

Liberalism - What's in a Name?

Barry Hindess*

What's in a Name? That which we call a Rose
By any other name would smell as sweet.¹

The second part of my title - What's in a Name? - is taken from a moment in the balcony scene of *Romeo and Juliet* when Juliet briefly imagines that Romeo could be separated from his name, that he could be appreciated for what he is rather than for what he is called: 'Tis but thy name', she laments, 'that is my enemy; Thou art thyself, though not a Montague'. The audience, of course, knows better – as does Juliet herself, although she would prefer to believe otherwise. Thus, while Juliet's immediate answer to the question suggests that the name is unimportant, that what matters are the qualities of the thing to which the name is attached, the unfolding tragedy of Shakespeare's play presents a very different view, showing that some names have substantial social and political significance.

Like the play, this paper disputes the answer given by Juliet's fantasy. It does so in the context of academic debate by showing that the use of a name, 'liberalism' in this case, can have significant implications for political and historical analysis. My aim, in fact, is to question conventional academic characterisations of liberalism and to suggest that the adoption of a different usage not only serves to clarify liberal governmental practice – including many of the recent developments which, for want of a better name, tend to be grouped together under the label of neo-liberalism – but also to provide a fuller and more powerful account of the work of central figures in the liberal tradition.

Specifically, the characterisations I wish to dispute present liberalism as focused essentially on one or more of the following concerns:

relations between the state and its subjects;

the promotion and defense of individual liberty;

and, as a special case of the second, the promotion and defense of private property.

Accounts of liberalism in such terms have been advanced in a number of more or less sophisticated forms, sometimes by its supporters and sometimes by its critics, and there can be no disputing the fact that liberals frequently have strong views about these concerns. My claim, then, is not that these accounts are entirely false but rather that they are all seriously incomplete. I want to insist, as against the first, on the cosmopolitan, supra-state character of much of the liberal tradition and, as against the second and third, on its governmental character, that is, on its concern with mundane problems involved in the government of populations. Contemporary treatments of liberalism as normative political theory rarely pay sufficient attention to the first of these features and they commonly have little to say about the second.

* RSSS, Australian National University: b.hindess@anu.edu.au. (draft only: please do not quote without consulting me first)

¹ *Romeo and Juliet*, Act 2, Scene 2, l. 43

States and their subjects

There has been a substantial development of normative international relations theory in recent years and those who are familiar with the literature in this area will need no persuading of the cosmopolitan, supra-national character of liberalism's concerns: liberal IR theorists endorse them while many of the realist and constructivist critics of what they see as liberalism's pretensions in the international sphere are commonly liberals with regard to the domestic sphere.

The great majority of political theorists today, however, are not IR specialists, and their work focuses primarily on relations between a state and its subjects and on relations among the subjects themselves. Some simply ignore the international sphere – Pierre Manent's incisive *An Intellectual History of Liberalism* (1994) is a striking case in point – while others tend to treat it as a sphere in which to apply and adapt liberal principles initially developed in relation to the domestic sphere. These comments should hardly be controversial, and the example of John Rawls' *The Law of Peoples* (1999) will serve here to illustrate my point. Rawls insists that the Law of Peoples 'is developed within political liberalism' and that it must therefore be seen as 'an extension of a liberal conception of justice for a domestic regime to a *Society of Peoples*' (p. 55, emphasis in original).² His discussion proceeds, first, by adapting the (domestic) idea of a social contract among a plurality of human adults to a 'society' whose members are 'liberal democratic peoples', not human individuals, and then, by extending the idea of such a society further to include 'decent nonliberal peoples' among its members. Rawls gives the example of 'Kazanistan', an imaginary Muslim people, which 'is not aggressive against other peoples...; honors and respects human rights; ... contains a decent consultation hierarchy' (p. 5). Perhaps what is most disturbing about this example is precisely that it is imaginary, because it does not refer to any contemporary Islamic state. In this respect it suggests a view of the Islamic world – as containing neither liberal democratic peoples nor decent nonliberal peoples – which plays directly to American paranoia about a looming clash of civilisations.

This problem with Rawls analysis aside, his work serves to illustrate two ubiquitous features of mainstream (that is, non-IR) academic liberalism. First, it focuses primarily on normative issues, giving little serious consideration to the question of what techniques and mechanisms of regulation and control are or could in fact be used in the government of the populations of contemporary states. Rawls makes a distinction between ideal and non-ideal theory, and the name of the latter might seem to suggest that it offers a place for consideration of such mundane questions. In fact, however, both types of Rawlsian theory are focused on normative issues, the latter addressing issues which arise in situations that are less than ideal: not the mundane question of what might work in dealing with non-liberal peoples but rather the very different question of what actions may justifiably be taken against those who behave badly and what duty of assistance liberal or decent peoples owe to those whose

² Some of Rawls' liberal critics go further, suggesting that the international sphere should itself be seen as a society not of peoples or of states, as Rawls proposes, but ultimately of individuals (e.g. Beitz 2000, Caney 2002, Pogge 2001) On this view, principles of justice that are held to apply within liberal states should in fact be applied more widely.

condition is less fortunate than their own. Second, and more important for my discussion in this section, mainstream academic liberalism considers the international sphere (Rawls' society of peoples), and the treatment to be accorded to nonliberal peoples or states within that sphere, entirely on the basis of normative principles which have already been established in the domestic sphere, principles which are held to govern relations between the state and its subjects and among the subjects themselves. In Rawls' discussion, these principles are derived from the contractarian political fantasy of a discrete, self-contained population of rational, morally autonomous individuals.

