also advocated inviting a considerable number of students from China to Japan, so that mutual understanding would proceed better. The quotation can of course be read from the point of view of cultural imperialism, as the idea clearly was that the Chinese have more to learn from Japanese than the opposite. However, there is no reason to read the quotation from the point of view of what happened during the 1930s and 1940s. What happened in the early nineteenth century is that the number of foreign students from China began to grow rapidly, and the incoming students did not at all necessarily hate Japan. The reason is that China at that time was not a modern nation-state with a highly tuned nationalistic ideology, but a classical empire ruled by a foreign Manchu dynasty. The war had been between Japan and the Manchu Qing Empire, not between Japan and the Chinese people, many of whom wanted to get rid of the Manchus. Once the old empire that had become unable to act constructively had been demolished, China and Japan would be natural allies. In a cultural sense, from a Japanese point of view, the Chinese would also cross the boundary of their ancient Civilization, and create a similar cultural mixture that the Japanese combination of European Civilization with *Tōyō* was. In that condition Japan and China would stand at the same cosmological position.

There is still one puzzle left, namely the slogan 'leave Asia, enter Europe' (脱亜入欧, *datsu-A nyū-Ō*). In popular history the slogan is credited to Fukuzawa Yukichi, and hundreds of articles and books have used it in describing aspects of Japan's history between 1854 and 1945. It appears as a popular Meiji era slogan, even greater than 'rich country, strong army' (富国強兵, *fukoku kyōhei*), which was a real existing slogan at the time. Notwithstanding, the editors of *Jiji Shinpō* never used the expression of entering Europe. *Nyū-Ō* has been employed from the 1960s onwards as a loose but handy oxymoron, used pejoratively to pinpoint guilt of World War II to persons acting in the 1880s in a very different historical situation. The editors of *Jiji Shinpō* of 1885 remained fast in *Tōyō*; only the usefulness of its elements, and practical foreign political decisions, were then judged from the perspective of European Civilization. The oxymoron has been constructed simply by taking the empirically true part of *datsu-A* and adding to it an even more outrageous ending. Who did this is still unclear, no Japanese dictionary even hints to a possible authorship, but judging from the fact that *datsu-A nyū-Ō* does not appear in Maruyama Masao's analysis of Fukuzawa in 1947 nor in 1952,[269] nor in Takeuchi Yoshimi's analyses in 1958, 1961, 1963, or 1964,[270] its origin probably is later than that. The 1960s nevertheless is a rough probable date, because at that time *datsu-A* became a generally known expression, and it was used within a debate whether Japan is a Western European or an Asian

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[268] Fukuzawa 1971, p. 286. Sono motomuru tokoro wa tochi ni arazu, jinmin ni arazu, tada shōbai bōeki no ichiji ni shite, sono mokuteki wa mizukara ri shi kanete hoka wo ri sen to suru ni hokanarazu. Shikōshite kono mokuteki wo tassuru ni wa naru beku kare no kokumin ni chikazuki, sōhō no jōi wo tsūshite otagai ni aishitashimu ni aru nomi. Kedashi Shinajin mo yōyaku Nihonjin no kokorogoto wo kaishi, yōyaku nenrai no saikishin wo saritaru mono ni shite, kare yori susunde shitashiman to suru koto ...
What we should request is not land, nor citizens, but simply trade, and its goal should be enrichment of both the Chinese and ourselves. Then, to reach into this goal, we should approach the Chinese people, and through mutual empathy come close to each other. Perhaps the Chinese will eventually understand the Japanese way of thinking, and eventually loose their hatred of us, and come to seek positively friendly relations with us.

[269] Maruyama 1996a; 1996b.

[270] Takeuchi 1980a; 1980b; 1981a; 1981b.

country (日本は西欧であるか、それともアジアであるか, *Nihon wa Sei-Ō de aruka, sore to mo Ajia de aruka*).[271] That kind of *Sprachspiel* obviously was conducive for adding the imaginary ending.

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MONGOLIA: BECOMING A NATION-STATE

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It is evident that nation-states are based on national movements. Mongolia was also created as a result of the Mongolian national movement that started in the beginning of the XXth century. In the XXth century, Mongolians overcame many challenges and had a rich history of struggle to become a nation-state. They created their national identity and defended it. In this paper I would like to develop my own position and opinion concerning some historical events of Mongolia, such as the national revolution of 1911; the Kiakhta Treaty that defined the international status of newly created Mongolia; Mongolia's international situation after the conclusion of the Kiakhta Treaty; The Russo-Japanese Agreement toward Mongolia; and the involvement of Mongolia in Soviet Russia's policies toward the Far East.

In my opinion, the policy conducted by Soviet Russia and its leader, Stalin toward the Far East and Mongolia was the continuation of the eastern diplomacy of Tsarist Russia in the end of the XIXth and the beginning of the XXth century. Thus my aim was to investigate whether historical facts confirm or refute this hypothesis.

Previous studies on Russian policy toward Mongolia in the early XXth century had a tendency to overlook how important Mongolia had been for Russia as early as the XIXth century. That`s why the common opinion was that Russia started to pay considerable attention to Mongolia only during the national revolution of 1911 or just after this period. In my research, I would like to present and discuss the policy that Tsarist and Soviet Russia pursued until the mid-twentieth century and its impact on the political life of the XXth century.

Conducting this study I would like to argue that during the Mongolian national revolutions of 1911 and of 1921, the vital interest of the Mongolian people to restore national independence fortunately coincided with the economic and political interests of Russia. Throughout the XXth century, the struggle of Mongols for their national independence and sovereignty was a struggle for the establishment of a Mongolian nation-state which has developed in several stages and became the single nation being able to liberate itself from the sphere of influence of the Qing state. I think it is reasonable to claim that today`s Mongolia is a state fully meeting the criteria of the contemporary definition of a nation-state.

It is true that the problem of Mongolian national independence was successfully resolved because of the initiatives and participation of the Mongols themselves. But Mongolia's northern neighbor, Russia, particularly, Agreement between Russia and Japan also played a significant role and provided considerable assistance.

I described the interests and strategic policy of the USSR, paying special attention to the question whether Stalin, the supreme leader of the Soviet Union, had a clear view of the situation in Mongolia. I also raised the question why the independence of Mongolia was mentioned by Stalin[272] during the Yalta summit as one of the first Soviet conditions of proclaiming war on Japan. A number of Mongolian and foreign scholars have studied these issues in their works, but I would like to take advantage of newly released archival materials to concretize what sort of contacts Mongolian leaders had with Stalin, how they informed him about Mongolia, and what was Stalin's conception regarding Mongolia.

In my investigation I tried to use not only the archival sources declassified during the recent years in the Russian Federation and Mongolia but also documents on Japanese foreign relations and newly published works of Japanese historians.

