

The Crisis of Liberal Imperialism*

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Introduction

In the latter half of the nineteenth century, moral justifications of Empire, paradoxically, receded from the forefront of debates about the nature and purpose of imperial rule. At the height of British imperial power, an ethically orientated theory of imperial legitimacy, exemplified in the liberal model of Empire that had become prominent in British imperial discourse since the early nineteenth century, retreated in political significance.

Since the origins of Empire in India, major British political thinkers struggled to make sense of the 'strange' and 'anomalous' character of British rule in India¹ and to

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¹ Thomas Babington Macaulay provided a classic formulation of British India's "anomalous" status in his 1833 speech on the renewal of charter of the East India Company: "It is true that the power of the Company is an anomaly in politics. (...) But what constitution can we give to our Indian Empire which shall not be strange, which shall not be anomalous? That Empire is itself the strangest of all political anomalies. (...) Reason is confounded. We interrogate the past in vain. General rules are useless where the whole is one vast exception. The Company is an anomaly; but it is part of a system where every thing is anomaly. It is the strangest of all governments; but it is designed for the strangest of all empires."

construct a politically legitimate and morally justifiable framework for imperial rule. British India was considered to be an unprecedented and contradictory political formation; in Henry Maine's words, it was a 'most extraordinary experiment' involving 'the virtually despotic government of a dependency by a free people.'² Thus models of imperial government were forged that could stem the flow of corrupting influence of despotism on metropolitan politics as well as offer a form of rule that was, in principle, beneficial for the subject people. And while there were great debates concerning which models of law and governance best fulfilled these goals, in the writings of Edmund Burke, James Mill, and John Stuart Mill there existed a common attempt to frame these debates in ethical terms, specifically in terms of a moral duty concomitant to the status of the ruling power as a free, civilized people.

(Thomas Babington Macaulay, "Government of India", 10 July 1833, in Thomas Babington Macaulay, *Prose and Poetry*, Cambridge, Cambridge University Press, 1970, p. 695-96.)

² Henry Sumner Maine, "The Effect of Observation of India on European Thought", in *Village-Communities in the East and West, the Rede Lecture of 1875*, London, John Murray, 1876, p. 233.

The liberal model of imperialism, which tied together a theory of imperial legitimacy with the project of improvement, represented the most fully developed moral justification of Empire in nineteenth-century Britain. Liberal imperialism³ came to embody a coherent ideology, an intersecting set of justifications and governing strategies centered on the duty of liberal reform. In the latter half of the century, however, the coherence of this vision as well as the political consensus underlying it began to unravel. The central tenets of liberal imperialism were challenged as various forms of rebellion, resistance and instability in the colonies precipitated a broad-ranging reassessment of the means and ends appropriate to ruling a disparate and expanding empire.

In particular, the equation of ‘good government’ with the reform of native society, which was at the core of the discourse of liberal empire, would be subject to mounting scepticism. Influential critics such as James Fitzjames Stephen and Henry Sumner Maine cast doubt upon the philosophical assumptions underlying, and political consequences entailed by, the liberal-imperial idiom of improvement. In contesting the viability of reshaping subject societies such as India along modern (English) models, late Victorian critics provoked a fundamental transition in imperial ideology. This essay explores the crisis of liberal imperialism as the fulcrum for understanding the transformation of imperial ideology in nineteenth-century Britain.⁴ I seek to demonstrate how this shift in attitudes was enabled, in part, by tensions in the theoretical development of liberal imperialism, tensions that were effectively exploited by liberal empire’s sharpest critics. The crisis of liberal imperialism was part and parcel of the waning of moral justifications of Empire. As modes of justification became more tentative in terms of their ethical and political aspirations, late imperial ideologies were presented less in normative than pragmatic terms, as practical responses to and accommodations with the nature of ‘native society’. In this context, new sociological and anthropological theories of native society proved particularly effective as alternative modes of imperial legitimation; they functioned less as justifications than as alibis for the *fait accompli* of Empire.

The Morality of Empire

‘At first English power came among them unaccompanied by English morality. There was an interval between the time at which they became our subjects, and the time at

³ The precise term *liberal imperialism* emerged in later Victorian political debates, and was especially associated with Lord Roseberry’s attempt to carve out a liberal argument in favor of Empire and expansionism (in contrast to Gladstone’s reticence). See Robert Koebner and Helmut Dan Schmidt, *Imperialism: The Story and Significance of a Political Word, 1840-1960*, Cambridge, Cambridge University Press, 1964. I am using the term somewhat anachronistically to denote a particular constellation of liberal thinking on the dependent (nonsettler) Empire.

⁴ The title of this chapter signals my considerable debt to Thomas Metcalf’s discussion of “The Crisis of Liberalism” in his wonderfully cogent chapter on “Liberalism and Empire” in *Ideologies of the Raj*, Cambridge, Cambridge University Press, 1995, p. 28-65.

which we began to reflect that we were bound to discharge towards them the duties of rulers’.

Thomas Babington Macaulay

Determining the conditions under which imperial rule in India could be deemed legitimate was central to Edmund Burke’s agenda in the impeachment trial of Warren Hastings (the first Governor-General of India), the founding political drama of British India.⁵ Burke explicitly construed the Hastings affair to be a verdict on the moral basis of future Empire in India; the trial’s judgment on ‘the past transactions of India’ would decide ‘the whole rule, tenure, tendency, and character of our future government in India’.⁶ Therefore, alongside the specific charges against Hastings, was a larger interest in securing ‘some method of governing India *well*, which will not of necessity become the means of governing Great Britain *ill*’.⁷ For Burke, the East India Company (EIC) wrested sovereign power by extraordinary and unjust means, yet its chief error lie not in this ‘revolution’ but in its inability to secure stable and lawful governance. Instead, conquest was followed by yet more revolutions that subverted any semblance of the rule of law; undermined native rights, liberties, and industry; and thus laid to waste a once prospering society.⁸ Burke’s linking of the question of legitimacy to the securing of lawful institutions set the stage for the succeeding generation of reformist arguments – such as those of James Mill and Charles Grant – that likewise rested the moral basis of Empire on the attainment of good government. However, the definition of good government, its structure and purpose, varied dramatically between Burke and the liberal reformers to come.

For Burke, to govern India *well* required, firstly, constitutional reform, the creation of institutional checks to reign in what he saw as the ‘peculating despotism’ of Hastings and EIC rule. Burke’s institutional solution was Fox’s East India Bill (1783), which attempted to subject the EIC more tightly to Parliamentary oversight. Burke hoped this enhanced accountability would convert EIC rule into a true government or *trust* oriented towards the welfare of those over whom power is exercised and based on the

⁵ For recent interpretations of Burke’s writings and speeches on India, see especially Frederick G. Whelan, *Edmund Burke and India: Political Morality and Empire*, Pittsburgh, University of Pittsburgh Press, 1996; Uday Singh Mehta, *Liberalism and Empire: A Study in Nineteenth-Century British Liberal Thought*, Chicago, University of Chicago Press, 1999; Sunil Agnani, *Enlightenment Anticolonialism At Its Limit: Denis Diderot and Edmund Burke, 1770-1800* (forthcoming); Jennifer Pitts, *A Turn to Empire: The Rise of Imperial Liberalism in Britain and France*, Princeton, Princeton University Press, 2005, chap. 3; Richard Bourke, *Empire to Revolution: The Political Life of Edmund Burke* (forthcoming).

⁶ Edmund Burke, ‘Speech on Opening of Impeachment’, 15 February 1788, in P. J. Marshall (ed.), *The Writings and Speeches of Edmund Burke*, vol. VI: *India: The Launching of the Hastings Impeachment 1786-1788*, Oxford, Oxford University Press, 1991, p. 271.

⁷ Edmund Burke, ‘Speech on Fox’s India Bill,’ 1 December 1783, in P. J. Marshall (ed.), *The Writings and Speeches of Edmund Burke*, vol. V: *India: Madras and Bengal, 1774-1785*, Oxford, Oxford University Press, 1981, p. 383.

⁸ E. Burke, ‘Speech on Opening of Impeachment,’ 15 February 1788, *op. cit.*, p. 316-317.

implicit consent of the subject people.⁹ For Burke, securing such consent required governing Indian subjects 'upon their own principles and maxims and not upon ours... we must not think to force them to our narrow ideas, but extend ours to take in theirs'.¹⁰ That government 'must be congenial to the feeling and habits of the people' was linked to a normative principle in which habit and opinion were seen to be the very ground of morality. It was due to this conception of the sources of obligation and action, and not just as a matter of stability (as later nineteenth-century imperial policymakers would stress), that Burke argued in favor of a prior deference to Indian laws and customs.

