Translation, Concepts of 'Right,' and the Opium Wars: A New Historical Method and a New World History[1]

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Abstract

Quentin Skinner compares Hobbes's *Leviathan* to a parliamentary speech; to interpret the text is to uncover its contributions to ongoing debates. I extend this idea to demonstrate how the Chinese translation history of 'rights' during the Opium Wars and their aftermath could contribute to ongoing debates about 'rights' in world history. So far, commentators on the two key Chinese translations of 'rights'—*daoli* (道理) and *quanli* (權利)—have basically stopped at calling them 'mistranslations'. Contrary to these critics, I argue that these translations draw out certain truths in the conceptual history of 'rights' in the West. My analysis highlights the Chinese 'mistranslations' as the truth of the Subject's message being returned from its Other in inverted form.[2] In the words of the Tang Emperor Taizhong as recorded in both *The Old Tang History* and *The New Tang History*, 'The Other as my mirror helps me understand my strengths and weaknesses'. The new historical method I develop via Lacan and Chinese historiography allows me to go beyond postcolonial reading of the subaltern's 'copy' of the master's ideas as distortion, mimicry, or creative transformation. Instead of making the subaltern's translation a mere *parody* of the Master—subversive or not—I highlight how the Chinese (mis)-translations captures certain *truths* about the Master which the latter cannot see in himself.

Key Words: 'right'; Benjamin; Koselleck; Lacan; postcolonial studies; Opium Wars

In an interview in 2008, Quentin Skinner compares Hobbes's *Leviathan* to a parliamentary speech. Interpreting the text is to uncover its contributions to ongoing debates. I extend Skinner's insight to demonstrate how Chinese translations of 'right' in western legal, political, and philosophical discourse—translations inseparable from the history of the Opium Wars—could contribute to ongoing debates about 'right' in world history. I undertake to establish that the Chinese translation history of 'right' is significant not only for understanding Chinese social and political history; it could also shed new light on British imperial history and world history. By so doing, I seek to liberate subaltern history from one of mere 'regional' significance—'relevant only for area studies'—and restore its agency in world history.

So far, commentators on the key Chinese translations of 'right'—*daoli* (道理 moral reason) and *quanli* (權利 power and profit)—have primarily confined their attention to the semantic gap between the source and the target languages. Contrary to these scholars, I use the so-called 'new' semantics that surface in the Chinese translations to draw out an important conceptual shift of 'right' in the West—that is, the 'subjective turn of right' which became increasingly pronounced during the Spanish territorial and commercial expansions in the sixteenth century. 'Right' was translated first as *li* (moral reason) and then *quanli* (power and profit), precisely because these are two meanings of 'right' in the philosophical, political, and legal sense. The original meaning of 'right' as 'rectitude' in the West increasingly gave way to that of 'entitlement'—the latter arising from discussions among Medieval theologians and jurists of *dominia* (property) and a range of related concepts such as *facultas*/*potestas* (power). Significantly, the second meaning of 'right' as 'entitlement' in association with power and profit (*facultas/potestas* and *dominia*) started gathering momentum at around the time of the Spanish Conquest. My analysis highlights the Chinese 'mistranslations' as the truth of the Subject's message being returned from its Other in inverted form.[2] In the words of the Tang Emperor Taizong as recorded in *The Old Tang History*, 'The Other as my mirror alerts me to my strengths and weaknesses'.[3]

The new historical method I develop aims at going beyond postcolonial reading of the subaltern's borrowing of the Master's idea as distortion, mimicry, or creative transformation. Such interpretations continue to trap subaltern activities in the reactive mode. Instead of making the subaltern's translation a mere *parody* of the Master—subversive or not—I

highlight how the Chinese translations capture important *truths* about the Master which the latter cannot see in himself.

Chinese translations of 'Right' and what they reveal about the semantic, social, and political history of 'Right' in the West; a brief summary of the second Chinese translation of 'Right'

Historically, there were two key Chinese translations of 'right'. This section gives an overview of the second translation in order to provide the context for my elaboration on the first translation which is my main focus. The first key translation of 'right'—'key' in the impact it made on the destiny of China on the world stage—was Yuan Dehui's 1939 rendition *li* or *daoli* (理 or 道理 which I reductively translate here as reason/moral order). This translation was quickly forgotten with the Chinese's loss of the Opium Wars (1839-42 and 1856-60), to be supplanted by their embrace and standardization of W.A.P. Martin's 1864 rendition of 'right' as *quan* or *quanli* (權 power, or 權利 power and profit). While scholars I have read so far have treated both as distortions if not downright mistranslations, I use the two Chinese translations to interrogate the conceptual history of 'right' in the West. That the Chinese should understand the western notion of 'right' as 'power and profit' is not surprising, given that the West blasted its way into China with its 'right to free trade'. The Chinese's understanding of western right as might was further reinforced by the introduction of social Darwinism into China and influences from Japan who embraced Martin's translation even more readily than China.

