1. The Difficulty of Translating “Right”

The word “right” which is translated nowadays as kenri 権利 (Ch. quanli) seems to have been a difficult word to translate throughout the era of Dutch and English Learning. More than difficult to translate, it was apparently extremely hard even to comprehend. In the Ei-Wa taiyaku shichin jisho 英和對譯袖珍辭書 (English-Japanese pocket dictionary), published [in Edo] in 1862 and widely used in the early Meiji period, the word “right” is translated simply as:

renchoku naru koto, sabakikata, migite 廉直ナル事，捌キ方，右手 [to be upright, sorting out a matter, the right hand]

We find here nothing of the sense of kenri as we use that term today. Similarly, in the Futsugo meiyō 仏語明要 (The essentials of French), published in 1884, the translation for the term droit reads only:

hōrei, ritsuryō, seijika 法令，律令，政治科 [laws and ordinances, national codes of law, political science]

In Dutch this term corresponds to regt, and the Wa-Ran jii 和蘭字彙 (Japanese-Dutch dictionary, 1855-58) was probably the first text to capture the sense of this term in Japanese. It gives as translations for regt:

seiji mata wa hōritsu, kokuhō, saibansho, sabakikata, kōji, massugu naru, shin no, mamakō ni, sono tōri de aru 政治又法法律，國法，裁判所，捌キ方，公事，真直ナル，真ノ，真向フニ，其通リデアル [government or law, the national laws, the courts, sorting out a matter, public affairs, right-minded, genuine, right in front, precisely]

Although the contemporary sense of kenri is not to be found here, between kōji and massugu ni several examples are given following the Dutch term “als” (as follows). One of them reads:

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1 “Kenri: kenri no ‘ken,’ kenryoku no ‘ken’” 権利：権力の「権」，権力の「権」，in Honyakugo seiritsu jijō 翻訳語成立事情 (Conditions Surrounding the Formation of Translated Terms) (Tokyo: Iwanami shinsho, 1994), pp. 149-72. This essay was originally translated to serve as a talking paper at a conference on Confucianism and human rights held at the East-West Center in Hawai‘i in 1994.
Ergens regt toe hebben of toegeregtigd zijn (Aru koto ni shu to naru beki suji o motte iru 歴ル事ニ主トナルベキ筋ヲ持テ居ル) [to have a right or to be entitled to something]

In this phrase, “shu to naru suji” corresponds to regt, and it seems that the author Katsuragawa Hoshū (1822-81) 桂川甫周, lacking altogether in self-confidence, omitted giving a direct translation for the term regt. This translation does, though, capture the essence of the term rather well. The term suji was later taken over as the appropriate translation for “right” [now translated as kenri].

When Tsuda Shin’ichirō 津田真一郎 [Mamichi 真道 ] (1829-1903) studied abroad in the Netherlands with Nishi Amane 西周 (1829-97), they apparently used the term honbun 本分 as a translation for regt. In 1862 (Bunkyu 2), when he was studying with Professor Simon Vissering [1818-88] of Leiden University, Tsuda translated a memo he received from his teacher, and some of it remains extant:

\[
\begin{align*}
\text{tennen no honbun} & \quad \text{natuurereguto} \\
\text{minjin no honbun} & \quad \text{forukenreguto}
\end{align*}
\]

The expression “natuurereguto” is natuurregt in Dutch, which is nowadays referred to as “shizenhō” 自然法 (natural law). In addition to the sense of the English expression “right,” there is in the Dutch regt a sense of law or legality. This mistake was probably made, resulting in what in English is referred to as “natural rights” (shizenken 然然義), and hence the expression “tennen no honbun.” The second expression, “forukenreguto,” corresponds to “kokusaiho” 國際法 (international law) in contemporary parlance. Here, it would seem, “volken” was misunderstood as “minjin” 民人, and “regt” was understood in the contemporary sense of kenri, hence the translation “minjin no honbun.” The term “honbun” can give the impression both of kenri (right) and gimu 義務 (obligation, duty) in contemporary speech. The difficulty in translating regt can easily be seen here.

