

Translating the Concepts of Representation
Daihyo (代表) and *Daiki* (代議) in the late 19th Century Japan

Chulki Hong
(Seoul National University)

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This paper primarily focuses on the late 19th century origin of the distinction between two words referring to political representation in contemporary East Asia: 代表 and 代議 meaning ‘standing for’ and ‘discussion by proxy’ respectively. For sure, they are not the only vocabularies for ‘representation’ in the diverse contexts related to politics. For example, there are other terms such as 委任 (‘delegation’), 代理 (‘proxy’), 代辯/代言 (‘speaking for’), 表象 (‘figuration’), and 現示 (‘display’). However, in theoretical languages, only 代表/代議 and the relation between two words matter; to speak of 代表 is to mean 代議. This indicates that the specific definition of political representation as authorized deliberation replaces the generic definition as ‘making present the absent.’¹ In a normative sense, the reductive meaning of representation in electoral and deliberative terms runs a risk of excluding the contemporary discussions on the non-electoral (e.g., “politics of presence”) and the non-rational (e.g., “representative claim”) dimensions.² On the other hand, from a historical viewpoint, my hypothesis is that, if Bernard Manin is right on his main thesis that the modern Western institutions and ideas of political representation were of undemocratic (or republican) nature with democratic origins,³ then, political representation in modern East Asian countries was undemocratic both in its nature and origin.

In this paper, I will examine the three following cases in the late 19th century Japan: 1) ‘representation’ or *daihyo* (代表) in the first Japanese translation of *Leviathan* of 1883; 2)

¹ Hanna Fenichel Pitkin, *The Concept of Representation* (Berkeley: University of California Press, 1967).

² Anne Phillips, *The Politics of Presence* (Oxford: Oxford University Press, 1998); Michael Saward, *The Representative Claim* (Oxford: Oxford University Press, 2010).

³ Bernard Manin, *The Principle of Representative Government* (Cambridge: Cambridge University Press, 1997).

‘representatives’ or *daikishi* (代議士) in the Japanese translation of *The Social Contract* of 1877; and 3) the House of Representatives Electoral Law of 1900.

Daihyo (代表) appeared in *Shukenron* (主權論), the first Japanese edition of Thomas Hobbes’s *Leviathan* in 1883. This translated version consists only of nine chapters excerpted from the second part of the original book, and has ‘representer’ and ‘representative’ translated into *daihyosha* (代表者) or *daihyoin* (代表人), both of which means ‘person who represents.’

The intention behind the publication of this work was to theoretically justify the unity of sovereignty vis-à-vis the liberty of individual subjects. The partial translation identified representation only as the individual relationship of authorization between the principal and the agent; as legal representation of the individual authors comprising a multitude by a single actor or assembly. In *Shukenron*, the theatrical view expressed in Chapter 16 was eclipsed by the authorization view? of Chapter 17. Here, Hobbes’s complicated and inconclusive theory of the fictitious personality of the state made way for an organicist doctrine of the state unity, the then official statist ideology.

Daiki (代議) appeared in *Minyakuron* (民約論) published in 1877, the only complete edition of Jean-Jacques Rousseau’s *The Social Contract* translated into Japanese by Toku Hatori (服部徳) at the time. In this edition, the title of Chapter 15 of the book 3, “Deputies or Representatives,” was simply put as “Daikishi (代議士).” The two different concepts were merged into one not only in the title but also across the entire translated text; the opposition between the independent and the instructed representatives, between the representatives and the

deputies was replaced by the opposition between the representatives (*daikishi*) and the sovereign people. Apparently, Rousseau's intention to reject the idea of the autonomous representatives were intact. However, what was omitted was not his critique of the autonomous representatives but his advocacy of the heteronomous model. And I argue that this omission should be understood against the background of the strong opposition between the monarchy and the parliamentarianism in the late 19th century Japan.

The last case, the House of Representatives Electoral Law of 1900 leads to a possible answer to the question of why the opposition between two representative models was reconciled in favor of the autonomy of the representatives. The third Clauses of Article 87 and 88 of the House of Representatives Electoral Law, revised in 1900, are of my particular interest because they forbade local and associational interest's participation and involvement in electoral campaigns. These clauses fundamentally transformed the principle of representatives' independence from their constituencies. According to the original principle of the West, the "members of parliament in modern democracies, especially, are, as a rule, not legally responsible to" their electors and "not legally bound by any instructions from" them. In other words, this principle allows "a kind of responsibility" but prohibits "a legal responsibility" of the elected to the electors.⁴ On the other hand, the transformed and translated principle sanctioned only the legal independence of elected representatives from their local voters and the only option left to the elected was to be purely national representatives. It can be said that, in the late 19th century Japan, what was rejected by Hans Kelsen since 1920s as the "fiction of representation" became something more than an 'as-if' proposition.⁵ According to this fiction, although the parliament is

⁴ Hans Kelsen, *General Theory of Law and State*, trans. Anders Wedberg (Cambridge: Harvard University Press, 1949), 290-291.

⁵ *Ibid.*, 291.

authorized by its local and actual principals, it acts as if it was hypothetically authorized by its national constituency. I suspect that this misrepresentation was a product of the interaction between the 19th century liberal West's self-representations of their own political systems, on one hand, and Japan's strong impulse to be recognized as a legitimate part of the modern civilization by internalizing them as the norms on the other.