The second Chinese translation of 'right'— *quanli,* or power and profit—could not be easily dismissed as a mere 'distortion' produced by the Chinese experience of imperial aggression, nor was this translation a deliberate exposure of the brute reality of 'rights' in action during this historical period. (After all, the coiner of this Chinese neologism[4] was not a Chinese but an American Presbyterian missionary who found nothing wrong in rendering 'right' as 'power and profit'). What I wish to contribute to rights discourse via my analysis of *quanli* in this section of my essay is not simply the historical but, above all, the *theoretical* links—that is, not simply the contingent but also the internal connections between subjective 'right' on the one hand, and 'power and profit' on the other. As I will demonstrate, it is precisely those theoretical linkages that have made the modern concept of

'right' vulnerable to capitalistic-imperialistic abuses. My method for making the above arguments is as follows: I use the *unheimlich* semantics that surface in the second Chinese translation to draw out the 'subjective turn' of right in the sixteenth century which increasingly aligned 'right' with 'entitlement' rather than 'rectitude'—a turn accompanying the Spanish expansions of territory and trade,[5] and in the aftermath of which right has from time to time accompanied western capitalistic-imperialistic adventures. This is my method for demonstrating how the second Chinese translation, far from being a mistranslation, returned to the colonial Master the truth of modern western 'right' in inverted form.

The first (mis-)translation as a test of the universal claim of the modern Western concept of 'Right,' and what Chinese translation history can reveal about British history and world history

My interest, however, is not just to examine anew why right can be so easily abused for capitalistic-imperialistic adventures in our times. My ultimate goal is to use Chinese translation history to redeem an older western notion of 'right' which is quite close to *li*—thereby opening up new possibilities for a joint East-West quest for a 'right' better able to harmonize right with duty, positive with negative freedom, and self and society.[6]

To begin with I shall present an overview that probes how Chinese translation history can make interventions into British history and world history, and help us find a new concept of right that is not capitalistic-imperialistic. If the second Chinese translation betrays certain dark truths of 'right' since its subjective turn in the sixteenth century, the first translation which looks like a different kind of distortion of modern western notions of 'right' turns out to be a return of the repressed—that is, a return of an earlier meaning of 'right' which has been increasingly suppressed since Europe's capitalistic-imperialistic adventures. I identify both structural and historical continuities between the predicaments of *li* and pre-expansionist western 'right.' Yuan's Confucian understanding of 'right' was trumped by the second Chinese interpretation of 'right' as the authority of Confucianism crumpled under the might of capitalism-imperialism; in Britain, the attempts of some missionaries and some Tories to use the earlier meaning of 'right' as moral reason were defeated by the Whigs with strong entrepreneurial backing at the time. Literally, the first would not take place without the second being already in place—without the defeat of the old values within the U.K. (a history

'reenacted' in the parliamentary debates on April 7-8, 1840), the First Opium War would not have been launched. The First Opium War, in other words, was the outward projection, from within Britain itself, of the defeat of the old order by capitalism-imperialism.

The dethronement of the first translation of 'right' by the second, in other words, crystallized not only the defeat of Confucian universalism (*li*) by British universalism (the right to free trade), but also the defeat—within the British parliament itself—of the earlier meanings of 'right' in favour of its later capitalistic-imperialistic semantics. That is how I use the Chinese translation history of 'right' to make interventions in our understanding of British imperial history and world history. Through that translation history, I trace the history of the erosion of objective by subjective right in Britain—a history which both reflected and effected Britain's global imperialist adventure.

Key events and arguments: translation, the non-universality of the modern Western concept of right, and the First Opium War

Before his military confrontation with Britain, Lin Zexu reviewed western history, politics, and international law. Lin solicited a translation of Vattel's *Le droit des gens* from Peter Parker. Finding Parker's translation incomprehensible, Lin turned to his assistant Yuan Dehui for clarification. Yuan's new translation was instrumental in Lin's decision on the reasonable course of action to take with regard to Britain. The resistance of the traditional Chinese language (and Confucianism) to associating the protection of self-interest with political virtue compelled Yuan to render the western concept of right as 'reasonable' (理) and to downplay 'right' as individual entitlements. This translation turned out to have triggered the turning point in modern Chinese history (and in world history as world dominance completely shifted to the West after China had been defeated). It is no exaggeration to trace the First Opium War back to the clashes between the western notion of right and the struggle of China to understand that foreign concept, materialized as the clashes between the British perception of its own 'right' to free trade, versus the Chinese understanding of what ought to be 'the code of reasonable conduct' governing operations in the international community.

This section makes two original contributions: 1) My use of linguistic resistance in translation to investigate the non-universality of the concept of human right offers new insights in both human rights studies and translation studies scholarship: the more universal a concept,

the more readily one should be able to find linguistic equivalents in every language. The concept of human right cannot be universal since many Chinese and Japanese scholars encountered great difficulties translating 'right' into their languages in the nineteenth century. Modern 'right' has an equally hard time finding acceptance by ancient Greek, Hebrew, and Arabic.[7] 2) The lack of a Chinese equivalent for 'right' before the 20th century resulted in a translation that triggered the First Opium War.