THE POLICY OF RUSSIAN EMPERIA TOWARD MONGOLIA IN THE BEGINNING OF THE XXth CENTURY

A detailed historical analysis shows that as early as the pre-1911 period, when Mongolia was still under Manchu domination, the issue of Mongolia was already in the focus of Russian foreign policies. There is a note that at the beginning of the XVIIIth century, Russia sent nine expeditions to Mongolia. Also at the end of the XIX century, more precisely in 1893, P.A.Badmaev, who was as an advisor to Imperator of Russia wrote a proposal "About unifying Mongolia, Tibet and East China with Russia" and delivered it to Tsar Alexander III.[273] Between 1870 and 1920, over 150 different expeditions visited Mongolia.

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[272] Stalin (Dzugashvili), Iossif Vissarionovich (1878-1953): member of the Political Bureau of the C(b)PSU from 1919 to 1953; General Secretary of the Central Committee of the C(b)PSU from 1922; Chairman of the Council of People`s Commissars from May 1941

[273] E.M.Daryevskaya Sibiri i Mongoliya. Ochyerki russko-mongoliskix svyazyei v koncye XIX nachalye XX vyekov-Irkutsk., 1994 g. s. 264; U.V.Kuzimin. Vostochnye proekty doctora P.A.Badmaeva, Irkutsk, Izdatelistvo BGUEP, 2006.

The Tsar personally authorized[274] a loan that Da Lama Badamdorj and Soivon Tseren-Osor, the Bogd Javzandamba`s secret representatives, had asked from the Russian government.

The issue of Mongolia was not only a matter of independence. On the one hand, some Russian politicians wanted to establish a line of demarcation between Mongolia and Manchuria and conclude an agreement with Japan; on other hand, other politicians proposed a rapprochement between Mongolia and China. Some Russian leaders thought that Mongolia and China should fight against Japan, while others concluded that Mongolia and China should be offered to Japan. This divergence of opinions prevailed after 1911. This is why archival sources contain different opinions concerning the Mongolian question as it was discussed during sessions of the State Duma. The Russian military establishment, which had suffered a defeat in the Russian-Japanese war, regarded the events of 1911 "as the most favorable condition for unifying Mongolia with Russia." Thus they tried to persuade the government not to lose this opportunity.

They thought that unifying Mongolia with Russia would bring great benefits, and explained that "there are Mongolians who themselves wanted to enter into the orbit of Russian influence and concluded that there will not be other solution than that of unifying Mongolia [with Russia- O.B] forever." Among those who were following this line were Minister of Defense A.N. Kuropatkin and various representatives of the military establishment, such as Yu. Kushelev, V. Tomilin, Volodimerov, and so on. They wanted to extend the borders of the Russian state as far as the Gobi desert; Kuropatkin drew this scheme of new borders in his private notebook. The nationalist Volodimerov, a member of the Third State Duma, made the following critical speech in April 1912: "The Foreign Minister did not conduct a policy that reflects the national interests of Russia. We think that there will not be more favorable conditions to change these long borders which were established in a wrong way through the policies pursued by the Foreign Minister. It`s absolutely necessary to eliminate this triangle of land that intersects our territory, and now we just have the most favorable conditions for doing it." At that moment, someone interrupted his speech by shouting, "It is not there, it`s not Manchuria," but he did not pay any attention to this interruption.[275]

Russian Foreign Minister S.D. Sazonov did not support the opinion of the military establishment. He argued that the artificial change of borders was not in the interests of Russia,

[274] Rossiiskii gosudarstvyennyi istorichyeskii arkhiv Fond 560.,Op.28., Ed. xr. 176

[275] Rossiiskii gosudarstvyennyi istorichyeskii arkhiv Fond 560.,Op.28., Ed. xr. 176 p. 264

and pointed out that “historically Khalkha is not prepared to be an independent country. The reason is that there are no military, financial and state leaders. Complete separation of Khalkha from China may result for us in a [Russian] invasion or in losing it forever. That`s why we agreed to be an intermediary between Mongolia and China. The goal of our intermediary [role] is to reach a Mongolian-Chinese agreement that meets, on the one hand, the aspirations of the Mongols to maintain their independence, and on the other hand, the will of China to restore its integrity. It meets our goal to take into consideration the interests of the Mongols and simultaneously not to violate our good neighborhood relations with China.”[276]

Among those who were against the idea of a united Mongolia and favored transforming it into a Russian protectorate was P.N. Miliukov, a representative of the Kadet Party. He supported the opinion of the Foreign Minister that “Khalkha is not prepared for becoming an independent state,” and argued that if the Foreign Minister had decided to support the independence of Mongolia, “we shall support in a considerable dimension. We must understand that it may give a signal that Mongolia will be a protectorate.” The Kadet Party’s newspaper wrote in 1912-1913 that “we should not enter into disputes with China over Mongolia. We have no reason to transform Mongolia into a protectorate of ours.”

The representatives of the commercial groups trading with Mongolia had a different approach to this question. D.P.Pershin, the assistant of the General-Governor of Irkutsk and a close friend of a rich tradesman named I.I. Lushnikov and Popov, supported Sazonov’s program to establish an autonomous Mongolia under Chinese suzerainty.

As Bogolepov and Sobolev put it, “We must understand that ‘Mongolia is for the Mongols”.

Economic interests prevailed over political interests among the Russian commercial and industrial groups that wanted to monopolize the import of Mongolian raw materials. This is why they demanded from the government to obtain favorable conditions and exclusive rights for Russian traders. These issues were reflected in the Mongolian-Russian Agreement signed in October 1912 21 (November 3 by new calendar of 1912) and in the Kiakhta [Mongolian version: Hiagt] Treaty of 1915.

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[276] Gosudarstvyennaya duma: Styenogr. otchyety. 3-i sozyv. Spb. 1912. Syes.5 Zasyedaniye 104.13 apryelya 1912 g. s. 2167-2171

The famous Russian scholar and Mongolist B. Ya. Vladimirtsov wrote in a letter of 25 Ju ne [1912 – O.B] to Burdukov: “Russia appears to do something in Mongolia, but in reality it does not do anything, being scared of the opposition of foreign powers, including that of Japan.” He went on to say: “Nobody in Russia understands how important Mongolia is for Russia and Siberia. No person knows about Mongolia and understands that Mongolia is not Manchuria. However, during recent years the Russian society seemed to understand this.” Actually, the policy of Russia towards Mongolia was determined by the secret agreements reached by Russia and Japan in 1907-10 and 1912. These agreements divided their spheres of influence in the Far East. On August 2, 1911, A.A. Neratov wrote to V.N. Kokovtsev: “The principles of our policy toward the Far East are based on several agreements signed with Japan and the common ground created in Manchuria. Risking the main factor of peace and security in the Far East would be a madness.”[277] The government of Russia was faithful to the principles of the agreements signed with Japan, while it concluded a friendship agreement with Mongolia in October 21, 1912 (November 3 by new calendar of 1912), signed the Russian-Chinese Declaration of 23 October 1913 (November 5 1913 by new calendar), and concluded the Tripartite Agreement of 1915.