Burke enhanced this call for presumptive deference by invoking a reverent image of India's laws, institutions, and antiquity. This reverence for Indian civilization, however, would become the avowed target of reformers James Mill and Charles Grant in their influential accounts of Indian society and history. As Francis Hutchins has aptly shown, these writers sought to undermine the eighteenth-century view of India as a highly developed civilization (especially as depicted in the work of famed Orientalist William Jones and Scottish philosophical historian William Robertson) and replace it with an account that portrayed Indian society as exhibiting and promoting the most extreme forms of moral degradation. For both, tarnishing the prevailing assessments of India, was, paradoxically, the necessary ground upon which to formulate a more expansive and elaborate notion of a 'just rule'.¹¹

James Mill, father of John Stuart Mill and leading figure among radical and utilitarian reformers in early nineteenth-century Britain, was employed by the EIC from 1819 to 1836. Mill's monumental *The History of British India* signalled a key shift in imperial ideology, and Mill himself, through his various theoretical writings and his prominent institutional position as Chief Examiner, became one of the most important intellectual influences in the shaping of Indian policy.¹² Mill's *History* was a full-scale assault upon every claim made on behalf of the achievements of Indian arts, science, philosophy, and government. For Mill, this radical reevaluation of Indian civilization was essential for determining the structure and purpose of imperial rule.¹³ To break with the Orientalist philosophy of rule, one that was premised on insinuating itself into existing indigenous traditions, required the rejection of the

⁹ E. Burke, "Speech on Fox's East India Bill", *op. cit.*, p. 385. See also Richard Bourke, "Liberty, Authority, and Trust in Burke's Idea of Empire", *Journal of the History of Ideas*, 61, n°3, July 2000, p. 453-71.

¹⁰ E. Burke, "Speech on Opening of Impeachment," 15 February 1788, *op. cit.*, p. 302.

¹¹ Francis G. Hutchins, *The Illusion of Permanence: British Imperialism in India*, Princeton, Princeton University Press, 1967, chap. 1. In addition to Hutchins, the following discussion of James Mill and Charles Grant relies on the seminal work on this conjuncture of liberal, utilitarian, and evangelical thinking on Empire in India by Eric Stokes, *The English Utilitarians and India*, Oxford, Oxford University Press, 1990 and Raghavan Iyer, "Utilitarianism and All That (the Political Theory of British Imperialism in India)", *St. Anthony's Papers*, 8, 1960, p. 9-71.

¹² James Mill, *The History of British India*, (1817), New Delhi, Associated Press, 1990. For extended discussions of Mill's *History* and his views on imperial policy, see E. Stokes, *The English Utilitarians...*, *op. cit.*; Javed Majeed, *Ungoverned Imaginings: James Mill's The History of British India and Orientalism*, Oxford, Oxford University Press, 1992; J. Pitts, *A Turn to Empire...*, *op. cit.*; Duncan Forbes, "James Mill and India", *Cambridge Journal*, 5, 1951-52, p. 19-33.

¹³ J. Mill, *The History of British India*, *op. cit.*, p. 456.

Orientalist image of Indian civilization. In the new utilitarian account, Indian society was deemed to be corrupt and corrupting and thus an illegitimate basis upon which to build ideal governmental institutions.

Ultimately, for Mill, barbarism in India, while certainly the deep-seated cause of centuries of stagnation, was not a permanent condition. Rather, the indolent, mendacious, and superstitious character of the natives was the long-term product of political despotism and religious tyranny. The moral character of the natives as a product of circumstance and social conditioning was, in principle, amenable to transformation, most significantly through political and legal reform. While for Mill the engine for moral reform was good government, for evangelicals like Charles Grant it required a more radical change in manners. Grant served with the EIC for twenty-two years, from 1768 to 1790, eventually becoming Chairman of the Board of Proprietors. Grant was a key member of the Clapham Sect with close ties to William Wilberforce; he was the crucial figure who turned evangelical energies to the cause of missionization and social reform in India. Like Mill's *History*, Grant's *Observations on the State of Society among the Asiatic Subjects of Great Britain* grounded the project of reform upon the rejection of Orientalist and Enlightenment histories of India.¹⁴ Here Hindu manners and religion were salaciously portrayed as mired in deep superstition and moral degradation.¹⁵ The source of corruption, and thus the proposed terrain of reform, was religion. Good laws and upright administration in themselves would guarantee little, for Grant, if underlying manners fostered venality and indolence. 'The true cure of darkness, is the introduction of light',¹⁶ which for Grant, in the absence of full-scale state support for missionary activity, would be sought through the expansion of education, particularly English education.¹⁷

'The key task for maintaining British rule in India was to determine the grand moral and political principle, by which we shall henceforth, and in all future generations, govern and deal with our Asiatic subjects: Whether we shall make it our duty to impart to them knowledge, light, and happiness; or under the notion of holding them more

¹⁴ Charles Grant, *Observations on the State of Society among the Asiatic Subjects of Great Britain, Particularly with Respect of Morals; and the Means of Improving It, Appendix to Report of the Select Committee of the House of Commons on the Affairs of the East India Company*, 16 August 1832, *Parliamentary Papers*, London, 1832. See also Ainslee T. Embree, *Charles Grant and British Rule in India*, New York, Columbia University Press, 1962.

¹⁵ 'In short, a Hindoo, from the hour of his birth, through the different stages of his existence, in infancy, in youth, in manhood, in old age, and in death, in all relations, and in all the casualties of life, is subject to an accumulation of burthensome rites, with which the preservation of his caste, his credit, and place in society, are strictly connected: nay, for his conduct in former states of being, preceding his birth, these absolute lords of his faith, conscience, and conduct, bring him to account, nor do they resign their dominion over him when he is dead. The return he has for unbounded subjection, is an indulgence in perpetual deviations, even from those few principles of morality which his religion acknowledges. It is thus that abject slavery, and unparalleled depravity, have become the distinguishing characteristics of the Hindoos', in C. Grant, *Observations on the State of Society*, *op. cit.*, p. 142-43.

¹⁶ *Ibid.*, p. 149.

¹⁷ See Syed Mahmood, *A History of English Education in India, 1781-1893*, Aligarh, Muhammeden Anglo Oriental College, 1895; and Gauri Viswanathan, *Masks of Conquest: Literary Study and British Rule in India*, New York, Columbia University Press, 1998.

quietly in subjection, shall seek to keep them ignorant, corrupt, and mutually injurious, as they are now?¹⁸

The foundations of British rule thus ought to be a policy of assimilation, where Indian society would be reshaped along the lines of British society. For Grant, a policy of assimilation, especially in producing a native class fluent in English and English manners, would build 'uniting principles', lasting ties between Britons and Indians that inculcated a native interest in the maintenance of British rule.

In orienting the imperial project toward future improvement Mill and Grant also rendered the foundations of Empire *ethical* in a specific sense. The reformist argument for the justness of Empire was premised upon a simultaneous disavowal of conquest and force as legitimate sources of imperial authority. This link between the morality of Empire and the critique of conquest was elaborated in their portrayals of early EIC rule, which was consistently denounced as sheer criminality. In his account of the Hastings trial and its indictment of the EIC, for example, Mill aligned himself unambiguously with Burke.¹⁹ Grant pleaded for a new moral framework for imperial rule 'in compensation of the evils which the establishment of our power had introduced among them'.²⁰ The fulfilment of the British debt owed to the inhabitants of India would be made through the radical reform of native society. This was explicitly conceived as a moral duty to rectify and absolve oneself of the crimes of conquest.²¹

For these early reformers, to overcome the illegitimate beginnings of Empire in India, a form of rule that worked toward the improvement of the subject race would need to be instituted, thereby intertwining the moral defence of Empire with a platform of liberal reform. The period of liberal ascendancy, most often associated with the tenures of Lords Bentinck (1828-35) and Dalhousie (1848-56), was the most transparently interventionist in its ideals and practices; it was in this period that India became the testing ground for various reformist political, educational, and social experiments.²² In terms of aspirations the liberal age was the first in which self-

¹⁸ *Ibid.*, p. 218.

¹⁹ See especially volume 3 of J. Mill, *The History of British India*, *op. cit.*, or volumes 5 and 6 of the H. H. Wilson edition of 1820.

²⁰ C. Grant, *Observations on the State of Society*, *op. cit.*, p. 15.