From the national to the international 'Collective Singular'

The Opium War was as much a war about opium as it was about concepts—or the war of one kind of universal truth (western 'right to free trade') against another (Confucian *li*). The war ended in the hegemony of the former (an outcome that contributed to the globalization of western legal language and concepts). I develop my argument via Koselleck, who pointed out that Europe in the period around 1750-1850 witnessed a mushrooming of 'collective singulars' which managed to stamp out competing voices and presented themselves as universal truths. Thus, 'Freedom took the place of freedoms, Justice that of rights and servitudes, Progress that of progressions and from the diversity of revolutions, "The Revolution" emerged' (Koselleck, 1985, p. 31). The trend of the collective singular, however, by no means signified that modernity was a period of global consensus. Far from being a period of universal agreement, modernity was characterized by an explosion of ideas and competing viewpoints, with each school and idea vying to universalize its own particular will and to dominate the whole world with its own particular worldview. For this reason, neologisms were coined in unprecedented numbers representing newly created ideologies such as liberalism, conservatism, anarchism, socialism, and communism. The result was many incompatible ideas and concepts contesting against each other for the claim of 'Truth' in the collective singular.

What happened in the Opium Wars was Britain's imposition of European collective singulars (i.e. 'right to free trade') on the world stage via Britain's imperial reach. In the clash between 'right' and *li*, the former won through big guns and became 'International Justice' in the collective singular.

Behind the façade of 'Collective Singular': the British did not speak with one voice

However, as pointed out before, collective singulars are merely ideologies that impose themselves as the universal by hijacking the particulars. The British did not speak with one voice. Some missionaries and MPs who condemned the opium trade used 'right' in a sense very close to *li*. This section analyzes the usage of 'right' by exemplary figures such as Gladstone, Palmer, Thesiger, and Thelwall to demonstrate that *li* was not necessarily a 'mistranslation.' (Thus Lin's belief that his firmness with the British would be justified even according to the West's 'international law' was not wrong; likewise his belief that *li* was universal and could be used as a basis for resolving international conflicts.)

Rediscovering Britain's historical other through its spatial other: revisiting Britain's past through China

Interestingly, those who invoked 'right' as moral reason were primarily missionaries and Tories who espoused older values, and their usage of 'right' was much closer to 'objective right' prior to the late Middle Ages. By contrast, the Whigs and their 'forward-looking' entrepreneur supporters used 'right' in the subjective sense and urged war against China in the name of free trade and property. This section traces that divide to the conceptual history of 'right' in Britain (which necessarily involves Europe). The history reveals that Gladstone and the missionaries' usage of 'right' was quite similar to *li* –both designating rectitude—the concept central to discussions of 'right' from Plato and Aristotle through a major part of the natural law tradition in the Middle Ages. As objective right became progressively eroded by subjective right beginning around the Spanish Conquest, the semantics of *li* and 'right' also diverge accordingly.

   This allows me to demonstrate how Chinese translation history can cast new light on the social and political history of both China and Britain. What happened in the First Opium War was not just Lin's Confucian universal truth losing out to the universal truth of Matheson-Macaulay-Palmerston. Rather, inside Britain itself, an older understanding of 'right' also lost out to a new kind of 'right'—the latter while being commerce driven appropriated the moral aura of the former by glossing itself as 'right' proper. Without this defeat of the old order within Britain, the First Opium War would not have taken place. The defeat of China by British

capitalism-imperialism, in other words, was the outward projection, from within Britain itself, of a similar defeat of the old order by the new. This is another way to analyze the Master as receiving the truth about itself from its Other in inverted form. Britain could use its defeat of China as a mirror to rethink the defeat of older values by the new within itself.

Important to note also is that while this change of orders in Britain was the *cause* of the First Opium War, in China, this was the *result* of the First Opium War. In the Chinese translations of 'right', Britain the Subject literally received the truth of its message from its Other in inverted form.

Conclusion: a joint Chinese-European adventure in search of a new 'Right'

Not surprisingly, *li* comes across as a mistranslation of modern concepts of 'right', the former being oriented toward objective rather than subjective justice, and is a moral rather than a legal concept. *Li*, however, is very close to the original meaning of right as 'rectitude' formulated as *to dikaion* by Aristotle—a meaning which persisted through a large part of the Middle Ages (and as such has a much longer history than its modern counterpart). Revisiting this earlier European tradition via Chinese translation history would open a new venue for negotiating what is 'right' for both the West and China, where the parameters are not preset by the modern western bourgeois subject. By uniting the two traditions, I seek to roll back the capitalistic-imperialistic semantics of 'right' which it has progressively acquired throughout the past five centuries—thereby, hopefully, to redeem 'right' from the genre of tragedy back to romance (expropriating S. Marks).

A new historiography and a new world history[8]: writing history beyond the nation-state and binary thinking

Instead of analyzing the Opium Wars along the common 'Britain versus China' model, my approach disrupts nation-centred and binary-based historical methods by highlighting how the Other is 'in-me-more-than me' and returns to me the truth of my message in another form.

Synthesizing Chinese perspectives on space and time with alternative thinking in the West (Benjamin, Lacan, and Koselleck), I introduce a new historical method for writing world history in the global age.