THE MONGOLIAN NATIONAL REVOLUTION OF 1911 AND THE RUSSIAN-MONGOLIAN FRIENDSHIP TREATY

During the *danshig*[278] ceremonies of all aimags[279] and shav’s[280] that were held under the instructions of the Bogd Javzandamba Hutukhtu in the summer of 1911, General Wang Handdorj and Da Lama Tserenchimed declared that the time had arrived to establish an independent state and to liberate the Mongols from the domination of the Qing dynasty. The Bogd Hutukhtu issued a secret order in which he pointed out that “the time came for the Manchu state” and “now it is possible to establish an independent state”[281], and appealed to unify efforts and struggle against Manchu-Chinese policies.

[277] Myejdunarodnyye otnoshyeniya v epokhu impyerializma. Dokumyenty iz arkhivov carskogo i vryemyennogo pravityelistv 1878-1917., M.-L, 1931, syer.2, t.18, chasti 1, s. 227
[278] grand festival
[279] provinces
[280] Buddhist units
[281] `Mongol Ulsyn avtonomi khemeekh o'ortoo ezerkhen zasakh erkht zasgiin u'yeiin u'nenkhuu yavdal chukham baidal chukhal uchryg temdeglesen tovch o'guulel khemeekh tu'ukh bichig` O. Batsaikhany emkhetgej khevluulsen UB., 1992., 5 dakhi tal

Erdene Wang Handdorj, Da Lama Tserenchimed, and Gun Qayisan arrived in St. Petersburg, the capital of Russia in 1911, and asked for help in the establishment of an independent state, including diplomatic recognition and military assistance.[282] Russia partly fulfilled the delegation's requests, and provided military assistance.

At a majestic ceremony held on December 29, 1911, the Javzandamba Hutukhtu was crowned as the head of the sovereign Mongolian state, and was handed the seal of state. This symbolized the proclamation of the independence of Mongolia from Manchu domination. The same day the Bogd Hutukhtu and his wife were given the titles "Sun" and "Mother of the State," respectively. Urga [Mongolian name: Ih Hüree] was proclaimed Mongolia's capital city, and the symbol of the independent state was designed on yellow silk by Soyombo script.[283]

Thus the Bogd Javzandamba appointed five ministers as well as heads of several aimags and hoshuuns, and gave high ranks and titles to princes and officials.

The period after the proclamation of Mongolian independence was characterized by the Great Powers' attempts to extend their spheres of influence. Russia, Mongolia's northern neighbor, actively participated in these efforts, and wanted to keep its old spheres of influence and obtain new ones. In China, Mongolia's southern neighbor, the 1911 revolution overthrew the Manchu Qing dynasty, and the newly formed Republic of China sought to maintain its control over the territories once ruled by the Manchus. In these conditions, the challenge facing the Mongols was to protect their independence and gain recognition from their two neighbors.

The some days later, on which Mongolian independence was proclaimed, the Russian government issued a declaration. This declaration was a diplomatic act concerning historical events in Mongolia, where Russia supported directly the independence of Mongolia, but described the events in Mongolia objectively, informing the world community about the events in Mongolia, and presented its attitude and wishes concerning the positions of Russia and China toward Mongolian matters.

On other hand, this initiative of the Russian government was not aimed at creating a conflict with China. Thus Tsarist Russia did not say anything about the recognition of the independence of Mongolia but merely pointed out that Russia might be an intermediate in negotiations between Mongolia and China.

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[282] L.Dendev Avtonomit Mongol Ulsyn u'yeiin onclog barimt bichguud UB., 2003 , O.Batsaikhany emkhetgesen
[283] U'ndesnii to'v arxiv f. A 4., t.1., kh.n. 26, x.3

At that time, a struggle for the independence and unification of the Mongols against Chinese domination was continuing in Inner Mongolia where 38 hoshuuns out of 49 were for independence and unification with Mongolia.

At a special session of the Council of Ministers, held on August 2, 1912, the Russian government, at the initiative of the Foreign Minister, resolved to break the negotiations with China over Mongolia and to start secret negotiations with the Mongolian government. By this decision Russia evaded the recognition of Mongolian independence, but admitted that the subject of the negotiations was up to two countries and this is why it was in accordance with the norms of international law.

So in 1912 a Russian-Mongolian agreement was signed. The attached protocol defined Russian "rights and privileges." Thus the agreement weakened the old ties between Mongolia and China, and reinforced Russian influence in the economic life of Mongolia.

On 23 August 1912, Russian Foreign Minister Sazonov sent an instruction to the Russian plenipotentiary representative Korostovets (Russian Minister in China) to start negotiations with the Mongolian government. Describing the policy of Tsarist Russia in Mongolia, Sazonov pointed out: "Our aim is not to create a state with a strong military in this neighboring region." He went on to state that in order to achieve its objectives, Russia planned to create the following three conditions: 1. The Khalkha will have national rights; 2. the entry of Chinese troops should not be permitted; 3. the Khalkha will not be colonized by the Chinese.[284] These facts show that the separation of Mongolia from China suited, at least partly, the interests of Russia, and the course of events proved it again.

The Mongolian-Russian negotiations started in September 1912, and lasted for two months. October 21/ November 3, 1912 a Russian-Mongolian Friendship Treaty was signed with respective protocol on trade and other documents. During the negotiations, the Mongolian delegation made an effort to ensure that Russia formally recognized the independence of Mongolia, including Outer Mongolia and Barga. However, the Russian government did not fulfill these wishes of the Mongols.

The preambule of this Treaty proclaimed that the previous agreements between Mongolia and China were terminated, and Tsarist Russia recognized that Mongolia became capable of negotiating on its own. The Cabinet of the Tsar confirmed the "autonomy of

[284] Sbornik diplomatichyeskikh dokumyentov po mongoliskomu voprosu, SpB,1914, s.1

Mongolia and its Bogd Khan and his Government."[285] At that time, this act was a great success for the Mongols, giving them enthusiasm and courage. By this agreement the Mongolian side consented to establish privileges for Russian traders in its territory. On the other hand, Tsarist Russia promised to supply the Mongolian army with arms, not to permit the return of Chinese administration, and prohibit the entry of Chinese citizens into Mongolia.