²¹ See also A. T. Embree, *Charles Grant and British Rule in India*, *op. cit.*, chap. 7. The rhetoric of atonement would remain a feature of radical positions of Empire, for example, in John Bright's views of Empire in India and John Stuart Mill's late views on Ireland. It was precisely this language of moral responsibility that would be attacked by late Victorian critics of liberal imperialism. See John Bright, *Selected Speeches by Rt. Honble. John Bright, M.P., on Public Questions*, London, J. M. Dent and Co., 1907; John Stuart Mill, "England and Ireland", in John M. Robson (ed.), *The Collected Works of John Stuart Mill*, vol. 6: *Essays on England, Ireland, and the Empire*, Toronto, University of Toronto Press, 1982; and Lynn Zastoupil, "Moral Government: J. S. Mill on Ireland", *Historical Journal*, 26, n°3, 1983, p. 707-17.

²² As Eric Stokes provocatively argued, 'India provided that element of scale and expansiveness to the new middle class-mind, so essential for the deployment of its political and moral ideas', in E. Stokes, *The English Utilitarians...*, *op. cit.*, p. xii.

government by Indians was first contemplated,²³ for the morality of rule was premised on the notion that once Britain completed its educative role its paternalist duty would be over. And any argument for the continuation of rule merely for the benefit of English prestige, wealth, or honor would be unjustifiable.

But in tying together the ethical justification of Empire with the project of liberal reform, the liberal agenda became susceptible to a variety of critiques that highlighted the theoretical and practical obstacles to improvement. The idea of progressive improvement, that native societies could be radically and rapidly transformed, was sustained by a belief in the infinite malleability of human nature, itself tied to an assumption about the universality of such a view. Both these notions concerning universality and perfectibility would be challenged, even among liberalism's greatest champions, as the claims of culturalism and historicism came to modify its fundamental tenets. And, when the modernizing transformation of native peoples became suspect, as was increasingly the case in the late nineteenth century, Empire quickly lost its most salient ethical justification.

John Stuart Mill and the Crisis of Liberal Imperialism

A key inheritor of the liberal justification of Empire was John Stuart Mill, who, like his father, was a career employee of the EIC. In this vein, Mill famously declared, 'despotism is a legitimate mode of government in dealing with barbarians, provided the end be their improvement, and the means justified by actually effecting that end'.²⁴ While this formulation can be taken to be the apotheosis of the liberal model of Empire, there were important modifications that distanced Mill's position from earlier variants.

For Mill, good government worked towards the progressive improvement of the character of its subjects. This theory of government entailed an intensely reciprocal relationship between political institutions and a people's character, so much so that institutions had to fit what peoples in various 'states of society' and 'stages of

²³ Macaulay, in his speech on the renewal of the charter, articulated this sentiment in the following manner: 'The destinies of our Indian Empire are covered with thick darkness. It is difficult to form any conjecture as to the fate reserved for a state which resembles no other in history, and which forms in itself a separate class of political phenomenon (...). It may be that the public mind of India may expand under our system till it has outgrown that system; that by good government we may educate our subjects into a capacity for better government; that, having become instructed in European knowledge, they may, in some future age, demand European institutions. Whether such a day will ever come I know not. But never will I attempt to avert or to retard it. Whenever it comes, it will be the proudest day in English history.', in T. B. Macaulay, "Government of India", *op. cit.*, p. 718.

²⁴ John Stuart Mill, *On Liberty*, in John M. Robson (ed.), *The Collected Works of John Stuart Mill*, vol. 18: *Essays on Politics and Society, Part I*, Toronto, University of Toronto Press, 1977, p. 224. (Hereafter *CW*.) And extended analysis of this interpretation of Mill is available in Karuna Mantena, "Mill and Imperial Predicament", in Nadia Urbinati and Alex Zakaras (eds.), *J.S. Mill's Political Thought: A Bicentennial Reassessment*, Cambridge, Cambridge University Press, 2007.

civilization' required for improvement.²⁵ Indeed, Bentham's chief error lay in assuming 'that mankind are alike in all times and all places' and thus claiming 'representative democracy for England and France by arguments which would equally have proved it the only fit form of government for Bedouins or Malays'.²⁶ For Mill, liberty as a political principle was not so austere universal and especially was not appropriate to 'any state of things anterior to the time when mankind have become capable of being improved by free and equal discussion'.²⁷ The exercise of liberty to function as a means of improvement, like all principles of government, was dependent on the *antecedent* character of the society in question.

Indeed, the doctrine of liberty 'is meant to apply only to human beings in the maturity of their faculties' and thus, by analogy, 'we may leave out of consideration those backward states of society in which the race itself may be considered as in its nonage'.²⁸ Mill's recurrent analogy between children and barbarous societies reveals a characteristic vulnerability of liberal universalism, exposing what Uday Mehta names a disjuncture between its foundations and actualization.²⁹ For Mehta, liberal universalism is derived from a minimalist philosophical anthropology, that is, from a minimum set of capacities taken to be common to all humans (such as natural freedom, moral equality, and reason). The political actualization of these universalist premises – for example, to be included in the Lockean social contract – is nevertheless mediated by the real capacity of the citizen to exercise their reason. This capacity turns out to be empirically conditioned, and thus not quite or not yet universal. The paradox of the child born free but not yet able to practice liberty is thus particularly revealing of how 'behind the universal capacities ascribed to all human beings exist a thicker set of social credentials that constitute the real bases of political inclusion'.³⁰ Mill projects the paradox of the child onto a scale of civilization and in so doing expands and heightens, in cultural and historical terms, the requirements for political inclusion.

In an early essay, 'Civilization', Mill distinguished the central features of civilized society *versus* those of savage/barbarian society, and thus obliquely delineated the preconditions for the exercise of liberty. Mill deduced the power of social cooperation as the fundamental attribute of civilized life. By contrast, what made the life of the savage materially poor and fragile was his inability to compromise, to sacrifice 'some portion of individual will, for a common purpose'.³¹ Thus a savage or barbarous society, unable to either suppress immediate instincts or conceptualize long-term

²⁵ John Stuart Mill, *Considerations on Representative Government*, in John M. Robson (ed.), *The Collected Works of John Stuart Mill*, vol. 19 : *Essays on Politics and Society Part II*, Toronto, University of Toronto Press, 1977, chap. 1-3.

²⁶ John Stuart Mill, "Remarks on Bentham's Philosophy", in John M. Robson (ed.), *The Collected Works of John Stuart Mill*, vol. 10: *Essays on Ethics, Religion, and Society*, Toronto, University of Toronto Press, 1985, p. 10.

²⁷ J. S. Mill, *On Liberty*, *op. cit.*, CW18, p. 224.

²⁸ *Ibid.*, p. 224.

²⁹ U. S. Mehta, *Liberalism and Empire*, *op. cit.*, p. 46-77.

³⁰ *Ibid.*, p. 49.

³¹ J. S. Mill, "Civilization", in J. M. Robson (ed.), *The Collected Works of John Stuart Mill*, vol. 18, *op. cit.*, p. 122.

interests, was fundamentally incapable of the organization and discipline necessary for the development of the division of labor, for commerce and manufacture, and for military achievement – in short, for civilization. Moreover, discipline, or ‘perfect co-operation’ – the central attribute of civilized society – was deemed something that could only be learned incrementally through practice, for to render discipline into an unconscious habit required an immense length of time, perhaps even centuries.

In Mill’s characterization of civilization, then, we see the turn to culture as a mode of differentiation emerging from within the trajectory of liberal imperialism itself. This turn poses a number of challenges to the discourse of liberal Empire. On the one hand, it sharpens the contrast between civilization and barbarism in a such a way as to make the eventual transition from the one state to the other seem exceedingly difficult, if not impossible. On the other hand, obstacles to improvement, or failures in achieving this transformation, are effectively re-described as cultural impediments to the norms and institutions of civilization. In Mill’s work, the basic commitment to an idea of human nature as infinitely perfectible loses its purchase when linked to a philosophy of history that at the same time emphasizes the incremental development of progressive societies in human history. Critics would emphasize the latter aspect over the former, concluding either that models of perfectibility needed to be abandoned or that moral reform required a great deal more coercion than liberals could countenance.