2. Fukuzawa Yukichi’s Use of the Term “tsūgi” in Translation

Fukuzawa Yukichi 福澤論吉 (1834-1901) keenly felt the English term “right” as well as the term “liberty” were especially important items, and he sensed how difficult it was to translate them. He wrote as follows in his 1870 work, Seiyō jijō 西洋事情 (Conditions in the West).

“Right” originally bore the meaning of honest (shōjiki 正直, upright). In translations of the Chinese, they use the character shō 正, and they also oppose it to the notion of wrong in the contrastive right-wrong. The gist of its meaning is that people work to perform their duties (shokubun 職分) in accordance with correct principles and without injustice.

Furthermore, deriving from this meaning, it is also used in the sense of a principle that should be sought. In Chinese translation, they use such expressions as tatsugi 達義 (thoroughly knowledgeable about principle) and tsūgi 通義 (comprehended principle), but these are still difficult to understand clearly. Originally this principle that should be sought carried the idea of something to go after, something that was only natural to be sought out. For example, there is no tsūgi one can demand unless one has performed
one’s proper duties. In other words, this means that if one does not perform that which one is supposed to, there is no reason that he may press others into doing it for him.

Furthermore, there is another meaning in which ken is that which one is supposed to do. Thus, capturing criminals is the ken of urban patrols.

In addition, there is the meaning that one may properly possess things. Namely, as we speak of a tsūgi of private ownership, this tsūgi means that we may own things ourselves. The fact that there is no tsūgi for that which is extraordinary means that there is no reason to accept that which does not accord with the truth. That freedom in human life is such a tsūgi means that people are independent and free as a birthright, there is no cause for them to suffer oppression, and they possess the right to be free and independent.

If we were to summarize the above citation in the form of a list of nouns as laid out in a dictionary, it would read as follows:

shōjiki 正直, shō 正, ze 是, seiri 正理, ri 理, tatsugi 達義, tsūgi 通義, hazu 答, tōzen 當然, ken 権, dōri 道理

At first glance, we seem to have a list here of terms describing ethical correctness. From the start, then, the word “right” bore such a meaning of ethical or moral correctness.

Fukuzawa, particularly in his early writings, repeatedly offered explanations for “right.” In the same work cited above, he wrote: “For example, translated works frequently make use of the expressions jiyyū 自由 for ‘liberty’ and tsūgi 通義 for ‘right.’ However, these translations do not do full justice to the original meanings of the terms.” Similar words of warning concerning the language of translation were issued by other intellectuals of Fukuzawa’s day. However, Fukuzawa stood out for the acuity of his sense about these terms as intellectual tools.

Soon thereafter, we enter an era in which it was considered that translated terms “sufficed to convey the original meaning.” When “right” was translated as kenri, this term kenri itself came to be used as if it was equivalent in meaning to “right.”

Of course, many would undoubtedly deny that the “characters used to translate terms” actually “sufficed in conveying the original meaning.” Yet, the process by which the words came to be used transcended the consciousness of the users. The structure of words including translations influences and exerts a force on our consciousness. The “characters used to translate terms” function as if they must “suffice in conveying the original meanings.”

3. James Hepburn’s Translations

James Hepburn’s (1815-1911) A Japanese and English Dictionary, published in 1867 (Keiō 3), has the following entry for “right”:

RIGHT n. Dōri; michi; ri; gi; zen; suji; hadz; beki

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Which of these translations corresponds to the contemporary usage of *kenri*?

In general terms the various meanings of the noun “right” can be divided into the sense of ethical correctness, the direction of right [as opposed to left], and the sense of *kenri*. Furthermore, in the Dutch word “regh” and the French word “droit,” there is a sense of law that is missing from the English term.