Mongolia was indispensable for Russia primarily for economic reasons. Namely, it was a rich potential source of supply of cattle, other livestock products, and minerals. Secondly, Mongolia was of great political importance for Russia. Tsarist Russia was interested in keeping Mongolia as a buffer state and maintaining, to some degree, Mongolian independence.

Many scholars tried to define the economic aspects of this agreement. It undoubtedly was of enormous political importance for Mongolia. The adoption of this agreement terminated the previous relationship between Mongolia and China, and opened up new possibilities for Mongolia to have equal relationships with other countries of the world.

This agreement confirmed the status of Mongolia in international relations. It stipulated that:

1. Mongolia is a sovereign state and has its own government.
2. Mongolia has the right to have a national army.
3. Mongolia maintains an established regime of autonomy and "self-governance."
4. Mongolia removes Chinese troops and authorities from its territory, and thereby exercises its right not to permit neither the presence of Chinese troops on her territory nor the colonization of the land by Chinese.
5. Mongolia has the right to conclude other treaties with China or another foreign power that should not infringe upon the provisions of the present agreement.

Three days after the signing of the Russo-Mongolian Treaty, Russian Foreign Minister Sazonov instructed Ambassador Krupenskii to inform the Chinese government about the treaty. When on October 26, 1912 the Chinese Foreign Minister was informed about this event, his response was the following: "Russia has recognized the independence of Mongolia, but the Republic of China has not yet recognized it."[286] That is, foreign countries considered the

[285] Mongol Ulsyn U'ndesnii To'v Arxiv f.A.4, d.1, kh.n. 6, x.4
[286] Myejdunarodnyye otnoshyeniya v epokhu impyerializma. Dokumyenty iz arkhivov carskogo i vryemyennogo pravityelistv 1878-1917., M.-L, 1931, syer.2, t.18, chasti 1, s. 227

Russian-Mongolian Treaty and protocol of 1912 a recognition of the de facto independence of Mongolia. The complete text of the Russian-Mongolian Friendship Treaty was published in Japan and the USA. Several articles highlighted the importance of the treaty. For example, E.T. Williams published an article titled "The relations between China, Russia and Mongolia" in 1916 in the "The American Journal of International Law". The author pointed out that three great nations - Mongol, Russian and Chinese signed a treaty in order to determine their relationships[287].

Thus, the signing of the Russo-Mongolian Treaty showed that the influence of Russia increased in Mongolia, the balance of power between Russia and China changed, and consequently the Mongolian question became a matter of bilateral negotiations. For the Mongols, it was a step forward, since it demonstrated that China proved unable to dominate Mongolia and was obliged to solve the Mongolian problem with the involvement of Russia. Mongolia gained the right to fight for its independence and to express its opinion concerning that issue.

Tsarist Russia was ready to negotiate with China about the Mongolian question on the condition that Russia would maintain its prerogatives obtained by the Russo-Mongolian Treaty of 1912. Just after the signing of the Russo-Mongolian Treaty in Ih Hüree, on 2 November, 1912 Sazonov informed the ambassadors of Britain, France, Japan and other countries about the results of the negotiations, and pointed out: "If China recognizes the principles of this Treaty, Russia would not refuse the conclusion of a [Chinese] agreement with Mongolia and the establishment of [China's] suzerainty over Mongolia.`[288] That was the firm position of Russia.

Nevertheless, the Chinese regarded the Russo-Mongolian Friendship Treaty and other similar documents as illegal, and refused to recognize them. The Russians were very firm on their position. This is why the representative of Tsarist Russia in Beijing met the Chinese Foreign Minister, informing him about the Russo-Mongolian Friendship Treaty and other documents and about the liabilities taken by Russia before the Mongolian government. He demanded that the government of China recognized these documents. Moreover, the Russian advisor met the Chinese Foreign Minister and made the false claim that in November 1912 the Mongolian government had appointed an ambassador to Russia and sent him to St. Petersburg.

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287 *The American Journal of International Law*, Vol. 10, No. 4. (Oct., 1916), pp. 798-808., J.V.A. MacMurray, Treaties and Agreements with and Concerning China, 1894-1919, Oxford University Press, 1921, Volume II:992–993.

288 Myejdunarodnyye otnoshyeniya v epokhu impyerializma. Dokumyenty iz arkhivov carskogo i vryemyennogo pravityelistv 1878-1917., M.-L, 1931, syer.2, t.18, chasti 1, s. 229

This fact also shows how important it was for Russia to protect its interests in Mongolia and pressure China to recognize these interests.

After a number of notes had been exchanged by Russia and China, in which both sides explained their positions, they agreed to start negotiations on the Mongolian question.

RUSSO-CHINESE NEGOTIATIONS

The Russo-Chinese negotiations on the Mongolian question started in December 1912 in Beijing with the participation of the Chinese Foreign Minister and the Russian Ambassador in Beijing. The negotiations continued during the whole year; because both sides did their best to protect their interests. The Chinese side promised to respect the Russian commercial and economic privileges, and demanded that Russia annulled the Russian-Mongolian Friendship Treaty of 1912. The demands of the Russian side were the following: China should

1. recognize the Russo-Mongolian Friendship Treaty,
2. respect the autonomy of Mongolia,
3. refrain from occupying Mongolia, and
4. forbid Chinese soldiers and settlers from moving to Mongolia.

Russia expressed its willingness to be an intermediary between China and Mongolia, and promised that Mongolia would recognize the suzerainty of China. The Chinese refused to accept the propositions of Russia. This is why the Russian side decided to break up the negotiations. For example, in the Central State Archives of Russia we find a document that shows how the negotiations were broken up by the Russian side in June 1913.[289]

While the negotiating were going on for several months, the Mongolian national revolution gained strength, and China was obliged to fulfill the demands of Russia. On 5 November 1913, a declaration was signed between Tsarist Russia and China. The document pointed out that if Mongolia did not accept the provisions of this bilateral agreement of two countries, Russia would put pressure on it. The first article of this document declared the following: “Russia recognizes China’s suzerainty over Mongolia.” The third article of the declaration affirmed that both sides were obliged not to send military forces and settlers to Mongolia. The fourth article the declaration pointed out that “the relations between China and Russia, the agreements between Russia and Mongolia of October 21, 1912 and the necessities to

[289] Gosudarstvyennyi arkhiv Rossiiskoi Fyedyeracii, F.Nikolai vtoroi, O-1, D-783, s. 3

negotiate issues of Outer Mongolia have been discussed." In other words, China accepted to establish a relationship with Outer Mongolia on the basis of principles defined by the Protocol of Russo-Mongolian negotiations of 21 October of 1912 and the proposition of Russia to be an intermediary between the two sides. The fifth article stated that "all questions related to the interests of Russia and China, territories with overlapping power and other issues related to the current situation will be discussed and defined by the two sides." That reflected the role of Russia.