These criticisms revealingly came to the fore in a series of key public debates on Empire and worked to undermine the salience of the ethical arguments of liberal imperialism. From the Indian Rebellion (1857), the Governor Eyre controversy (1865), to the Ilbert Bill crisis (1883), advocates of liberal imperialism found themselves consistently on the losing side of the argument. Here, I take note of the Eyre controversy, in which Mill himself played a prominent role. Moreover, in these debates, Mill would become the avowed target of critics from Carlyle to Stephen who specifically branded his ‘sentimental liberalism’ as inimical to political stability both at home and abroad.

The public controversy began upon news of a ‘rebellion’ in Morant Bay, Jamaica and its suppression by the Governor, Edward John Eyre.³² As reports of the rebellion’s brutal suppression came to light, Mill – now a Liberal Member of Parliament (MP) – joined the Jamaica committee, which was formed initially to lobby for an official inquiry, and then sought to bring criminal charges against Eyre and his deputies. As

³² For general accounts of the Morant Bay Rebellion, the debates about the ensuing controversy, and Mill’s role in the Jamaica committee, see Gad J. Heuman, *“The Killing Time”: The Morant Bay Rebellion in Jamaica*, Knoxville, University of Tennessee Press, 1994; Bernard Semmel, *Democracy versus Empire: The Jamaica Riots of 1865 and the Governor Eyre Controversy*, New York, Doubleday, 1969; Catherine Hall, *Civilizing Subjects: Metropole and Colony in the English Imagination, 1830-1867*, Oxford, University of Chicago Press, 2002; Thomas Holt, *The Problem of Freedom: Race, Labor, and Politics in Jamaica and Britain, 1832-1938*, Baltimore, The Johns Hopkins University Press, 1992; Geoffrey Dutton, *Edward John Eyre: The Hero as Murderer*, New York, Penguin, 1977; Douglas A. Lorimer, *Colour, Class, and the Victorians. English Attitudes to the Negro in the Mid-Nineteenth Century*, Leicester, Leicester University Press, New York, Holmes & Meier Pub, 1978, chap. 5; Arvel B. Erickson, “Empire or Anarchy: The Jamaica Rebellion of 1865”, *Journal of Negro History*, 44, n°2, 1959, p. 99-122.

the committee's chair and leading spokesman, Mill argued that Eyre's abuse of martial law was akin to state-sponsored murder, most egregiously in the trial and execution of Jamaican MP, George William Gordon.³³ If Eyre's actions were excused as the regrettable but understandable excesses of power endemic to a colonial situation (which was the essence of the Royal Inquiry into his actions), it would leave no room for Mill's liberal model of benevolent despotism. This possibility fuelled Mill's vehement commitment to Eyre's prosecution, which, after three years, came to nothing.

Even worse, the long campaign to publicize Eyre's abuses galvanized an even stronger opposition to the civilizing ideals of liberal imperialism. The widespread opposition to the prosecution of Eyre was multifaceted.³⁴ The controversy coincided with the agitation around the Second Reform Bill, and fear of unrest in the Empire was intertwined with anxieties about the extension of the franchise to the working classes. Carlyle and Arnold likened the Hyde Park riots to the events of Morant Bay as evidence of a growing anarchy fanned by liberal sentimentalism.³⁵ The sharp polarization between the supporters and critics of Eyre thus intimated the growing rift between proponents and critics of democracy; indeed it would initiate a divide between 'old' and 'new' Liberals, which would culminate in the crisis over Irish Home Rule and the abandonment of the Liberal Party by its more conservative members.

The failure of the Jamaica committee portended an important shift in metropolitan attitudes toward subject peoples.³⁶ The public support for Eyre revealed an increasingly unsympathetic view of subject peoples, in this case toward the ex-slave population of Jamaica. The Morant Bay Rebellion, coming on the heels of the Indian Rebellion, signalled ingratitude on the part of Jamaicans for the civilizing character of imperial rule. The fact of rebellion itself provoked a sense of disillusionment in the progressive ideals of abolition, as freed Jamaican slaves were accused of failing to take advantage of the benefits of emancipation. Explanations for the 'failure' in social and moral improvement, coupled with the drama of revolt, engendered increasingly racialized depictions of the insolent and irredeemably savage nature of Jamaica's black community.³⁷ The liberal reform of the native seemed not only be ineffectual but also dangerous to political stability. Thus the reactions to the events of Morant Bay, like responses to the Indian Rebellion, heralded a deepening sense of racial

³³ Gordon was a prominent mixed-race MP and critic of Eyre's. Having played no immediate role in the riots, Gordon was forcibly removed from Kingston to Morant Bay (where martial law was in effect) and hastily convicted of treason under the law of court-martial.

³⁴ Prominent members of the Jamaica committee included John Bright, Charles Darwin, Herbert Spencer, T. H. Huxley, Charles Lyell, and T. H. Green. On the other side, vocal supporters of Eyre included Thomas Carlyle, John Ruskin, A. L. Tennyson, Charles Dickens, and Matthew Arnold.

³⁵ See especially B. Semmel, *Democracy and versus Empire*, *op. cit.*, p. 134-148. Also Catherine Hall, "The Nation Within and Without", in Catherine Hall, Keith McClelland, and Jane Rendall (ed.), *Defining the Victorian Nation: Class, Race, and Gender and the British Reform Act of 1867*, Cambridge, Cambridge University Press, 2000.

³⁶ See especially T. Metcalf, *Ideologies of the Raj*, *op. cit.*, p. 52-59.

³⁷ See C. Hall, *Civilizing Subjects*, *op. cit.*; D. A. Lorimer, *Colour, Class, and the Victorians*, *op. cit.*; and B. Semmel, *Democracy versus Empire*, *op. cit.*

difference as well as a distancing from the assimilationist ideals of liberal imperialism.

Imperial Authoritarianism Brought Home: James Fitzjames Stephen and the Ilbert Bill Crisis

Like the Eyre controversy, the Ilbert Bill crisis of 1883 turned on key tenets of liberal imperialism. Courtney Ilbert as Law Member of the Viceroy's Council introduced a seemingly innocuous amendment to the Indian Criminal Procedure Code, extending the right to try cases involving Europeans to native magistrates in rural districts.³⁸ But in attempting to remove this minor 'anomaly' to procedural universality, Ilbert unwittingly instigated widespread protest among the European population in India.³⁹ In the face of vehement opposition, the bill in its original form could not pass the Legislative Council, and instead a watered-down version of the bill was eventually adopted.⁴⁰

As criticism of the bill mounted in both Britain and India, what seemed to be at stake was the philosophy of British rule in India. Lord Ripon, the Liberal Viceroy appointed by Gladstone and under whose watch the bill was introduced, articulated the 'great question' that was now so openly debated:

'Is she [India] to be ruled for the benefit of the Indian people of all races, classes, and creeds, or in the sole interest of a small body of Europeans? Is it England's duty to try to elevate the Indian people, to raise them socially, to train them politically, to promote their progress in material prosperity, in education, and in morality; or is it to be the be all and end all of her rule to maintain a precarious power over what Mr. Branson⁴¹ calls 'a subject race with a profound hatred of their subjugators?''⁴²

³⁸ See Edwin Hirschmann, *"White Mutiny": The Ilbert Bill Crisis and the Genesis of the Indian National Congress*, New Delhi, Heritage Publishers, 1980; Mrinalini Sinha, *Colonial Masculinity: The "Manly" Englishman and the "Effeminate" Bengali*, Manchester, Manchester University Press, 1995; Uma Dasgupta, "The Ilbert Bill Agitation, 1883", in Ravi Dayal (ed.), *We Fought Together for Freedom: Chapters from the Indian Nationalist Movement*, New Delhi, Oxford University Press, 1995; Christine Dobbin, "The Ilbert Bill: A Study in Anglo-Indian Opinion in India, 1883", *Historical Studies*, 12, n°45, 1965, p. 87-104.

³⁹ Maine had famously tried to warn Lord Ripon (through the Secretary of State, Lord Hartington) about the potential crisis the proposed act would instigate. George Feaver, *From Status to Contract: A Biography of Sir Henry Maine, 1822-1888*, London, Longmans, 1969, p. 205.

⁴⁰ The 1884 Bill allowed European settlers in the rural districts to appeal for jury trials (comprised of Europeans) to compensate for their acceptance of the jurisdiction of native judges.

⁴¹ Branson was one of most vocal opponents of the bill. His inflammatory speeches against the bill did much not only to fan the flames of settler rebellion but in polarizing the debate along racial lines his speeches also instigated and emboldened a coordinated native opposition (one that eventually led to the creation of the Indian National Congress). See E. Hirschmann, *"White Mutiny"*, *op. cit.*

Ripon thus articulated and defended the basic premises of a liberal justification of Empire, one in which the purpose of imperial government must be for the betterment of the subject people, rather than for the benefit of the home country. The heated contestation of the principle of legal equality in the Ilbert Bill thus struck the core of the transformative and educative project of liberal imperialism.