James Hepburn, the author of *A Japanese and English Dictionary*, would certainly have known the importance of the meaning corresponding to *kenri* in the English word “right.” This point quite clearly distinguished him from the majority of Japanese scholars of English at this time. The sense of *kenri* as that term is employed today would surely have been included here. Then, which of the translations listed by Hepburn correspond to ethical correctness and which to *kenri*? It appears as though the list of eight terms can be divided into the first five—“dōri, michi, ri, gi, zen”—corresponding to the former, and the last three—“suji, hadz [hazu], beki”—to the latter. But, is this really the case?

The term “*gi*” at this time was being used in a fashion comparable to contemporary *kenri* in Fukuzawa Yukichi’s expression, “*tsūgi*.” Both “*gi*” and “*suji*” and even “*beki*” carried a fair amount of ethical meaning, too. By the same token, both senses of the term “right” are contained in “*michi*” and “*ri*.” The term “*ri*” in the language of the Chu Hsi school shares much with “*suji*” and possesses the sense of the fundamental form of things in the universe.

The translations given in Hepburn’s dictionary tell us less that these were the expressions used by Japanese than that he sought out words which corresponded to the original English terms from within the Japanese language. In other words, it would be extremely difficult to differentiate which of the terms Hepburn arrayed in his dictionary carry the ethical meaning and which the legal one.

When we now move to the third edition of the *A Japanese and English Dictionary* which was published in 1886 (Meiji 19), we find the following entry under “right”:

> RIGHT n. Dōri, michi, ri, kōgi, kōdō, ken, kenri, gi, zen, suji, sujiai, hazu, beki

How might we divide this list into those with an ethical sense and those with a legal one? If we were to divide it in half, we would have to consider the terms from *ken* 權 on as a group, for the terms *ken* and *kenri* were already at that time defined and had the contemporary sense of *kenri*. What about *gi*? How is *gi* different from *kōgi*?

In a word, we find here even more than in the first edition of this dictionary that the two meanings of “right” cannot be neatly separated. I believe that Hepburn’s idea was that, in the meaning of “right,” ethical correctness and legal correctness, our *kenri* nowadays, originally came from the same single “right.” These two emerged from a single root in the history of Western thought since the time of natural law. At the same time, however, clearly these two can be understood in distinctly different manners. By contrast, traditional Japanese thought at that time did not make a fundamental division between ethical correctness and legal correctness. Perhaps Hepburn was confused by this fact in Japanese.

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Ultimately, it may be futile to try to distinguish on the basis of the words alone that which cannot be so easily distinguished. It should be noted that Hepburn’s translations closely resembled the terms Fukuzawa Yukichi offered for “right” before him. We might reflect on what Fukuzawa meant by “these translations do not do full justice to the original meanings of the terms.”

4. The Discrepancy in Meaning between “ken” and “right”

While there are indeed points in common between the translations in the third edition of Hepburn’s dictionary and Fukuzawa’s translations, there were also clearly terms of a quite different sort, lacking the sense of ethical correctness. The term ken is one such.

The term ken expresses a value system altogether different from the earlier value system in which morality played a dominant role. To that extent, it had fittingly incorporated the new foreign concept in which “right” possessed a legal meaning. The distinctiveness and newness of “ken,” though, were not a distinctiveness in legal and ethical senses of the word “right” in Western languages.

The term ken as it is used today, with the legal sense of “right,” carries on the meaning of ethical correctness, at least in the sense of the word “correctness.” We also use terms such as just, fair, and reasonable. The term ken, however, has the meaning of power, the exact opposite of correctness.

Eventually, ken became fixed as a translation with this discrepancy in meaning. Namely, this disjunct was due both to the term’s difference with respect to the traditional value system in which morality reigned supreme and to its direct opposition to the original term “right.” Let me now describe these circumstances.

5. Ken Is Power

After Nishi Amane in the bakumatsu era, terms for the translation of “right” began to include the Chinese character ken (Ch. quan): ken 權, kenri 權利, kenri 權理, kengi 權義. Let us first look at the meaning of the term ken in the Japanese language at that time.