The government of the Bogd Khan regarded the Russo-Chinese Declaration as illegal, and expressed his protest in a note that was sent to the Russian Consul on December 5, 1913.

At the end of 1913, Mongolian Prime Minister Sain Noyon Khan Namnansuren visited Russian Imperia. During his visit, the Russian side informed him about the Russo-Chinese Declaration on the Mongolian question. Sain Noyon Khan and others categorically rejected this document. The Mongolian delegation sent a note to the Russian Foreign Ministry as well as to the embassies of China, Britain, the USA, Japan, Turkey and five other countries. It defined the Mongolian government's position on the Russo-Chinese Declaration in the following words: "Mongolia is definitely separate from China; this is why we do not recognize any agreement which is signed without the consent of Mongolia. The questions related to the relationship between Mongolia and China must be decided by Mongolia itself," but "Mongolia is willing to have a relationship of good neighborhood and friendship with China."[290]

The main objective of the visit of the delegation headed by Sain Noyon Khan Namnansuren was to ask for Russian assistance in unifying Mongolia with Barga and Inner Mongolia and to obtain loans and military equipment. The Russians knew well this situation, and as a condition for granting loans and arms, they demanded the withdrawal of the Mongolian army from Inner Mongolia. They also told the Mongolians to participate in tripartite negotiations between Russia, China and Mongolia.

The visit of the Mongolian Prime Minister Sain Noyon Khan Namnansuren had several goals, including to give a letter from the Bogd Javzandamba to the leaders and emperors of five

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[290] U'ndesnii to'v arkhiv, F.A-2, D-1, kh.n. 14, 11-14 dex tal

countries, such as Britain, France and Japan. As the archival documents show, the Mongolian Prime Minister made great efforts to achieve this aim. Investigating the letter that the Bogd Khan sent to the Emperor of Japan, we find a very interesting history.

After his arrival to St. Petersburg, the Prime Minister met Tsar Nicholas II, and presented him a letter sent by the Mongolian Government and Erdenyn Ochir, the highest order of Mongolia. He asked the Tsar for Russian assistance. He also presented a letter to the Russian Foreign Minister, and asked him to send the letter of the Bogd Khan to the Japanese emperor.

Just after the signing of the Russo-Mongolian Friendship Treaty on 3 November of 1912, the Mongolians wanted to inform other countries of the world about the proclamation of the independence of Mongolia, and sought to achieve the Russian recognition of Mongolian independence. This is why Mongolia sent letters to the consuls of several countries in Harbin. Then the Mongolian government sent two delegations, one headed by Foreign Minister Handdorj and another by Prime Minister Sain Noyon Khan Namnansuren, to Russia. These visits had two objectives: to obtain the support of St. Petersburg and to meet the ambassadors of foreign countries. The Mongolians also wished to visit Germany and France. As I. Korostovets, a prominent Russian scholar of this period, wrote, “The Mongolians did not follow the advice of the Russians and wrote letters on their own initiative on behalf of the Bogd [Khan] to the leaders of Japan and other countries.”

KIAKHTA TRIPARTITE TREATY OF 1915 BETWEEN CHINA, RUSSIA AND MONGOLIA

The tripartite negotiations between Russia, China and Mongolia were held in Kyakhta, a town situated on the Russian-Mongolian border. From the beginning of the 18^{th} century, Kyakhta was a city of rich Russians, where trade between Russia, Mongolia and China was conducted. The lion’s share of Sino-Russian trade went through Kiakhta and all expeditions which the Russian government sent to Mongolia, China and Tibet passed through this city and stopped there. Russian millionaires living in Kyakhta and their gold companies, such as Mongolor, also made financial contributions to these expeditions. It was this city, where, in the house of the Russian border commissar, the Sino-Russian-Mongolian tripartite negotiations started. The Russian-Chinese negotiations of 1725-1727 also took place there, resulting in the conclusion of the Treaty of Kyakhta on 21 October 1727. In sum, several important decisions on Mongolian issues were made in Kyakhta, and the city played an important role in the life of Mongolia in the XXth century as well. During the tripartite negotiations between China, Russia and Mongolia, which lasted from 26 August 1914 to 25 May 1915 (7 June 1915 according to the new calendar), the problems of Mongolian sovereignty and independence were discussed. In 1914, as many as thirteen meetings took place between September 8 and November 10.[291]

Dashjav, the head of the Mongolian delegation, explained the Mongolian standpoint wishing based on the Friendship and trade treaty between Russia and Mongolia. The Russian ambassador said that "since the positions of China and Mongolia are so far from each other", he proposed to discuss the debated issues by taking the views of both sides in consideration.[292]

The Mongolian side based its standpoint on the principles of the Russian-Mongolian Treaty of Friendship, and sought to insert the definition "Mongolia is an independent and self-governing state" into the text of the treaty. The Russian delegation expressed the view that the term "autonomous" was "used in the meaning of self-governing," and that it was also used for "small countries with limited rights." The Russian representative explained to the Mongolian representatives that the term "suzerainty" was used by "big countries concerning its relationships with small countries with limited rights." The Chinese side interpreted these terms differently so as to curtail the rights of Mongolia; this is why the Russian side rejected the Chinese proposals and advised the Mongolian delegates not to accept them. That is, as early as the first month of the negotiations the Russian government supported many proposals of the Mongolian government. Nevertheless, the Mongolian government's efforts to unify Outer Mongolia with Inner Mongolia and Barga were not supported by Russia. The Russian and Chinese sides intended to make a joint decision on Mongolia's relations with other countries.[293]

In the post-1911 period, the Russian standpoint on the Mongolian question was that Mongolia should remain an autonomous state under nominal Chinese suzerainty, enjoying unrestricted freedom in the sphere of domestic politics.

During the tripartite negotiations, the Chinese delegation demanded that Mongolia should renounce its declaration of independence and acknowledge that Mongolia constituted a part of China. The Mongolian delegation rejected this demand, and declared that they would never renounce their independence.[294] At every meeting of the tripartite negotiations, the Mongolian delegates adopted a very firm position, and did their best to achieve the independence and sovereignty of their country.