The most eminent spokesman for the opposition was James Fitzjames Stephen, who had previously served as Law Member under Lord Mayo. Stephen opposed the adoption of a similar bill under his tenure and, in the midst of the crisis, published a provocative letter in *The Times* warning that the bill's passage would undermine the foundations of British rule. As Stephen wrote:

'If the Government of India have decided on removing all anomalies from India, they ought to remove themselves and their countrymen. It is essentially an absolute government, founded, not on consent, but on conquest. It represents a belligerent civilization, and no anomaly can be so striking and so dangerous as its administration by men who, being at the head of a Government founded on conquest, implying at every point the superiority of the conquering race, of their ideas, their institutions, their opinions and their principles, and having no justification for its existence except that superiority, shrink from the open, uncompromising, straight forward assertion of it, seek to apologize for their own position, and refuse, from whatever cause, to uphold and support it'.⁴³

The corollary to the unabashed assertion of superiority was unapologetic authoritarian rule in the colonies. For Stephen, defenders of liberal Empire had confused good government with representative government and, in doing so, assumed that authoritarian government could only be justified 'as a temporary expedient used for the purpose of superseding itself, and as a means of educating those whom it affects into a fitness for parliamentary institutions'.⁴⁴ But absolute government, argued Stephen, was not the same as arbitrary or despotic rule, and for the purpose of promoting the welfare of native subjects it had 'its own merits and conveniences'.

Despite the brashness of his rhetoric, Stephen was not simply a jingoistic defender of Empire. Stephen thought of himself as articulating a more robust and consistent utilitarian liberalism and argument in favor of absolute rule was premised on the idea that coercion was a necessary mechanism for the improvement of society. The most important mechanism, in this regard, was a system of laws based upon English

⁴² Lord Ripon, Letter to Forster, 6 March 1883: citation from E. Hirschmann, "White Mutiny", *op. cit.*, p. 70.

⁴³ James Fitzjames Stephen, *The Times*, 1 March 1883, p. 8. This extract is also reprinted in James Fitzjames Stephen, "Foundations of the Government of India", *Nineteenth Century*, 80, October 1883, p. 541-68.

⁴⁴ J. F. Stephen, "Foundations of the Government of India", *op. cit.*, p. 551.

principles that would induce peace and security and, in the long run, effect a change in moral and religious practices. This minimal commitment to substitute English civilization for Indian barbarism, however, was not conceived of as a moral duty, less still as a kind of atonement or apology for the sins of conquest. Rather, it was a sign of England's virtue, honor, and superiority. As such it was in principle a permanent and not temporary enterprise (as the liberal camp proposed) and, for Stephen, ought to have been justified as such.

As one of Mill's best-known contemporary critics, Stephen exemplified the ways in which the critique of liberal imperialism coalesced with a more general critique of the egalitarian trajectories of liberal thought. *Liberty, Fraternity, Equality*, Stephen's famous polemic against Mill, was based on his 'Indian experience'; an experience that confirmed his belief in the dangers of 'sentimental' liberalism for both England and the Empire'.⁴⁵ The benevolent despotism of imperial rule proved emphatically that liberty was not a necessity for the purpose of good government. For Stephen, what Mill claimed to be the practical effects of liberty in history – the shift from compulsion to persuasion as the vehicle of moral improvement – was a misreading of the actual source of progress, namely the historical effects of moral and legal coercion. For Stephen, man was not by nature a progressive being, but one who was at heart selfish and unruly and therefore needed to be continuously compelled to live peaceably and morally in society.

Mill's tenuous distinction between civilized and barbarous societies thus could be easily reversed; what was deemed appropriate for barbarians was equally suitable for civilized society. Here is a characteristic passage that turns on the inversion of Mill's distinction between barbarism and civilization:

'You admit that children and human beings in 'backward states of society' may be coerced for their own good. You would let Charlemagne coerce the Saxons, and Akbar the Hindoos. Why then may not educated men coerce the ignorant? What is there in the character of a very commonplace ignorant peasant or petty shopkeeper in these days which makes him a less fit subject for coercion on Mr. Mill's principle than the Hindoo nobles and princes who were coerced by Akbar?'⁴⁶

Stephen pointedly questioned Mill's attribution of the status of civilization and barbarism only to societies and not to individuals therein. If the collective nature of the classification of stages of civilization were undermined, the principles of imperial government could no longer be held at the water's edge; they may prove equally well suited for a rapidly democratizing Britain. As Stephen writes, 'it seems to me quite impossible to stop short of this principle if compulsion in the case of children and 'backward' races is admitted to be justifiable; for, after all, maturity and civilization

⁴⁵ See the preface to James Fitzjames Stephen, *Liberty, Equality, Fraternity, and Three Brief Essays* (1874), Chicago, Chicago University Press, 1992.

⁴⁶ J. F. Stephen, *Liberty, Equality, Fraternity*, *op. cit.*, p. 68–69.

are matters of degree'.⁴⁷ Stephen's sly critique called attention to fundamental inconsistencies in Millian liberalism, to the ways in which the commitment to equality as it became evermore tied to collective cultural and historical criteria was necessarily transmuted into a tenuous defence of hierarchy in the imperial realm.⁴⁸

The muted conclusion of the Eyre controversy and defeat of the Ilbert Bill highlighted persistent cracks in the edifice of liberal justifications of Empire, fissures that would be increasingly used by opponents to undermine liberal positions in debates about Empire in late Victorian England. As Stephen's arguments exemplify, these debates about Empire helped to consolidate a growing illiberal or anti-liberal consensus, fuelled by domestic fears about the growth of mass democracy. It was not just that conservative views of Empire triumphed over liberal views, but that it was on the question of Empire that a substantial group of Victorian intellectuals were converted from the liberal to the conservative side. The catastrophic split of the Liberal Party in 1886 was sparked not by a domestic issue but by a dispute about the status of Ireland in the British Empire, specifically about whether the principles of democracy and self-government could be applied to the dependent Empire. Self-defined 'old Liberals' such as Stephen and Maine had begun to develop a new brand of conservatism that was fundamentally shaped by their experience of Empire in India and their critical reappraisal of liberal imperialism.⁴⁹

But while the conservative critique of democracy in the end did not stem the tide toward universal suffrage in Britain, this illiberal turn fed the growth of popular imperialism in domestic political discourse and, more crucially for this study, had a profound effect on the transformation of imperial policy in the late Victorian era. The crisis of liberal imperialism signalled a shift in the languages of justification away from ethical frameworks toward racial and cultural premises (as well as a revival of theories of rightful conquest). Yet the transition itself was deeper, for the inefficacy of liberal justifications of Empire in the late nineteenth century was symptomatic of a more thoroughgoing transformation of ideologies and practices of imperial rule, transformations that were consciously premised on a critique of previous liberal ideologies of rule.

Empire, Nation, Conquest: Revising the Languages of Justification

⁴⁷ *Ibid.*, p. 69.

⁴⁸ See Jeanne Morefield's excellent discussion of this point in relation to the international thought of interwar British liberalism in *Covenants without Swords: Idealist Liberalism and the Spirit of Empire* (Princeton, Princeton University Press, 2006). Morefield is especially convincing in demonstrating how attempts to integrate fuller notions of community within liberalism have often entailed pulling back from ideals of equality, expressed most dramatically in the realm of international and imperial affairs.

⁴⁹ See especially John Roach, "Liberalism and the Victorian Intelligentsia", *Cambridge Historical Journal*, XII, 1957, p. 57-81; and E. Stokes, *The English Utilitarians and India*, *op. cit.* In addition to Stephen and Maine, intellectuals with deep connections to India, such as Alfred Comyn Lyall, Lord Curzon, and John Strachey, were at the forefront of the political realignment sparked by debate over Irish Home Rule.

'The real Indian question was not whether the English were justified in staying in the country, but whether they could find any moral justification for withdrawing from it'.⁵⁰
Evelyn Baring, Lord Cromer

The project of liberal imperialism tied its moral justification to a coherent set of ideologies of rule, most notably in outlining a platform of reform based on the transformative goals of the civilizing mission. With the crisis of this overarching vision, both aspects would be subject to critique and revision. In this section, I will focus on the different ways in which the moral vision of liberal imperialism as a discourse of legitimation was criticized, transformed, and revised in the late nineteenth century.