Existing historical methods continue to experience difficulties overcoming binary opposition. There seems to be no disruption of binaries without the latter's return in another form. Attempts to bypass the nation-state give rise to 'the West versus the Rest,' 'the global versus the local,' etc.; 'the US versus the USSR' is succeeded by 'the haves versus the have nots'. Instead of continuing the master/slave binary, I use the intersection of Chinese history with British history to demonstrate how the master is not master in his own house. In this light, I read the 'British debating the British' as the truth of the British 'right to free trade' being returned to Britain by its Other (by the Chinese translations from without capturing the truth articulated by the dis-consensus from within Britain itself).

Reworlding world history for all: liberating world history from the monopoly of First-World epistemology

World history has so far been dominated by First-World parameters, despite substantial efforts in recent decades to diversify the history curriculum. Third World history continues to be associated with 'area studies'—that is, of mere regional relevance—in contrast to First World history as 'history proper.' Even in World history classes, Third World history is often assigned a merely reactive role in relation to the First World which is always the real actor.

By highlighting the interventions made by Chinese history into British imperial history and World history, I attempt to put area studies and 'subaltern' history back into the driver's seat in the latter. 'The vanquished' is not just limited to 'parodying' the victor. Rather, the former could assume an active role, telling the latter important truths which the victor cannot see in himself.

The new historiography I develop necessarily entails disrupting the omniscient voice of the western historian from modernity to the global age. Even as this omniscient narrator has over the past few decades been covering more and more cultures, it is still this omniscient authorial voice that narrates the 'underrepresented Other' into being.[9]

The new historical method I am developing puts forward a different kind of voice for World history. It is a voice which asks: 'What does the Other have to tell me about my*self* which I do *not* know?' 'What can Chinese translation history *reveal* about British social-political history[10] and World history, and vice versa?'

Transdisciplinary innovations: translation, a new historical method, and a new world history; Translation and the better appreciation of European history via Chinese history

Europe is the product of a geopolitical rather than a mere geographical mapping. As such, Europe cannot be fully understood without being examined in relation to its dialectical Others. What seems to be missing in current historical scholarship is an analysis of how Europe's Others draw out from Europe certain ideals and blemishes which Europe cannot quite realize on its own, and *vice versa*. This lacunae I seek to mend by relating Europe to its dialectical Others via expropriating Benjamin's translation theory. Through translation, the hidden voices and potentials of one culture may find expression in another. Certain potentials which remain mute or taken for granted in the original find a chance to blossom in the target language. The source text in this way undergoes a maturing process and acquires an afterlife through translation. For example, *quanli* (power and profit) brings to view the dark potentials inhabiting the modern concept of 'right,' and as such helps us grasp why 'right' can be so easily exploited by capitalism and imperialism.

This way of relating cultures via translation helps me formulate a new historical method to relate Europe and China. The method allows me to tackle World history with a view to fundamentally transforming not only the politics of relating the West and 'the Rest', but also the 'identities' of both, in that translation brings out the *other* truth about oneself. As much as translation releases a greater language in which both languages are expanded, European civilization acquires an afterlife, and its significance becomes more deeply and fully appreciated, when we read European history via Asian and African history. My approach adopts the conceptual history of 'right' in China—a history brought into being by translation— to interrogate the conceptual history of 'right' in the West. I use the defeat of Chinese *li* by the British 'right to free trade' to shed new light on the social-political changes in Britain that

accounted for the defeat of objective right by subjective right within that nation.

Reformulating translation theory to affect a new kind of international relations and a new world history

As Koselleck explains of *Begriffsgeschichte*, semantic changes do not just reflect but can also effect social-political changes. Translation which inevitably brings about conceptual change can thus be used as a tool for social-political change, and supports steering the politics of translation in a new direction in order to affect a new kind of international relations and a new World history. In the case under review by examining Chinese translation of 'right,' I might confine myself to the translation which has successfully taken root in the Chinese language— that is, *quanli* (power and profit) —and comment on how that translation drove a wedge between the Chinese and western stance on 'right,' similar to how the King James's Bible[11] instigated an irreparable rift between the Roman Catholic Church and the Church of England, between Catholicism and England, and ultimately, between the authority of the Church and that of the nation-state. As much as the King James's Bible counterposed a new way of understanding God (and the nation-state) to Catholicism, *quanli* could become a new way for the Chinese literati to rally against Western 'right to free trade.'

Using translation to create a *counter-concept* to the source culture as I just delineated is characteristic of the politics of nationalism. A historiography and a historical writing motivated by this method of conceptualizing translation would produce a history of nation-states. In my search for a world history beyond the mutual exclusivity of nations, I use the *other* content of 'right' that surfaces in Chinese translations to draw out the *other/earlier* western meaning of 'right'—an operation through which 'right' becomes *other* to itself from within the western tradition. The point of this joint spatial and temporal 'othering' is not so much introducing more diversity. Taking a clue from the *yin-yang* method's patient vigilance as to how co-constitutiveness emerges from opposites, I draw out the underlying continuities beneath the apparent divisiveness between China and the West on the issue of 'right,' thereby resolving the confrontational epistemology of nation-state based history into a world history animated by the spirit of collaboration and mutual growth.

In other words, by relating _li_ and '(objective) right' as complementary rather than counter-concepts, I endeavour to usher in an international relations of positive engagements to take the place of the adversarial confrontations of the 'power and profit' of different nation-states, and to develop a historiography that could effect that new direction in the world order.[12] .