Before they left Beijing for Kyakhta, two of the Chinese delegates had met the Chinese president, from whom they received a four-point instruction. They were to compel the Mongolian side to 1) recognize the Russian-Chinese Declaration of 1913; 2) renounce its independence; 3) abolish the newly introduced calendar beginning with the year name of

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291 Mongol Ulsyn U'ndesnii to'v arkhiv f.A4, t.1, kh.n.38

292 Khyatad,Oros,Mongol gurvan ulsyn 1915 ony KHiagtyn geree O'dor tutmyn temdeglel.Barimt bichgiin emkhtgel, emkhtgej tailbar bichsen O.Batsaikhan,UB, 1999 on, 8 dakhi tal

293 Mongol Ulsyn U'ndesnii To'v Arkhiv, f.A4, t.1, kh.n. 38

294 Mongol Ulsyn U'ndesnii To'v Arkhiv, f.A4, t.1, kh.n. 38

“Elevated by Many”; and 4) abolish the title of ‘Khaan.’ The Bogd Khaan was to be named only Javzandamba. The Chinese side considered the fulfillment of these demands by Outer Mongolia a precondition of China’s participation in the negotiations.[295]

Dashjav declared that Mongolia did not intend to renounce its recently proclaimed independence, and sought to replace the name ‘Outer Mongolia,’ as mentioned in Article 2 of the draft of the agreement, by the name ‘Mongolia.’ His proposal was probably motivated by the calculation that the second term, which was broader than the first one, might later become a legal basis for the unification of Outer Mongolia with Inner Mongolia and Barga. During the debates, the Chinese delegation expressed the view that in the case of Mongolia, the word ‘state’ should be translated as ‘country’.[296]

The Mongolian delegation stressed that “the word we use as ‘state’ must be translated into Russian by the word `ãîñóäàðñòî. It must not be used to mean ‘country.’” Rejecting the Chinese standpoint, they declared that “We will never change the title ‘Khaan’, the name of the state, and the new calendar”.[297]

The Chinese delegation vehemently opposed the definition of Mongolia as a state on the following grounds: “If it is defined as a state, this will mean that since Mongolia is independent from China, Russia may take it over”.[298] Therefore, China repeatedly demanded that “because Outer Mongolia proclaimed its independence and informed many countries of the world about it, now it must renounce its independence in written form.” After long debates, the Russian and Chinese ambassadors agreed on that the term “Mongolian Cabinet of Ministers” would be written in Mongolian script in the documents, whereas the terms “limited rights” and “autonomous” would be written in French.[299] Thus the term “Autonomous Outer Mongolia” was finally accepted.

The Chinese delegation sought to abolish the Mongolian calendar beginning with the year name “Elevated by Many” and proposed the use of the Chinese calendar instead. The

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[295] Chi Hsiung Chang ` Disputes and Nehotations over Outer Mongolia`s National Identity, Unification or Independence and Sovereignty` 1911-1916 An Observation based on the Principle of the Chinese Worls Order published by the Institute of Modern History. Academica Sinica Taipei, Republic of China in 1995

[296] Mongol Ulsyn U'ndesnii To'v Arkhiv, f.A4, t.1, kh.n. 38

[297] KHyatad,Oros,Mongol gurvan ulsyn 1915 ony KHiagtyn geree O'dor tutmyn temdeglel.Barimt bichgiin emkhtgel, emkhtgej tailbar bichsen O.Batsaikhan,UB, 1999 on, 8 dakhi tal

[298] Mongol Ulsyn U'ndesnii To'v Arkhiv, f.A4, t.1, kh.n. 38

[299] Mongol Ulsyn U'ndesnii To'v Arkhiv, f.A4, t.1, kh.n. 38

Mongolian delegation opposed this proposal, and declared that "the negotiations will continue only if the title of Khaan, the Mongolian calendar [beginning with the year name "Elevated by Many] and the name of the state remain unaltered". The Mongolian side explained that "this word means `повелитель` in Russian, which means 'Khaan' in Mongolian and its Russian equivalent is `государь`."

Anxious to demonstrate that Great Powers were able to dominate small countries not only through direct rule but also through indirect rule, the Russian representative enumerated several cases in which a "native" ruler was allowed to remain on his throne as long as he acknowledged the suzerainty of his (Japanese, British, French, or Russian) overlords. "We must take Korea and its rulers into consideration," he told his Chinese counterpart, "and we may also cite Egypt as an example, for its ruler is [still] named 'khedive' and [this term] is not translated into other languages; and Morocco, Bukhara and Khiva, [though] they are also under the jurisdiction [of foreign powers], still use the old titles of 'sultan,' 'emir' and 'khan'." When the Russian delegation cited Korea, Morocco, and Egypt as examples, the Chinese delegation protested. "These examples are not comparable to Outer Mongolia," Bi Guifan, the head of the Chinese delegation, said.

The debate about the title of "Khaan" became so intense that the negotiations were temporarily halted. Bi Guifan sent a telegram to the Chinese Ministry of Foreign Affairs, in which he proposed to put an end to the talks.

However, in the meantime Japan adopted an aggressive position toward China. In a document called "Twenty-One Demands," the Japanese government laid claim to the Chinese province of Shandong, and sent troops to China. Facing this new threat, the Chinese foreign minister preferred to finish the tripartite negotiations in a peaceful way, and replied that the negotiations should be continued.

After long discussions between the Chinese and Mongolian delegations, during which the Russian ambassador played a mediating role, they agreed on the term of "Bogd Javzandamba Hutukhtu of Outer Mongolia. "They also reached an agreement on the following: "the calendar of the Middle Republic [the Republic of China] with a Mongolian calendar of twelve months and the lunar seasons attached" was to be used only in Mongolia's official correspondence with

China, whereas in Mongolia's domestic correspondence as well as in its correspondence with Russia, the year name "Elevated by Many" was to be used.[300]

This was recorded in the minutes of the tripartite negotiations and in the telegrams sent from Kyakhta to Urga. In contrast, the Chinese sources recorded that "In official correspondence with North Mongolia, the Chinese calendar, the solar and lunar years may be used in parallel".[301]

The tripartite negotiations also discussed various other questions, such as Mongolia's borders, foreign trade, customs duties, and judicial issues.

Basing its claims on old maps, the Mongolian delegation fought for areas that had historically belonged to Mongolia, such as Harchin and Dariganga, as well as for Tsagaantunkh, which traditionally belonged to Hovd, and achieved the incorporation of these lands into the territory of Mongolia. The archival documents show that the Chinese delegation vehemently argued against Mongolia's claims for the aforesaid areas.[302]

The question of Russian-Mongolian borders was not discussed in accordance with the proposal of the Russian delegation. Thus the Mongolian desire of national unification was thwarted in both respects. The borders were drawn in a way that was partly unfavorable to the Mongolian side and the territory of Mongolia was confined to the four Halh aimags and Hovd aimag.