As was noted at the outset, one of the most interesting features of the liberal justification of Empire was the way in which it carved out its moral vision through a consistent, often scathing, critique of conquest as a source of imperial legitimacy. The disavowal of conquest was part and parcel of a future-oriented view in which the purpose of Empire was tied to the realization of a particular moral project. Thus, revising the accepted narrative about the early history of EIC rule, constituted by the critical writings of Burke, James Mill, and Macaulay, was a prominent and revealing feature of late Victorian imperial writing.

In *The Story of Nuncomar and the Impeachment of Sir Elijah Impey*, Stephen revisited the original 'crimes' of British India and the impeachment trial of Warren Hastings.⁵¹ Ever since Burke's famous prosecution of Hastings, the question of the legitimacy of British rule in India was intimately tied to one's position *vis-à-vis* this originary moment.⁵² For liberals like James Mill and Macaulay, the disavowal of conquest and the critique of early EIC rule was the necessary first step in arguing for a new, firmer, and more moral, basis for imperial rule. Thus for Stephen the return to the trial was a way to sever the link between the morality of Empire and the critique of conquest. In rehabilitating the notorious figure of Impey,⁵³ Stephen tried instead to argue that the 'crimes' of conquest were exaggerated if not entirely fabricated. In this

⁵⁰ Evelyn Baring Earl of Cromer, "Some Indian Problems", *Political and Literary Essays, 1908-1913*, London, Macmillan, 1913, p. 418. Cromer here is paraphrasing a passage from Paul Boell that in the original reads as follows: "La question qui se pose n'est pas de savoir si l'Angleterre a le droit de conserver l'Inde, mais bien plutôt *si elle a le droit de la quitter*." (Paul Victor Boell, *L'Inde et le problème indien*, Paris, A. Fontemoing, 1901, p. 289.

⁵¹ James Fitzjames Stephen, *The Story of Nuncomar and the Impeachment of Sir Elijah Impey*, London, Macmillan, 1885.

⁵² Other notable attempts to challenge the Burke-Mill-Macaulay consensus were John Strachey, *Hastings and the Rohilla War*, Oxford, Clarendon Press, 1892; and Alfred Comyn Lyall, *Warren Hastings*, London, Macmillan, 1889. See also Eric Stokes, "The Administrators and Historical Writing in India", in Cyril Henry Philips (ed.), *Historians of India, Pakistan, and Ceylon*, Oxford, Oxford University Press, 1961, p. 385-403.

⁵³ Impey was a close associate of Hastings and the controversial first Chief Justice of the Supreme Court in Calcutta who presided over the trial and execution of Maharaja Nandakumar. Hastings and Impey were accused of colluding in the "judicial murder" of Nandakumar and brought up on charges related to the case in their respective impeachment proceedings.

way, conquest, now devoid of criminality, could emerge as legitimate on its own terms.

Stephen's revisionary history of the Hastings's era, with its audacious defence of the legitimacy of conquest, represents the starkest reversal of the ethical horizon of liberal empire. Other liberals responded more ambivalently. In John Robert Seeley's great work, *The Expansion of England*,⁵⁴ the fact of conquest is raised only to be disavowed as a proper characterization of either the mode by which England acquired its Indian Empire or as a justification of India's present dependent status. What is significant in Seeley's attempt to cleanse Empire of its unsavory associations with conquest is that it is also severed from any distinct moral purpose or aim. These two aspects are not unrelated, for what lent the liberal project its peculiar ethical weight was its ability to frame the history of Empire in moral terms.

Like Grant and James Mill, there is throughout Seeley's work a sense in which England must bear some responsibility for the current state of Indian society. Seeley's account of this responsibility had less to do with a kind of moral atonement (as Grant's evangelical language implied) and it was paradoxically both more hesitant and more triumphalist. Seeley noted that in the founding of Empire, there were 'some deeds which, though they had been better not done, cannot be undone'.⁵⁵ Moreover, Seeley accepted that keeping India within the fold of Empire imposed serious and difficult responsibilities. Yet, at the same time, these responsibilities were construed in the narrowest of terms, for Seeley is guided by a sense that imperial rule, despite its originary crimes, was already the lesser evil than leaving India in its natural trajectory toward disintegration.

In Seeley's account, 'conquest' itself was declared a misnomer as a description of the acquisition of the Indian Empire. Given that the eighteenth-century machinations of rival Indian principalities in alliance with competing European powers, Seeley argued that, 'India can hardly be said to have been conquered at all by foreigners; she has rather conquered herself'.⁵⁶ If there was no conquest, there was nothing for which the British needed to atone. For Seeley, since British rule brought stability and government, it was always already an advance upon the supposed anarchy that had ensued in the wake of the disintegration of the Mughal Empire. Moreover, the term *conquest* was misleading because, for Seeley, it implied a *foreign* conquest. And in suggestively arguing that terms such as *national* and *foreign* had no meaning in the context of eighteenth-century India, Seeley was in fact putting forward a far bolder claim, namely, that in India there was and is no sense of nationality. Conquest could only be conceived of as a political affront if the subjected population formed a recognizable community, because 'it is upon the assumption of such a homogenous community that all our ideas of patriotism and public virtue depend'.⁵⁷

⁵⁴ John Robert Seeley, *The Expansion of England*, London, Macmillan, 1883. *The Expansion of England* was an extraordinarily popular and influential work, enabling a popular imperial consciousness and, in the long run, shaping a distinct tradition of imperial historiography. See Duncan Bell, *The Idea of Greater Britain: Empire and the Future of World Order*, Princeton, Princeton University Press, 2007; and R. Koebner and H. D. Schmidt, *Imperialism*, *op. cit.*, chap. 7.

⁵⁵ J. R. Seeley, *The Expansion of England*, *op. cit.*, p. 193.

⁵⁶ *Ibid.*, p. 202.

⁵⁷ *Ibid.*, p. 205.

The use of the moral discourse around the nation as a justification of imperial rule became more insistent in the late nineteenth century, even as the discourse around the so-called civilizing mission waned. While, for Mill, the claim that barbarians could not form true nations was certainly meant to legitimate imperial subjection (and perhaps even outright conquest), it was subordinated to the purpose of civilizing. The primary reason for withholding the status of nationhood from barbarous societies was that for these societies 'nationality and independence are either a certain evil, or at best a questionable good'.⁵⁸ In other words, for Mill, nationality is conceptualized more in normative rather than sociological terms as an equivalent for self-government and thus subject to the same moral and civilizational requirements.

Later liberal theorists of Empire tended to prioritize the sociological analysis of nationality, severed from any strict scale of civilization, as the linchpin to justify imperial rule. For Seeley, here originating a highly influential view of India's internal divisions,⁵⁹ India lacked uniting forces; there was no community of race or religion out of which a national sentiment could develop. 'India is not a political name', argued Seely, 'but only a geographical expression like Europe or Africa'.⁶⁰ If however India were show signs of patriotism, of acting in concert as 'the expression of a universal feeling of nationality, at that moment all hope is at an end, as all desire ought to be at an end, of preserving our Empire'.⁶¹ If the hallmark of liberal imperialism was the belief in the temporary, benevolent nature of British rule in India, liberals like Seeley transferred the criteria of future self-government from the strict model of assimilation to English manners to the question of nationality. The fact that India was not a nation, however, was the descriptive, sociological basis upon which the continuity of imperial rule rested. What was implicit in the denial of nationality was a belief in a 'natural' tendency of Indian society to devolve into anarchy and/or communal divisions. British rule was justified less in ambitious moral and political terms than as the lesser evil compared to leaving India to disintegrate on her own. Tied less to the specific project of transformation (even for making India a 'nation'), sociological theories instead legitimated Britain's continued presence as a political necessity emergent from the fraught inner dynamics of Indian society.

Reversing the Civilizing Mission: Maine and the Lessons of 1857

⁵⁸ John Stuart Mill, "A Few Words on Non-Intervention", in John M. Robson (ed.), *The Collected Works of John Stuart Mill*, vol. 21: *Essays on Equality, Law and Education*, Toronto, University of Toronto Press, 1984, p. 119.

⁵⁹ See John Strachey, *India: Its Administration and Progress*, London, Macmillan, 1888; Alfred Comyn Lyall, "Government of the Indian Empire", *Edinburgh Review*, January 1884, p. 1-40; J. F. Stephen, "Foundations of the Government in India", *op. cit.*; William Wilson Hunter, *A History of British India*, London, Longmans, 1899.