New intellectual possibilities by interfacing historiography and translation studies

By engaging Historiography in a critical dialogue with Translation Studies, I intend to find new paths not just for the former but also for the latter. The two disciplines' lack of attention to each other has resulted in potentially highly suggestive dialogues being left unexplored. The role of translation as constitutive of, and constituted by, global history has gone unheeded by Global History and Comparative History. Likewise, scholarships on the History of Translation seem to have been silent on globalization. While Translation Studies in recent years has started to address globalization, it has done so with regard to technology and trade rather than investigating translation as both effecting and effected by globalization.

Even more regrettable is the missed inspirations the two disciplines could have drawn from each other regarding their methodologies. No attempt I am aware of has been made to apply translation theory to open new horizons for Historiography—which is the task I set out here. History of Translation scholarship has basically adopted existing methods deployed by historians.

Transcultural and transdisciplinary innovations: Chinese philosophy, a new historical method, and a new world history

My project does not just aim at demonstrating what Chinese history can reveal about world history. A more fundamental goal is to explore how pre-modern Chinese ways of thinking (non-subject-centred, non-binary, non-linear thinking) can stimulate a new kind of historiography which would in turn enable us to understand World history anew.

What would World history look like, for example, from a Daoist viewpoint according to which the self is always already inhabited by the Other as the *yin* inhabits the *yang*? What would world history look like from a Confucian viewpoint according to which the self is always already penetrated by other selves? What would World history look like from a Buddhist viewpoint according to which the 'self' and the boundaries between subject and object are mere illusions?[13] Surely, if the 'boundary' between the Self and the Other is tentative (as in Daoism and Confucianism) or even illusory (Buddhism), international relations will have to be rethought and the whole world map to be redrawn. Needless to say, World history will have to be rethought and rewritten.

Radically heterogeneous to modern western thinking, Chinese philosophy could help shake up hypostatization of Self and its correlatives such as binary opposites, linearity, and teleology. Without a reified Self, there would be no self-justifying and self-glorifying linear narrative culminating in Self-Realization which equals Realization of the Absolute Spirit or Universal Truth. The Realization of the Grand Spirit is necessarily prefaced by a linear narrative. Even if the march towards the Telos has to go through a dialectic of detours through multiple others, the detours are themselves motivated by, and at the service of, the ultimate goal. The linear narrative is a necessary journey through which other voices are progressively overcome—sublated if not negated—until there is left only one voice which is named the Telos by Hegel and politicized as the 'Collective Singular' by Koselleck. The obtainment of the Telos is marked as the point of Self-Realization—the climax of Self-Reification.

Despite the liberal West's presentation of its 'mission to civilize China' (including its induction of China to modern western 'right') as an advancement in the linear *progress* of humanity, the two Chinese translations seem to suggest instead a history of the *degeneration* of western 'right' from its pre-modern meaning as 'rectitude' and 'moral reason' (*li*) into 'power and profit' (*quanli*) in modern times. It is perhaps no coincidence that Europe's development of subjective right and the 'civilizing process' went hand-in-hand with the advancement of colonialism and capitalism. The internal pacification of both the people and the state by the rule of law in different European countries does not mean that violence had disappeared: rather, violence was exported elsewhere targeting other people instead. In fact, since the development of subjective right and Europe's 'civilizing process' (which evolved into the white man's mission to civilize other peoples), violence has become even more

extreme in magnitude and in kind. From the French Revolution onwards, wars were frequently 'total' precisely because colonialism and nationalism were no longer merely projects of the states; rather, they garnered hearty support from the general populace. The people became enthusiastic champions of the states' aggressive projects precisely when they became right-bearing citizens.[14] France which declared the Rights of Man and the Rights of Citizen is also remembered for its total wars against other nations. In Britain, the Opium Wars were pushed not so much by the Tories as by the Whigs who 'reckoned with' the 'right' (the 'power and profit') of the merchants.

It seems that the ambiguous legacy of western 'right' can be more accurately assessed by a historiography informed by *yin-yang* philosophies than a telos-driven linear narrative. Both Daoism and Buddhism maintain that there is no progression which is not simultaneously a degeneration; as pleasure increases, so does pain. Buddhism views history as the product of blind *karma*, driven by the tragic torment of deluded impulses rather than the triumphant march of rational spirit. A Buddhist historiography would allow us to see the advancement of subjective right as intertwined with conflicts. Not surprising: in contrast to *duty whose premise is what I owe others, subjective right is predicated upon what others owe me*. Self-interest is endless. Conflict and destruction inevitably accompany the advancement of subjective right with every individual/each nation pushing one's interests before others, rendering 'the linear progress of humanity with the advent of "right"' wishful thinking at best and an ideology with pernicious consequences at worst.