These agreements clearly showed how the pressure of the Great Powers prevented the leaders of Outer Mongolia from achieving unification with Inner Mongolia and Barga. The Mongolian delegation was strongly interested in the future of the Inner Mongolian khoshuuns, emphasizing their will to become united with independent Mongolia and making various proposals during the negotiations. For example, it asked the Chinese government "to offer an amnesty to those Mongols who expressed their wish to achieve unification with Mongolia, to let them return to their land if they want, to give them freedom of religion, to let them [visit Urga] to pray to the Bogd Khaan, to protect their traditions, to prohibit Chinese citizens from entering the hoshuuns of Inner Mongolia, and not to permit the stationing of Chinese troops", all of which should have been guaranteed by the Chinese government.[303]

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300 Khyatad,Oros,Mongol gurvan ulsyn 1915 ony Khiagtyn geree O'dor tutmyn temdeglel. Barimt bichgiin emkhtgel, emkhtgej tailbar bichsen O.Batsaikhan,UB, 1999 on, 28 dakhi tal

301 Archives of the Institute of Modern History, Academia Sinica, Taipei, Taiwan 03-32-158-01, p. 36; 03-32-170-01 p. 92-99

302 Mongol Ulsyn U'ndesnii To'v Arkhiv, f.A4, t.1, kh.n. 38

303 Mongol Ulsyn U'ndesnii To'v Arkhiv, f.A4, t.1, kh.n. 38

Article 12 of the Tripartite Treaty was debated so vehemently that in February 1915 the Chinese delegation proposed to its Foreign Ministry to put an end to the negotiations. In response the Chinese Foreign Ministry sent a telegram in which it pointed out: “Since the negotiations with Japan did not succeed, we are of the opinion that putting an end to the negotiations would not be useful for our country; this is why we ask you to continue them peacefully and complete them with a short delay”.[304] The Chinese delegation continued the negotiations in accordance with these instructions. China’s earlier conflict with Japan obviously produced an effect on the Tripartite negotiations.

Thus on 7 June 1915 the tripartite negotiations were successfully completed and the Kyakhta Treaty was signed. Thanks to this treaty, Mongolia became an autonomous state. It was not authorized to negotiate with foreign countries on political and border issues, but it had the right to conduct such negotiations on commercial and other economic issues. In other words, the Mongolian government faced no external legal constraints in the field of domestic politics, and it also enjoyed quite extensive rights in the sphere of foreign affairs. These achievements were largely due to the Russian-Mongolian Treaty of 1912.

The political and legal status of Mongolia, as defined by the Tripartite Treaty, became the basis for Mongolia’s later relations with the neighboring two Great Powers.

The Russian-Mongolian Treaty of Friendship signed in 1912 and the Russian-Chinese declaration made in 1913 constituted the basis for the later tripartite negotiations on the international status of Mongolia. The three sides participated in the Kyakhta negotiations in order to protect their own interests.

The fact that two Great Powers, Tsarist Russia and China, compelled newly independent Mongolia to participate in the Kyakhta negotiations, was a rare case in the practice of international relations of the early 20th century. On the one hand, the Tripartite Agreement was a clear demonstration of the dominance of stronger powers over weaker ones. On the other hand, it enabled Mongolia to achieve at least limited sovereignty as a buffer state between the Russian and Chinese spheres of interests and to become recognized as an autonomous entity and not as a part of another country.

Although the Kyakhta Tripartite Agreement limited the independence and sovereignty of Mongolia, Mongolia succeeded in gaining international legal guarantees against interference in

[304] Mongol Ulsyn U'ndesnii To'v Arkhiv, f.A4, t.1, kh.n. 38

its affairs by the neighboring powers. The following documents reveal how the political leaders of Mongolia interpreted the status of Mongolia as defined by the Agreement. In a note titled “On the interpretation of the meaning of the Agreement between China, Russia and Mongolia,” which the Mongolian Foreign Ministry sent to the Bogd Khaan, we can read the following: “It is an international practice that [stronger] powers try to dominate weaker ones and to curtail the [latter’s] rights; therefore, the agreement must be viewed with caution... The main meaning of this agreement is that we accepted the dominance of China. However, China has no right to interfere in [our] internal affairs”. This statement should be regarded as the Mongolian government’s official attitude toward the Tripartite Agreement.

In the course of the Kyakhta negotiations, the Mongolian representatives, anxious to reaffirm the independence and sovereignty of Mongolia, based their arguments on the historical tradition of Mongolia’s independence from China as well as its recently proclaimed independence after the fall of the Manchu dynasty in 1911.

In 1911 the proclaimed name of the country was Mongolia. However, the 1915 Kyakhta Agreement renamed it as “Autonomous Outer Mongolia.” The aforesaid note stated that the 1915 Agreement did not limit the internal rights of Mongolia. On the contrary, it provided a broad range of rights in international affairs. On the other hand, the 1915 Agreement undermined the efforts of the various Mongol groups toward unification, and imposed a separated and isolated existence upon them. Namely, the treaty divided Mongolia into Inner and Outer Mongolia, and created a legal basis for separating the territory of Inner Mongolia from the rest of Mongolia. Chinese suzerainty over autonomous Mongolia was a case different from that of Inner Mongolia, which remained a province of China.

In December 1919, the Eastern Department of the Communist International (Comintern) wrote a report about the recent changes in Mongolia: “Now, when Outer Mongolia has lost its autonomy and became a region of China, it is important to define how this may affect the Russian Republic.

For Russia, the restoration of Barga and Inner Mongolia would mean the creation of a buffer zone as long as 3.500 verstes. Thus, if [our] relations with China happen to deteriorate, their troops will not be able to cross our borders.”[305]. This was a succinct summary of Soviet strategic objectives concerning Mongolia. Using the Comintern as an instrument to achieve these

[305] Rossiiskii Gosudarstvyennyi Arkhiv Socialino-politichyeskoi istorii, f.495, op.152, d.1, s.25

aims, the Soviet Russian leaders sought to intensify the revolutionary movement in Mongolia by taking advantage of the pan- Mongolist and anti-Chinese aspirations of the Mongols.[306]

The course of Mongolia's post-1921 political development was decisively shaped by the fact that Soviet Russia, rather than another power, gave support to Mongolia's struggle for freedom and independence. As described before, Mongolia was supported by Tsarist Russia during the restoration of its independence in 1911 and by Soviet Russia during the national democratic revolution of 1921.

From the victory of the Mongolian national democratic revolution, Soviet Russia started to pursue a policy of relying on Mongols who adopted socialist ideas and appointing them to high positions in the party and state organizations of Mongolia.

The problem of Mongolia's independence was resolved at the end of the World War II at the Yalta Conference of the Big Three. Thus it is worth to raise the question: why did Stalin stipulate at the conference that the Soviet Union would not declare war on Japan unless China recognized the independence of Mongolia?[307]

As described before, from 1932 on Stalin paid great attention to the Mongolian question, and met Mongolian leaders several times while pursuing his strategic policy in the Far East. From these meetings, we may have some understanding about the content of their conversations on Mongolia and about the Mongolian leaders' attitude toward Stalin.