In the first edition of Hepburn’s A Japanese and English Dictionary, the entry for ken reads as follows:

KEN けん 權 n. Power, authority, influence, —wo furū, to show one’s power. —wo toru, to hold the power, to have the authority. —wo hatte mono wo iu, to talk assuming an air of authority.

In other words, “power” was the first meaning given.

This definition scarcely changed in the third edition of the dictionary at the end of the nineteenth century. The third edition appeared in an era when ken and kenri 權利 were spreading as translations for “right.”

In the Nihon dai jirin 日本大辭林 (Great Dictionary of Japanese) of Mozume Takami 物集高見 (1847-1928), published in 1894 (Meiji 27), the entry for ken reads: “chikara, tedate, ikioi” ちから、てだて、いきほひ [power, means, force]. In this
instance the single character *ken* was used to translate “right,” but many others used the two-character expression *kenri*. Thus, during the period when *ken* was primarily used as a translation for “right,” it carried with it the meaning of *chikara* or power.

By the same token, what about *kenri* which became a translation for “right?” According to the *Genkai* (Sea of Words) by Ōtsuki Fumihiko (1847-1928), published in 1891 (Meiji 24):

けんり 權利 身ノ分際ニ有チ居テ，事ニ當リテ自ラ處分スルコトヲ

*kenryoku* (gimu to taisu)

By this point in time, an explanation involving what appears to be legal terminology was added. *Ken* had become *kenryoku* 權力.

6. “Right” is not Might

In Western intellectual history, however, “right” was strictly opposed to might or force. It was Thomas Hobbes (1588-1679) in the middle of the seventeenth century who clearly pointed out the meaning of “right” in the modern West. In his *Leviathan* he noted concerning “right” and “law” that “right” entailed the freedom to be able to do or not do something, while “law” decided and restricted which of these it would be.

After this famous point had been made, “right” was replaced by “natural law” which had been in existence since antiquity. As pointed out earlier, “natural law” was a law that belonged to a different order from man-made law created through power. This “natural law” for Hobbes, John Locke (1632-1704), and Jean-Jacques Rousseau (1712-1778) carried on a conception of “right,” as conveyed in the contemporary expression *kenri*.

The law that Nishi Amane studied with Professor Vissering in the *bakumatsu* period was in a direct lineage with natural law studies. In law “right” was based in a tradition that stood in strict opposition to and was distinguishable from power. Natural law studies were carried on after a time in the Meiji period, but from the second decade of the Meiji era legal positivism in law, which had become dominant in Europe, became mainstream. In this school’s approach, “right” did not possess a meaning that transcended power. “Right” was something of intent or interest given by law. It might be said that power was something given by law, but in the first instance at least it was not power.

7. The Origins of *Regt* Translated as *Ken*

The *Bankoku kōhō* 萬國公法 (International Law), a work dating from Nishi Amane’s earliest years, appeared in 1868 (Keiō 4) based on the notes he made from Professor Vissering’s lectures and translated after returning to Japan. It begins in the following way: “International law is one part of legal studies. It deals with the *ken* [rights] held mutually by the nations of the world and the *gi* [obligations] that they must uphold.”
Ken here is opposed to gi and carries the meaning of contemporary kenri. By “holding” on to ken, there is implied a sense of wielding power. Well trained in Chinese studies, Nishi surely must have known this in his use of terms.

In the previous year, Nishi presented to Tokugawa Yoshinobu 徳川慶喜 (1837-1913) an institutional reform plan to confront the new age. The following sentence appeared within this document: “To summarize, there are three general points here: the ken of the Emperor, the ken of the government, and the ken of the various feudal lords.” The term ken used here has the sense of power or authority, close to a sense of might. It is the original meaning of the Chinese character quan (J. ken).