The claim that the globalization of 'right' is emblematic of human progress likewise would not hold with Confucianism. There are at least two reasons why the advent of subjective right would look like a retrogression rather than a progression. First, adulthood for Confucianism means the full flourishing of one's ability to take care of others. The guardianship of one's own interests which is the premise of subjective right is deemed to be the mindset of *xiaoren* (小人)—that is, 'human being in a diminutive form'—named so because his/her human capacity for moral action has not been quite developed. Second, subjective right is a regression not just because I owe my very existence in the world to many others. The very realization of my full moral and intellectual capacity is itself dependent on others: since I cannot see myself, it is through the Other that I could better understand my strong points and weaknesses, and could better improve myself on that basis. Hence Taizong's gratitude to his deceased Minister of

Remonstration for alerting him to his flaws.

In contrast to the linearity of modern western narratives, classical Chinese narratives are *episodic and cyclical*, not the least because Chinese historiographical outlook consists of cycles of *yin-yang interactions* rather than the teleological march of *any grand narrative*. To this *yin-yang* outlook Buddhism contributes a cyclical concept of time generated by *karma*—a notion which gets reformulated as 'return of the repressed' in the West in psychoanalysis.[15] Without direct historical connections, Benjamin's 'Theses on the Philosophy of History' resonates the first level of the tragic insight of *karma*: 'There is no document of civilization which is not at the same time a document of barbarism'. There is no victor without there being also a victim, no grand march in the world without those being trampled underfoot.[16] This project brings together Chinese philosophy and alternative thinking in the West (Lacan and Benjamin)—both of which being out of sync with modern western ontology and epistemology—to decenter omniscient narrators' linear presentations of the Opium Wars. Combining *yin-yang* dialectics with alternative western thinking makes it possible for the repressed voice of the earlier meaning of 'right' in the West to return through the first Chinese translation, and enables the two 'rights' (the Chinese and the pre-modern western 'right') to reveal their similar semantics and predicaments (both being defeated by capitalism-imperialism) across their geographical divide.

Transcultural and transdisciplinary innovations: extending Koselleck's *Begriffgsgeschichte* via Chinese Philosophy

Koselleck uses semantic history to interrogate social and political history, and examines the social and political ramifications of semantic changes. I have appropriate Koselleck's method to investigate how changes in semantics brought about by translation can both reflect and effect social and political changes. This project takes the innovation one step further, and opens new ways for writing World history by using synchronic conceptual changes (that is, semantic

changes produced by translation) to tease out and interrogate a diachronic conceptual history (that is, semantic changes of 'right' in the West over time). This is accomplished by transforming *Begriffsgeschichte* via *yin-yang* philosophical thinking. Taking the clue from the *yin-yang* ideas of 'no divergence without convergence' and 'no apparent continuity without hidden ruptures', this project uses the Chinese *li* to tease out its pre-modern western counterpart which is equally incompatible with modern western 'right'. More importantly, I use the two pre-modern traditions' *common incompatibility* with modern liberal 'right' to explore the *commonalities* between them, and examine how two separate civilizations with a shared lack of a concept of 'subjective right' also shared a lack of the cultures of capitalism and liberal imperialism—that is, a form of imperialism driven by capitalism.[17] Significant also is that 'objective right' has a far longer tradition than 'subjective right' not just in the East but also in the West—spanning from Socrates, Plato, Aristotle, the Stoics, and continued through a very large part of the Medieval Ages. This lays the ground for my proposition that 'subjective right' is the exception rather than the norm—a concept that seems to thrive best in an environment hospitable to capitalism-imperialism. Not surprising: 'subjective right' is the mechanism through which self-interests is justified—be it interests in the form of power (imperialism) or profit (capitalism).

This extension of Koselleck via Chinese philosophy make contributions to both World history and Rights studies. Regarding the former, the new historical method allows me to reveal the defeat of the Confucian *li* by British right as symptomatic of—and a synchronic articulation of—the diachronic defeat of the pre-capitalistic-imperialistic notion of rights in both the UK and Europe by the new rights of possessive individualism. As regards Rights studies, this method allows me to make the following contributions: *In the absence of capitalism-imperialism, there arose a totally different concept of 'right' in both pre-modern Western and Eastern civilizations*:

No scholarship I know of has used the contrast between the modern West on the one hand and a comparative study of pre-modern western and eastern civilizations on the other to ask: why did neither of these traditions develop a notion of subjective right? How do we go about combining these traditions to explore what kind of concept of 'right' could be yielded by an ontology-epistemology unaffected by capitalism-imperialism? Beginning with 'what did/would "right" look like without capitalism-imperialism?' I go on to ask: 'How to think of

"right" outside the framework of capitalism-imperialism?' This then opens a new venue for negotiating what is 'right' for both the West and China.

By using the 'new' semantics that surface in the Chinese translation of 'right' to draw out the 'old' semantics of 'right' in the West, I effect a defamiliarization of modern liberal concept of 'right' via both its synchronic Other (Confucian 'right') and its diachronic Other ('right' in pre-modern West), thus compelling readers to understand the meaning of 'right' anew.

Benjamin with Chinese historiography, ethics, and political philosophy: a Tiger's Leap into the past of the Other

Benjamin disrupts the myth of organic teleological history via 'a tiger's leap into the past'; I demonstrate how radical heterogeneity can be introduced by the spatial Other as much as by the temporal Other. In Benjaminian language, my project uses Chinese translation history to 'blast out of the continuum of history' (Benjamin 1992, p. 253) in the semantic history of 'right' in the West, and to pull an emergency brake on nineteenth-century British jingoism about progress as well as on hasty liberal equation of 'right' with 'being civilized' in the global age.