Stalin, however, refused to modify his standpoint: "Outer Mongolia is not a treasure either for China or for the Soviet Union. Only its geographical situation makes it immensely important for the Soviet Union. Thus we must reach an agreement on the independence of the MPR right now, and declare it after the defeat of Japan. This is a possible solution".[308]

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306 S.G.Luzyanin, Rossiya-Mongoliya-Kitai v pyervoi polovinye XX vyeka, Politichyeskiye vzaimootnoshyeniya v 1911-1946 gg.M., 2003 g.s.318

307 Stalin (Jugashvili) Josef Vissarionovich (1878-1953) Since 1922 General Secretary of the CC of the All-Union CP (Bolsheviks), since May 1941 was the Chairman of the Council of the People`s Commissars of the U.S.S.R, in 1919-1953- member of the Political Bureau of the CC of the Party.

308 Zapisi vtoroi byesyedy I.V.Stalina s Pryedsyedatyelyem Ispolnityelinogo yuanya i ministrom inostrannyx dyel Kitaiskoi Ryespubliki Sun Czyvenyem v xodye sovyetsko-kitaiskix pyeryegovorov v Moskvye 2 Iyulya 1945 goda Sbornik dokumyentov Russko kitaiskiye otnoshyeniya v XX vyekye. T.4; Sovyetsko-kitaiskiye otnoshyeniya. 1937-1945 gg. Kn. 2., 1945 g. Otv. ryed. S. L.Tixvinskii M., Pamyatniki istorichyeskoi mysli.. 2000., s.79

That is, Stalin's standpoint on the independence of Mongolia was firm; the sole concession he was willing to make to China was to postpone the official announcement of China's recognition of Mongolian sovereignty until the end of the war.

CONCLUSION

The aforesaid facts clearly demonstrate the interest of Russia in Mongolia and consequently its position in 1915. This was the real history. The results of the Mongolian national revolution of 1911, the question of Mongolian independence, and in consequence, the destiny of the Mongols in the XXth century were highly dependent on Russian policies towards Mongolia.

It is desirable to present objectively the external situation of Mongolia of that time, showing which countries supported the independence of Mongolia after its national revolution in 1911. At that time, Mongolia managed to sign international agreements only with Tibet, which, similarly to Mongolia, had just regained its freedom from Manchu-Chinese domination. Mongolia signed a Friendship Treaty with the Russian government in 1912, but the Russians had secret talks with China, signed in 1913 a declaration on Mongolian matters, and had their own engagements toward Mongolia.

Russia generally supported the attitude of the Great Powers toward Mongolia, but also wanted to take advantage of the situation, and conducted activities aimed at reinforcing its commercial and economic influence in Mongolia. At the initiative of the Russian government, a Friendship Treaty and annex commercial Treaty on 3 November of 1912 and the Declaration on Mongolian matters on November 5, 1913, were signed respectively with China.

Russia's formal recognition of Chinese suzerainty over Outer Mongolia indicated that Russia, preoccupied by World War I, was willing to improve its relations with China on the basis of mutual understanding. The fact that Tsarist Russia opposed the unification of the Mongol lands within the framework of an independent and sovereign Mongolia showed that the Russian standpoint on this issue had not changed since the Russian-Japanese agreements signed in 1907, 1910, and 1912. The agreements signed with China defined Barga as an area that was administratively separate from Mongolia. Russia was obviously afraid of that the Buriats and other Mongol groups might try to join the Outer Mongolian national movement.

During the Kyakhta negotiations, the Russian representatives stated that "the international status of Mongolia is as important to us as to China," and the [establishment of the] Mongolian autonomous state, instead of reducing Russia's influence in Mongolia, would [create] a buffer state.

In the Kyakhta Treaty, the territory of Mongolia was defined as follows: "the territories used to be under the authority of the former Urga Minister, Uliastai Minister and Hovd Minister", "the border with China includes Hulunbuir in the east, Inner Mongolia in the south, New Hyazgaar (border region) in the southwest, the four Halh aimags and Hovd area." This clearly demonstrated firstly, the international recognition of Mongolia as a territory separate from China. A second, it was following by the Russo-Japanese agreement. Thirty years later, during the Yalta Conference, this statement on Mongolia's borders would provide a legal basis for preserving the status quo in Mongolia. It was also a starting point in Mongolia's post-1945 border disputes with its two neighbors.

Stalin's policy toward Mongolia was primarily motivated by the Soviet Union's strategic interests in the Far East, such as the defense of the USSR against Japan. The issue of Mongolia's sovereignty was of secondary importance to him. Nevertheless, his policy in the Far East provided Mongolia with a good opportunity to defend its sovereignty against China and to become a nation-state.

Chinese Order as a Model for German Reform Absolutism?

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In 1750 English historian John Campbell stated that "Europe is beyond all comparison, the most valuable and happy Quarter of the Globe". One of the founders of modern German political and economic thought, Johann Heinrich Gottlob von Justi (1717-1771) opposed this Eurocentric view vehemently.[309] In his extremely interesting book *Vergleichungen der europäischen mit den asiatischen und andern vermeintlich barbarischen Regierungen* (1763) Justi compared European governments with the Asian and other allegedly barbaric governments. In fact, Justi's book was part of a general trend. As Friedrich Carl von Moser noted, whereas earlier it had been customary to refer to the Greeks and Romans, in 1766, if one wanted to get cited, one had to refer to China, Japan, Africa and America.[310] In his book Justi referred to all of these. However, he was mainly interested in the Chinese government.

Justi stated that the aim of his book was to "awaken concern for the people and general happiness in the European states". Justi argued that the European states should be reformed following the example of China. He believed that the state machine of China inevitably ensured good government, not only because of the role of the monarch, but because of the highly efficient administration, with its competent office holders. The Chinese civil service relied on censors, who guarded the honesty and civil virtue of administrators. Whereas in Europe everything depended on single office-holders, in China all institutions and laws guaranteed that everyone worked for the common good. China was administered by boards rather than by single ministers. This vision of China served Justi as an example of his plan of the state as an efficient and automatic machine. Especially admirable for him was the fact that there was no hereditary nobility in China. Therefore Justi declared the Chinese constitution to be the most reasonable and wise constitution on the Globe.

The aim of this paper is to study Justi's use of comparison between European and Asian governments. I will especially concentrate on analysing the use of Chinese ideal as a rhetorical tool in contemporary European debate on ideal constitution.

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309 Osterhammel, Jürgen, Die Entzauberung Asiens: Europa und die asiatischen Reiche im 18. Jahrhundert (1998), p. 72-73.

310 Vazsonyi, Nicholas "Montesquieu, Friedrich Carl von Moser, and the 'National Spirit Debate' in Germany, 1765-1767 ", German Studies Review, Vol. 22, No. 2 (May, 1999), p. 225-246, p. 229.