⁶⁰ J. R. Seeley, *The Expansion of England*, *op. cit.*, p. 222.

⁶¹ *Ibid.*, p. 234.

The crisis of liberal imperialism generated alternative modes of imperial legitimation, ones that openly disavowed the moral discourse of liberal empire – the language of a civilizing rule and the goal of self-government. Late imperial administrators such as Alfred Comyn Lyall and Lord Cromer not only rejected the slow introduction of representative institutions in Eastern dependencies but also insisted that the mere attempt to ground Empire in a language of moral legitimacy was misplaced and dangerous to the stability of the imperial order.⁶² This repudiation occasioned new and distinct governing practices specifically premised upon the critique of previous liberal strategies of rule. Sociological and anthropological theories of native society, in rejecting the theoretical and practical assumptions of policies of assimilation and modernization, provided novel rationales and practical models for the protection and preservation of native society.

Historically, one of the key events that occasioned this shift in imperial governing strategies was the Indian Rebellion of 1857. In response to the rebellion, the Crown assumed direct responsibility over the Company's former Indian territories and in its first official act explicitly put forth a doctrine of non-intervention as the directive principle of British rule.⁶³

The significance of the 1858 Proclamation rests as much on this endorsement of non-interference as on the timing and context of the pronouncement. Propositions about non-interference after 1857 were necessarily imbued with reflections upon the causes of the rebellion, and the policies that were seen to have precipitated revolt.

Numerous explanations were proposed as the 'lessons of 1857' rippled through imperial policy circles for decades to come.⁶⁴ Victoria's Proclamation, like many prominent explanations then and now, emphasized the religious aspects of revolt. Religious explanations functioned at many levels, most evocatively at locating the proximate cause of the mutiny of the Bengal army. In this account, the emphasis is placed on how the mutiny began in response to a rumor that the newly issued cartridges for Minié/Enfield rifles were greased with pork and beef fats, thus offending both Muslim and Hindu sentiments. Henry Maine concurred with this

⁶² See especially A. C. Lyall, "Government of the Indian Empire", *op. cit.*; and Evelyn Baring Earl of Cromer, "The Government of the Subject Races," in E. B. E. of Cromer, *Political and Literary Essays*, *op. cit.*

⁶³ The transfer of India from Company to Crown authority took place on 2 August 1858. The Queen's Proclamation was delivered on 1 November 1858, part of which read: 'We declare it to be our royal will and pleasure that none be in anywise favoured, none molested or disquieted, by reason of their religious faith or observances, but that all shall alike enjoy the equal and impartial protection of the law; and we do strictly charge to enjoin all those who may be in authority under us that they abstain from all interference with the religious belief or worship of any of our subjects on pain of our highest displeasure'. Excerpts of the speech are taken from Cyril Henry Philips, Hira Lal Singh, and Bishwa Nath Pandey (eds.), *The Evolution of India and Pakistan, 1858 to 1947: Select Documents*, London, Oxford University Press, 1962, p. 11.

⁶⁴ Some of the other most prominent contemporary explanations focused on Dalhousie's aggressive policy of annexation of princely states (e.g., Awadh in 1856), expansion and government sanction of missionary activities, and agrarian unrest and indebtedness.

account and deemed 'terrified fanaticism' as the true, and not merely incidental, spark of revolt.⁶⁵

According to Maine, the mutiny was a shock to the English mind, not only because of the unprecedented speed and scale of the mutiny's expansion into insurrection but also because it seemingly sprung from such inscrutable sentiments.⁶⁶ Maine argued that the persistence and strength of Indian social and religious sentiments, specifically 'caste sentiments', had eluded British policymakers and especially liberal reformers because they assumed that the relevance of caste and religion would weaken with the modernization of Indian society. In Maine, the Rebellion was therefore interpreted as an epistemic failure, it was a symptom of a fundamental 'defect of knowledge'.⁶⁷

In this manner, questions about the nature of native society became inextricably linked to the practical demands of imperial rule. And in his plea for more precise and trustworthy knowledge of native beliefs and customs, Maine sought to redefine what constituted appropriate knowledge of India. Through his methodological innovations in relation to the study of Indian society, Maine initiated an important anthropological reconceptualization of native society, one that, in the context of imperial policy, provoked a profound change in attitudes regarding the scientific and practical basis of liberal ideologies of rule. For Maine, previous European accounts of Indian society suffered from a number of drawbacks. On the one hand, Orientalist scholarship, from an overreliance on Sanskritic sources and Brahmin informants, had mistakenly imputed an empirical dominance to Brahminical norms and practices. The logic of native institutions, Maine argued, was to be found, not in Sanskrit texts, but in local customs and traditions. The colonial administrative archive would thus emerge as the locus of evidential truth about India's living customs.⁶⁸ On the other hand, Maine suspected that eighteenth-century European accounts of India (such as Raynal's and Diderot's *Histoire des deux Indes*) as well as those of English colonial officers, were primarily based on contact with more urbanized and secularized coastal Indian cultures, which they took to be representative of all of India. Without access to India's 'vast interior mass' made up of self-governing, agricultural village-communities, they overestimated the possibility of reforming native belief along Western lines, believing 'that Indians required nothing but School Boards and Normal Schools to turn them into Englishmen'.⁶⁹ Maine argued that a similarly mistaken view of Indian society was also inherent in utilitarianism, which had had an enormous impact in shaping the liberal agenda of colonial reform.

⁶⁵ Henry Sumner Maine, "India", in Humphry Ward (ed.), *The Reign of Queen Victoria: A Survey of Fifty Years of Progress*, London, Smith, Elder & Co., 1887, p. 460-528.

⁶⁶ See also Henry Sumner Maine, "Indian Statesmen and English Scribblers", *Saturday Review*, 4, 24 October 1857, p. 361.

⁶⁷ H. S. Maine, "India", *op. cit.*, p. 474. Nicholas Dirks has characterized reactions to the Mutiny similarly as an "anthropological failure" (Nicholas B. Dirks, *Castes of Mind: Colonialism and the Making of Modern India*, Princeton, Princeton University Press, 2001, p. 148). This argument is explored more fully in K. Mantena, *Alibis of Empire*, *op. cit.*, chap. 5.

⁶⁸ H. S. Maine, *Village-Communities in the East and West, Lecture One*, *op. cit.*

⁶⁹ H. S. Maine, "The Effects of Observations of India on Modern European Thought", *op. cit.*, p. 215.

In *Ancient Law and Village-Communities in the East and West*, Maine famously criticized the abstract methods of utilitarianism, arguing that analytical conceptions of law and political economy were inapplicable to primitive or ancient societies, of which India was the prime example. India was 'the great repository of verifiable phenomena of ancient usage and ancient juridical thought'⁷⁰ and thus its study would shed light on the historical and evolutionary development of law and society. India and England also shared an Indo-European heritage and thus a common institutional history. But while this filiation grounded India's epistemological centrality for the comparative study of institutions, it also construed India as representing the 'living past' of Europe. The study of contemporary Indian social and political institutions, especially the customs of village-communities, casts light upon the evolutionary history of Aryan societies and peoples precisely because Indian society was assumed to have stagnated, arresting development of institutions at an early stage, and, thus, preserving their ancient character. Therefore, alongside the claim to a deep affinity, Maine asserted the radical difference between Indian and English institutions. With the assertion of difference, however, also came a stress on understanding the unique logic of primitive society. Thus Maine's historicism was accompanied by an anthropological sense that viewed native society as functional wholes, ordered by the dictates of primitive custom.⁷¹

Maine's reconstitution of the appropriate foundation of knowledge and his revised account of the customary basis of native society stimulated 'official anthropology' and its influence in crafting imperial policy.⁷² In some quarters, it directly spurred a wholesale rejection of the liberal agenda of reform in favor of policies that sought the rehabilitation and protection of native customs and institutions. For some, protecting native 'traditions' was a normative priority and, for them, Maine's evocative account of native society, where primitive custom rationally ordered social, political, and

⁷⁰ H. S. Maine, *Village-Communities...*, *op. cit.*, p. 22.