Why did Nishi Amane translate regt with such an easily misunderstood term such as ken whose meaning was so slippery? When he came up with this translation, Nishi notes that he consulted the Wanguo gongfa 萬國公法, a Chinese translation by Ding Weiliang 丁唯良 (W. A. P. Martin) of Wheaton’s Elements of International Law, which had already been published [1864] and was being read at this time. There he found that quan (ken) was already being used as a translation. William Lobscheid’s English and Chinese Dictionary, with Punti and Mandarin Pronunciations³ (1866-1868) contains the following in its entry on “right”:

- [prerogative, extraordinary quan, unusual quan, the right of citizens, ... people’s quan, legal power, quan]

There was thus already this earlier example in a translation into Chinese.

Why did Nishi carry forth this interpretation? Might he have inadvertently inherited a mistranslation? In fact, it would seem, there is a reason that ken was chosen as a translation for regt, and there is a reason that he was led into this mistranslation. In the first instance, regt was a term used in international law. Also, in Dutch, unlike English, regt possessed a legal meaning.

Let us look at the Dutch original corresponding to the translated text by Nishi cited above: “Volkenrecht is dat gedeelte der rechtswetenschap waarin de wederzijdse regten en verplichtingen tusschen de volken behandeld worden.” [Volkenrecht (International law) is that part of the science of law which deals with the mutual rights and obligations of nations.] To this Nishi added the words toru 乘ル (hold) and tsutome 務メ (uphold) to come up with his translation: “International law is one part of legal studies. It discusses the ken (rights) held by the nations of the world in relation to one another and the gi (obligations) that they must uphold” In the original, both law and ken are expressed with regt. If we were to change Nishi’s translation of the text by adding the original regt in the places it was found, the result would be: “International regt is one part of regt studies. It discusses the regt held by the nations of the world in relation to one another and the gi (obligations) that they must uphold.”

“International regt” is based in “international ken.” It is the ken in the original sense of the Chinese character as power. Thus, it is appropriate that “the regt held by the nations of the world in relation to one another” is expressed with the term ken. Nishi may

³ (Hongkong: Daily Press Office, 1866-1868).
have reasoned in this manner, but this does not appear to be such an unnatural misunderstanding.

8. The Contradiction of Ken in Nishi Amane

Nishi Amane later used the term kenri as a translation for “right,” but he also continued to use the single-character expression ken. For example, let us look at his somewhat later work, Kenpō soan (Draft of a constitution), a work written in the second decade of the Meiji period [i.e., 1877-87], according to Ōkubo Toshiaki 大久保利謙 (b. 1900), editor of Nishi Amane zenshū 西周全集 (Collected works of Nishi Amane). In this piece, Nishi wrote about the “rights of the Japanese people” (Nihon kokumin no kenri 日本 過 目 ノ 権 利), the “rights and obligations of the people” (kokumin no kenri narabi ni gimu 國 民 ノ 権 利 並 義 務), and the like, but he also had occasion in the same work to make reference to such things as the “private and public rights of the people” (kokumin no shiken narabi ni kōken 國 民 ノ 私 权 並 ニ 公 權), the “right of ownership” (shoyū no ken 所有 ノ 權), and the “right to form associations and to meet” (kessha narabi ni shikai o nasu no ken 結 社 并 ニ 集 会 ノ ア ナ ス ノ 權). In this same Kenpō soan we find terms, such as gyōsei ken 行政權 (the power to enact laws) and rippō ken 立法權 (the power to enact laws), in which ken clearly bears the meaning of kenryoku or power, not a translation of “right.” Thus, aside from the many instances in which the single-character expression ken is used, the use of ken was basically similar to how that term is used today, and this usage began in this era.

In certain instances, he wrote of the “right (ken) of ownership,” and at the same time in other places wrote of “administrative powers (ken).” There may have been at that time a way to distinguish these two as we do nowadays. (I am rather doubtful that this is true of us even today). Yet, the interpretation remains that shoyū no ken bore the meaning of “right” as in kenri, and gyōsei ken was intended to bear the older meaning of “power” as in kenryoku.

As we have noted with respect to “nature,” however, how strong was the consciousness of this distinction? I would argue that in the least Nishi did not consciously articulate such an awareness, despite the fact that he was well-versed in European languages and had studied in the Netherlands. His achievements in Western languages, intrinsic as they were to his very spirit, were still far less developed than his knowledge of Japanese, his mother tongue.