My method also extends Benjamin by making a tiger's leap into the past *of the Other*, and into *the Other of the past*. Using the spatial Other to engage the temporal Other is an inspiration from Chinese thought. The Tang Emperor Taizong uses etiquette, history, and ethics/governance to illustrate the same principle for Taizong, alterity—spatial or temporal—makes possible knowledge. Alterity is not confined to other human beings who can in their heterogeneity to me *critically* observe my strengths and weaknesses. Alterity can also arise from temporal distance. History in its alterity makes possible my *judicious* observations of the various causes of prosperity and decline; the past in its alterity enables *critical* reflection on the present.

Using bronze as my mirror helps me set aright my attire; upholding history as my mirror lends me wisdom on matters of prosperity and decline; adopting the Other as my mirror alerts me to my strengths and weaknesses. I take to heart these three mirrors to check my flaws (夫以銅為鏡，可以正衣冠，以古為鏡，可以知興替，以人為鏡，可以明得失。朕常保此

三镜，以防己**過**。) ('The Biography of Wei Zheng,' *Old Tang History*旧唐书·魏徵传).

Both Benjamin and Taizong give us the possibility of a historiography that is radically de-centred, but from different angles. Engaging them in a critical dialogue creates the possibility of developing a historical method that makes a tiger's leap into the past *of the Other*, and into *the Other of the past*.

Conclusion: returning 'Right' from the subjective to the objective, from the victor to the vanquished

'The vanquished' in my project references not only the voice of Confucius China (*li*) but also of the pre-expansionist concept of 'right' in the West. While Benjamin sees 'a secret agreement between past generations and the present one' (1992, pp. 245-46), I discern a secret agreement between *li* and pre-expansionist 'right'. In an age when 'right' is invoked often 'as a tool of the ruling class' (Benjamin) as in the case of 'humanitarian interventions', '*even the dead* [the defeated voices of both traditions] will not be safe from the enemy if he wins' (p. 247; italics in text). My project uses Chinese translation history to 'blast a specific era out of the homogenous course of history' in both China and the West. It 'blasts' Yuan's Confucian rendition *li* 'out of the continuum of history' to resuscitate a long-forgotten Chinese understanding of 'right'. It also performs a similar operation on western conceptual history of 'right' in order to liberate the 'enslaved ancestors' whose voices have been increasingly overpowered as subjective right progressively asserts itself as 'right proper' in the triumphal march of capitalism and imperialism. By revisiting the pre-expansionist semantics of 'right' via Chinese translations, a new, non-imperialistic, and non-capitalistic venue for renegotiating what is 'right' for both the West and China is opened up— thereby moving both beyond their former predicament which capitalistic-imperialistic 'right' has helped to create. Finally, my method incorporates transdisciplinary and cross-cultural innovations demonstrating linguistic resistance in translation as proof of the non-universality of the modern western concept of 'right'. The method advances scholarship in Human Rights studies and Translation studies by using the lack of linguistic equivalents for the *modern* western concept of 'right' in Chinese and other cultures influenced by Confucianism (such as Japan and Korea) to prove that this

modern western concept is not universal.

Notes

[1] This paper provides an overview of the arguments in a longer project entitled *Translation, concepts of 'Right,' and the Opium Wars*.

I gratefully acknowledge the European Institutes for Advanced Study and the Swedish Collegium for Advanced Study for awarding me a European Institutes for Advanced Study Senior Fellowship.

[2] This reading is based on an expropriation of Lacan's formulation.

[3] Taizong's mirror is not the one found in the imaginary register of Lacan. With some modifications, Taizong's mirror could be thought of as the symbolic order (the 'No/Name' of the Father) punctuated by Lacan's 'in-me-more-than-me.' The *Other* is the one who draws out the inner truth (that is, the *Other* truth) about me. The Other can better capture this Other truth about me, because both Others are radically heterogenous to the ego, and both can access the Other dimension unavailable to the ego in its entrapment by homogeneity.

Taizong's mirror, in other words, is more like the soul mirror in Wilde's *Picture of Dorian Gray* which uncovers the Other truth deadly hated by the ego-- in contrast to the mirror of the imaginary stage which gives a 'homogeneous empty' reproduction of everything the ego presents itself to be.

[4] Although *quanli* as a signifier for 'right' was new, the expression goes as far back as Xunzi, referencing literally 'power and profit'—negative forces which the virtuous are expected to resist.

[5] Michel Villey (1983) traces the notion of subjective right to William of Oakham (1287 – 1347). Brian Tierney (1997) maintains that subjective right can already be found in the canonists of the twelfth century. Regardless of the exact origin, it was only around the time of the Spanish Conquest that subjective right really began to gain momentum in Europe.

[6] Far from being a mere 'Confucian ideology,' 'harmony' played an important part in ancient Greek thinking also.