⁷¹ David Cannadine, in his controversial book *Ornamentalism: How the British Saw Their Empire*, criticizes the notion that the British primarily viewed native subjects through a racialized lens and/or as irretrievably other, a view he sees as having become the dominant view in imperial studies since Said's *Orientalism*. Thus, in direct contrast to Metcalf, Cannadine argues that the late nineteenth-century turn toward the preservation of Indian society as "traditional and organic" was premised upon a nostalgic identification with the (lost) past of Europe, and thus was primarily a discourse of similarity. As a projection onto the Empire of an aristocratic ideal of a hierarchal, ordered society, Cannadine sees this ideal as more sympathetic than earlier liberal models to the workings of traditional society, and moreover, that as an ideology it was more thoroughly imbued by a strategy of (upper) class identification rather than racial difference. I follow Metcalf, Hutchins, and Stokes, and their emphasis on the ways in which this ideal was in fact founded in a more fundamental account of difference. David Cannadine, *Ornamentalism: How the British Saw Their Empire*, Oxford, Allen Lane, 2001; T. Metcalf, *Ideologies of the Raj*, *op. cit.*, p. 66-112; F. G. Hutchins, *The Illusion of Permanence*, *op. cit.*, chap. 10; Eric Stokes, "The Administrators and Historical Writing on India", in C. H. Philips (ed.), *Historians of India...*, *op. cit.*, p. 392-94.

⁷² See Clive Dewey, "The Influence of Sir Henry Maine on Agrarian Policy in India", in Alan Diamond (ed.), *The Victorian Achievement of Sir Henry Maine: A Centennial Reappraisal*, Cambridge, Cambridge University Press, 1995, p. 353-75. See especially Lyall's and Hunter's works on caste and clan formation: Alfred Comyn Lyall, *Asiatic Studies: Religious and Social*, London, John Murray, 1882, 1899; and William Wilson Hunter, *The Annals of Rural Bengal*, London, Smith, Elder and Co., 1868. See also chapter five for a more detailed analysis of Maine's impact on imperial policy.

economic life, was particularly appealing. Most, however, argued for a policy of protection and/or rehabilitation as a safeguard against instability, unrest, and rebellion. One of the central lessons of 1857 was that if certain forms of native beliefs, such as the belief in caste, 'continues unimpaired or but slightly decayed, some paths of legislation and of executive action are seriously unsafe'.⁷³ In reading 1857 in primarily cultural terms, as rooted in cultural intransigence and resistance to imposed modernization, recognition of native custom became an important strategic imperative.

Maine supplied additional credence to the strategic argument for a presumptive deference to native custom through a provocative account of the structural impact of modern Empire on native society. The transition from status to contract, Maine's thematic framing of the historical evolution from ancient to modern society, had been dramatically hastened in India with the coming of British rule. That is, despite the internal coherence of native society, its structural integrity was construed as increasingly undermined through contact with modern institutions. The vitality and customary basis of the Indian village-community, for example, were quickly dissolving with the intrusion of modern notions of legal right, absolute property, and freedom of contract. In practical terms, the rapidity of the process of disintegration, for Maine, engendered grave consequences for the stability of imperial rule.⁷⁴

In prioritizing the maintenance of order, liberal models of education, economy, and politics would all be limited because they were now considered to inherently bear disintegrative effects on native/traditional society. Unlike liberal ruling strategies that construed 'traditional' social structures, customs, and identities, such as those relating to caste and religion, as impediments to the project of improvement and thus good and moral governance, the new strategies of rule stressed the need for reconciliation with native institutions and structures of authority. In practical terms this entailed a more conciliatory relation to the princely states, now seen both as bulwarks against radicalism and as authorities that commanded 'natural' obedience.⁷⁵ There was also a shift away from the institution of the principles of *laissez-faire* and private property rights for the sake of protecting the 'traditional' foundations of agrarian society, such as caste and the village-community.⁷⁶

In India what began as a principle of non-interference into native religious practices in the wake of 1857 had, by the turn of the century, metamorphosed into an array of arguments for the protection and rehabilitation of native institutions. Maine's account of a traditional society in crisis supplied a rationale and an impetus for indirect rule, a rule to protect native society from the traumatic impact of modernity. Indirect rule became the foundational principle of late imperial administration and philosophy in Asia and Africa, articulated in different forms, for example, in

⁷³ H. S. Maine, "India", *op. cit.*, p. 476.

⁷⁴ Maine's most detailed account of the structural impact on British rule on native institutions appears in *Village-Communities in the East and West*. Maine's sociology of colonialism is analyzed in K. Mantena, *Alibis of Empire*, *op. cit.*, chap 3-5.

⁷⁵ T. Metcalf, *Ideologies of the Raj*, *op. cit.*; and Thomas R. Metcalf, *The Aftermath of Revolt, India 1857-1870*, Princeton, Princeton University Press, 1964.

⁷⁶ C. Dewey, "The Influence of Sir Henry Maine on Agrarian Policy in India", *op. cit.*

Swettenham's vision for Malaya, Cromer's policy in Egypt, and, most famously, Lugard's account of the dual mandate for tropical Africa.

Conclusion

While liberal justifications of Empire always had their detractors, after 1857 both their prominence and efficacy were dramatically eclipsed. And with their decline, a more general waning of ethical arguments and moral justifications of Empire ensued. Imperial policy debates would be overwhelmingly framed by questions of stability and order, remaining remote from, even dismissive of, concerns about the moral purpose and legitimacy of imperial rule. As we have seen, British imperial ideology of the early nineteenth century had been closely tied to the ideals of trusteeship and improvement, which taken together conferred a moral imperative to the imperial mission. For liberal reformers modern Empire had to be decisively severed from older, extractive forms of conquest, and rendered just by becoming an agent of civilizing progress. Legitimacy would be defined by the ethical character of the imperial regime, given by its motivating logic and elevated ideals. With the collapse of the liberal model and its moral vision, however, the legitimacy of Empire became disassociated from avowed metropolitan imperatives and, instead, enframed and mediated by the immanent properties of subject societies. Imperial rule would be construed as a necessity for curtailing the tendency of native societies toward dissolution, born of endemic internecine conflict, or (more subtly) from contact with modern civilization. Moreover, the remedy to these crises would be sought through the protection and reinvigoration of native society. Native society functioned both as pretext and solution, as an *alibi* for the *fait accompli* of Empire.

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Abstract

Over the course of the nineteenth century, the central tenets of liberal imperialism were challenged as different forms of rebellion, resistance, and instability in the colonies instigated a more general crisis about the nature and purpose of imperial rule, a crisis that precipitated the waning of ethical justifications of Empire. As modes of justification became more tentative in terms of their moral and political aspirations, late imperial ideologies of rule were presented less in ideological than pragmatic terms, as practical responses to and accommodations to the nature of 'native society'. Under this cover, social, cultural, and racial theories entered through the back door, as it were, to explain and legitimate the existence of Empire; they functioned less as justifications than as alibis for the *fait accompli* of Empire. The most important consequence for ideologies of imperial rule was a move away from the commitment to the more transformative ambitions underlying the so-called civilizing mission, a central hallmark of the project of liberal imperialism. In place of the universalist project of civilization, which at its core believed in the possibility of assimilating and modernizing native peoples, a new emphasis on the potentially insurmountable difference between peoples came to the fore.

Résumé

Au cours du XIX^e siècle, les fondamentaux du libéralisme impérial furent profondément ébranlés. La multiplication des rebellions et des résistances et la montée de l'instabilité politique dans les colonies entraînèrent une crise générale, portant sur la nature et les objectifs de l'ordre impérial, accélérant le déclin des légitimations morales de l'impérialisme. Alors que les justifications éthiques et politiques se faisaient plus hésitantes, les nouvelles formes du discours impérial insistaient moins sur l'idéologie que sur le pragmatisme, se présentant comme des réponses pratiques et des adaptations à la nature des sociétés indigènes. Des théories sociales, culturelles, raciales furent alors convoquées pour expliquer et légitimer l'Empire, véritables alibis entérinant le fait accompli impérial. L'une des conséquences importantes sur l'idéologie impériale a été l'abandon des ambitions transformatrices contenues dans le projet de « mission civilisatrice », thème central du libéralisme impérial. En lieu et place du projet universaliste, reposant sur la croyance dans l'assimilation et l'amélioration des peuples indigènes, s'est imposée avec force la conscience d'une différence potentiellement insurmontable entre les peuples.

Keywords: Liberalism; Empire; Imperialism; Edmund Burke; John Stuart Mill; James Fitzjames Stephen; Henry Maine; Civilizing mission; India; Indirect rule.

Mots-clés : Libéralisme ; Empire ; Impérialisme ; Edmund Burke ; John Stuart Mill ; James Fitzjames Stephen ; Henry Maine ; Mission civilisatrice ; Inde.



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