Earlier in 1870 (Meiji 3) his disciple Nagami Yutaka 永 見 裕 (1839-1907) had compiled Nishi’s political views into a volume entitled Tōei mondō 拓 明 問 答 (Questions and answers about enlightenment), and it contains the following passage:

Although every human being possesses the ken of freedom, if one is allowed to act at will, this is as if there is no “government.” Because “government” is created by the populace choosing their ruler, the people must reverence it. In establishing their ruler with respect, the people must divide a portion of the ken which they all possess and entrust it to the ruler. The ruler’s having been entrusted with this portion of the people’s ken, they all obey the ruler’s laws and cannot violate them, nor can they behave

in a willful manner. Inasmuch as the ruler holds onto this portion of ken from each of the people, it is the very essence of government to distinguish clearly between right and wrong, false and true with respect to the people and to make sure that the laws not fall into chaos.

particularly important in this passage are the portions emphasized by the author himself.\(^5\)

If we look momentarily at the thought behind such ideas as “the people each divide a portion of the ken which they possess and entrust it to the ruler” and “the ruler’s having been entrusted with this portion of the people’s ken,” it seems to resemble the social contract notions of Hobbes and Rousseau, but it is in fact completely different. The ken that “the people all possess” would seem to be “right.” However, it would be impossible if “right” as in “the ken of freedom” were entrusted in “part” to the ruler and the ruler held onto an equal “part of ken.” It is the case for “right” with respect to third parties outside those concerned and in those cases in which the ken entrusted and the ken held onto are the same. If the ken of the receiving side is understood as a “right,” then the ken that binds people or controls them is the diametrical opposite.

The Chinese character ken conceals this theoretical contradiction and gives rise to a strange logic. Within this ken are mixed the traditional sense involving might or force and the sense of “right” as a translation. The ken of “all the people” is the latter, while the ken which the sovereign holds onto has the meaning primarily of the former. Thus, the translation ken is a mixture of the two and hides this contradiction. Nishi was himself unaware of this problem.

9. The ken of the “Minken” Movement

In my view, the expression “minken” has been greatly misinterpreted. Two meanings are mixed together in it, and it was used without this confusion being clear. The issue began with the 1872 (Meiji 5) publication of Nakamura Masanao’s 中村正直 (1832-1891) Jiyū no ri 自由ノ理 [the translation of John Stuart Mill’s On Liberty]. Located in the first chapter of this work is the sentence: “In the past the sovereign and the people struggled over ken” (ōko kummin ken o arasou 往古君民権を爭う). In other words, it would seem, he understood the “sovereign” and the “people” fighting over a single “ken.” In the work, he further notes: “This being the case, how do we deal with the divergence between individual independence (jinmin jishu no ken 人民自主ノ權) and social control (seifu kankatsu no ken 政府管轄ノ權) to peacefully resolve it?” The English translations for the two terms given parenthetically appear in the original. The former ken should probably be translated as “right” and the latter as “power,” but it needs to be mentioned that Nakamura understood the opposition between “individual independence” and “social control” within a single ken.

Thus, in this period the word ken for the government and the word ken for the people who were opposed to it began to be used frequently. People surely understood the meaning of ken [power] when applied to the government, but such was not the case for the meaning of ken vis-à-vis the people. In an 1874 (Meiji 7) work entitled Yorai banashi

\(^5\) Indicated in the original by small circles to the right of the emphasized portion of the text.
Well, now, sensei, do you also call the postal regulations the way of *ken*? Rather funny, don’t you think? Why is it that in expressions like “the *ken* of freedom” and “the way of *ken*” everything has *ken* attached to it? Recently, other than the three metropolises [Tokyo, Kyoto, Osaka], you have Sakai *ken* (prefecture), Hyōgo *ken*, and Shiga *ken*, all of Japan covered with *ken* (prefectures), and each plot of land has turned into a *chiken* 地券 (title to land). In place of the former domains we now have *shōken* 證券 (deeds).