[7] See Sinkwan Cheng, 'Comparative Philosophies of Tragedy: Buddhism, Lacan, and *(a)shes of Time*.' <https://blogs.ubc.ca/hwlmt/2012/09/12/worlding>

[8] Drawing from Heidegger's 'world' in an ontological sense, I substitute 'world history' for 'global history.' 'Global' is an abstract geometrical concept denoting 'homogeneous empty'

space. 'World,' by contrast, is meaning giving, already ongoing, and ever-renewing ('worlding of the world'). 'World(ing),' in other words, is non-essentialist in contrast to 'global(izing)' which is a homogenizing force. As mentioned, 'world' is meaning giving. For Heidegger, 'worlding is always worlding is how we experience a world as familiar; worlding is a determination of Dasein's being (wherein the world belongs to Daseins's existential constitution)' (Designerlyways). Worlding is how Dasein finds its place in the world. Yet, despite the fact that worlding is in-each-case-mine, *Dasein* is an *in-der-Welt-Sein*. My goal is to develop a new historical method which would facilitate the worlding of each (people or individual)'s world. Yet the intersections of these worldings would show a world shared by all—a world whose history belongs to all, in which each has a place and each finds his/her own existential constitution. In other words, my historical method aims at *reworlding the world for both the Self and the Other*, in which the encounter with the Other does not result in the restricted economy of the appropriation of the Other into the Self-Same. It is a world which is home for everyone and to which *everyone equally belongs*.

[9] This Western voice characterizes many historians writing world history regardless of their ethnic origins.

[10] *Begriffsgeschichte* differs from history of ideas in that the former attends to the incommensurable yet inextricable relations between semantic change and social-political change. The former is both constituted by, and constitutive of, the latter; and *vice versa*. I break new grounds in this method by demonstrating how the semantic changes that shows up in the target language as a result of translation (commonly taken for granted to be 'mistranslations') can be used as a tool to trace the social-political changes in the source culture.

Conceptual history is different from history of ideas. The former does not just probe how abstract concepts evolve, but how semantic history is both constituted by, and constitutive of, social and political history. One project of conceptual history is to trace social-political changes via semantic changes.

[11] Luther's Bible can be read in a similar manner.

[12] For this reason, my project cannot be accomplished without establishing critical dialogues across Translation Theory, Rights Studies, International Relations, Historiography, and World History.

[13] It is important to note that different schools of thought in pre-modern China were far from being mutually exclusive. Due to the prevalence of yin-yang thinking in pre-modern China, major philosophies and religions tended to assimilate rather than reject each other's ideas. While yin-yang is central to Daoism, it also plays an important role in Confucianism and even to a certain extent in Chinese Buddhism. In fact, Confucius is credited by some to be the compiler and even author of sections of *The Book of Change* (易經)—the foundational text of yin-yang thinking.

The openness of Confucianism, Daoism, and Buddhism to influences from each other was a phenomenon known as 'three schools of thinking meet (三教合流)' and even 'three schools of thinking as one (三教合一).' This trend became especially prominent since the Song and the Ming Dynasties (960-1279 A.D. and 1368–1644 A.D. respectively), when Daoists and Confucians would be welcome to stay in Buddhist temples to practise along with the Buddhists and *vice versa*—a code of hospitality known as *guadan* （挂單）. Although this phenomenon became particularly popular since Song and Ming, the trend was already noted no later than the South and North Dynasty (386-589 A.D.). 'Three schools of thinking meet (三教合流)' was reputed to have been coined by the Daoist medicineman Tao Hongjing (陶宏景) in that period.

[14] My point is not that the state should be empowered *at the expense* of the people. Rather, power—which is part and parcel of subjective right as evident in its original connections to *facultas, potestas* and *dominium*--is a dangerous instrument. Empowering the state could be a threat to its people; empowering first-world people could likewise be a menace to the third-world people … The *power game* is endless. This is why Confucius and Gandhi underscore *'duty' rather than '(subjective) right': emphasizing 'what I owe others' rather than 'what others owe me' would seem to be not only a more ethical but also a more practical way to peace*. Taking a similar position, my critique of subjective right could be understood as *'a call to all for general disarmament'--building more 'rights' and 'arms' against each other may not really be conducive to world peace.*

[15] Historically, Buddhism influenced Schopenhauer who in turn influenced Nietzsche. Freud drew ideas from both Schopenhauer and Nietzsche, and Lacan characterized his project as a 'return to Freud.' It is thus not surprising to find common themes among these thinkers. For

example, *all four were concerned with human suffering, and all trace the origin of human suffering to the ego*. Freud's ideas of repetition compulsion and death drive were attempts to reformulate the Buddhist teaching about *samsara*. This is a connection that prompted my essay 'Comparative Philosophies of Tragedy: Buddhism, Lacan, and *(a)shes of Time*.'

[16] More tragic still according to Buddhism (and this is the level not found in Benjamin): the torturer does not know that s/he is the tortured, until the 'fruit' (*phala*) of his/her action (*karma*) is ripe, and the actor is being acted upon by his/her own action. That marks the moment when the torturer is confronted by the return of the repressed truth.

[17] This is a form of imperialism which purportedly reconciles liberty with Empire through trade. See David Armitage, *The Ideological Origins of the British Empire*. Hence my preferred usage 'capitalism-imperialism' rather than 'capitalism and imperialism' throughout.

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