To this sensei replies:

Generally speaking, this Chinese character *ken* 權 bears the meaning of a weight... These days, in particular, in the hope of everyone’s body growing heavier, the authorities have placed a weight of 150 *kin* 寸 (198 pounds) However, for some reason, everyone bowed deeply saying: “I only need 100 *kin* (132 pounds).”

The word *ken* suddenly emerged; people failed to understand it and were perplexed. At the same time, it became widely used and quite popular.

In the second decade of the Meiji period, the *jiyū minken* movement flourished. In this era the meaning of “right” was becoming generally known, but in the *ken* of *minken* both the original meaning and the translation were mixed together, and the basic situation that this fact remained unknown was unchanged.

In writings of that time, one frequently comes across such expressions as “*ken o haru* 権を張る (hold onto or seize *ken*)” and “*kenri o haru* 権利を張る (hold onto or seize *kenri*)”. In the *Minken inaka uta* 民權田舎歌 (Rural songs of *minken*) of Ueki Emori 植木枝盛 (1857-1892), one repeatedly finds the phrase: “Seize the *kenri*, people of the nation!... Seize the *kenri*, extend liberties!... Seize hold of the *ken* of liberty!” In his *Jiyū tōshi* 自由憲史 [History of the Liberal Party], Itagaki Taisuke 板垣退助 (1837-1919) used a popular song: “A torn sliding paper door and my *kenri*, the autumn wind must have seized them.” In numerous essays of that time, the expression *ken o haru* was used as a set term. The object of the verb *haru* (to seize) was power, or it may have been authority, but it was not “rights.” Hepburn had translated “KEN” in his dictionary as “power, authority,” and he gave as an example “*wo hatte mono wo iu*” which was translated as “to talk assuming an air of authority.”

The *ken* of *jiyū minken* should be understood as “power” more than as “right.” Although not always the equivalent of “power,” it was far more often than not related to “power.”

“Right” was first introduced in a legal sense by Nishi Amane in the *bakumatsu*-early Meiji years, and, I would argue, later the term *ken* which became fixed as a translation of it probably exerted an unexpectedly deep influence on the subsequent movement for popular *ken*. Advocates of *minken* sought a *ken* essentially equivalent to the *ken* of the government. For example, the *minken* advocates first demanded the *ken* to participate in government—namely, the vote—a *ken* held by the government. That this *ken* was a fundamental human “right” was never at issue. Thus, because what was being
demanded by the movement was power much more than "rights," this was understood rather easily and supported. It certainly caught the attention of the old elite.

This may have been its weakness as well. When the movement was eventually suppressed by ken, the ken of the activists was also lost sight of. Perhaps, when the ken to participate in government [the franchise], imperfect though it may have been, was given by the Meiji Constitution, they lost sight of the still unrealized ken. "Right" was originally an abstract concept invisible to the eye. Even if a concrete movement was crushed, still it might remain independently in people's spirits. The history of natural law and natural right in the West tell such a story.

Thus, ken, easily understood and perhaps feared by people, had more of a meaning of power than it did of "right." By the same token, though, we cannot overlook the fact that through this experience the meaning of "right" gradually came to be understood. That is, people first accepted ken which had made its appearance anew, but at the same time a hitherto unknown meaning tinged with "right" was included in it. Gradually, bit by bit, this came to be understood. This has always been the manner of understanding for us Japanese with our foreign-imported culture.

What we now know as kenri—as in equal rights for men and women or the right to enjoy sunshine—is frequently expressed with the single-character ken. The original meaning of the term ken continues to live on in this mixture from the past. Fukuzawa Yukichi's term tsūgi which he used to translate "right" preserved a link to a sense of ethical correctness, but in our ken now somewhere the sense of physical force remains. For example, as the word is used in quotidian speech, it tends to make conversations strained. This sense of the term, as I understand it, lives on in many concrete expressions.