My interest here is less with the details of Rawls' discussion than it is with an assumption which he, along with many contemporary political theorists, seems to take for granted: namely, that liberalism is in fact concerned primarily with the field of intra-state relations – that is, with relations between the state and its subjects on the one hand and relations among those subjects themselves on the other. This assumption is easily dealt with, at least at first sight: one can simply point to the substantial international relations literature, alluded to above, which shows that liberal thought has always been concerned with the regulation and re-organisation of the international sphere. Michael Doyle (1983) has identified a tradition of liberal political thought, going back at least to Kant, which sees the development of constitutional government within states as a means of securing peaceful relations between them, while Albert Hirschman (1977) and Michael Howard (1978) have both argued that liberals have been concerned to promote commerce in part because it was seen as a means of pacifying states and their rulers. John MacMillan (1998) adopts a broader canvass for his account of liberal internationalism, arguing that early liberal thinkers saw Absolutist and feudal relations within states and the Westphalian system of relations between states as mutually supportive components of an overarching illiberal order, with the result that their critiques tended to focus on both the domestic and the international aspects of this overarching order. (I will argue that the intimate connection between liberalism and Western imperialism suggests the need for a broader canvass still.) Alternatively, drawing on the Marxist tradition in international political economy, one could argue that liberalism has always been committed to the promotion of capitalism - and this too is to say that it has always had significant international as well as domestic concerns.

There is another influential treatment of liberalism to be considered under the heading of states and their subjects but, first, it is necessary to note a possible Rawlsian rejoinder to these points: namely, that the primacy of intra-state relations in liberal political thought is a matter not of history but of priorities. Of course, it might be said, liberals have always been concerned with international issues but their interest in these issues derives simply from the fact that they impinge on the more fundamental liberal concern with individual liberty, and therefore with the field of intra-state relations. This response invokes the second of my three characterisations of liberalism, which I consider in the following section, but it also assumes that the existence of distinct political communities can be taken as an unproblematic starting point for analysis. In the work of many contractarians – Rawls again providing an obvious example – this assumption rates hardly a mention, while those who do try to justify it tend to invoke a speculative history of humanity of the kind set out in Kant's *Idea for a Universal History* (1790). Kant offers a rational reconstruction of the history of the modern system of states which suggests that the first step in its

formation consists of peoples in various parts of the world getting together to establish states for the usual contractarian reasons of defense against their fellows and against outsiders: that is, that the establishment of the system of states is a consequence of the prior emergence of states themselves.

What this historical reconstruction overlooks, of course, is the fundamental achievement of the Westphalian political settlement of 1648 which finally brought the destructive religious conflicts of much of northern Europe under some kind of control. By assigning to states exclusive responsibility for the government of the populations within their respective territories, this settlement laid the foundations for the development both of the modern system of states and of modern states within that system.³ Thus far from emerging from a purely internal process of development, as the contractarian story suggests, modern states should also be seen as artifacts of a supra-state governmental regime.

The trouble with the contractarian story, then, is that it denies, or invites us to ignore, this and other aspects of the actual history of states.⁴ Kant's speculative history should be read in conjunction with his insistence, in *The metaphysics of morals*, that 'for all practical [i.e. moral] purposes' the origin of sovereign power 'is not discoverable by the people who are subject to it.... The subject ought not to indulge in speculations about its origin... as if its right to be obeyed were open to doubt' (Kant 1970, p. 143). With this argument Kant prefigures the fundamental claim to legitimacy made by Big Brother in George Orwell's *1984*, maintaining as a matter of principle that citizens should not look too closely into the origins of the state which rules over them – and, if the origins of the state are not to be questioned then neither, of course, are its boundaries. Kant's insistence on this point effectively acknowledges that, as a rationalisation and justification of state power, contractarian argument works only to the extent that we are prepared to ignore the facts of history.

The other account of liberalism to be considered here derives from Michel Foucault's later writings on government. While Foucault identifies a certain continuity between the government of oneself, the government of one or a few others and the government of a state, seeing them all as concerned with regulating the conduct of the governed, he also pays particular attention to the predominant modern understanding of the term 'government' as referring to 'the particular form of governing which can be applied to the state as a whole' (Foucault 2001: 206). In this latter sense, Foucault insists, government is not primarily concerned with the question of sovereignty, with taking over or holding on to the state: it focuses rather on

the welfare of the population, the improvement of its condition, the increase of its wealth, longevity, health, and so on; and the means that the government uses to attain those ends are themselves all in some sense immanent to the population' (ibid.: 217)

Foucault proposes to analyse liberalism as a rationality of government in precisely this sense: that is, as concerned with pursuing ends and adopting means to those ends

³ There is an extensive literature on the emergence of the Westphalian system and its geo-political effects. See, for example, Held 1995, Schmitt 1950, Spruyt 1994, Walker 1993.

⁴ This is one of the central points of James Tully's *Strange Multiplicity* (1995), which uses the experience of indigenous peoples in the white settler colonies of North America to develop a powerful critique of contractarian and related forms of constitutionalism.

both of which are seen as being ‘in some sense immanent to the population’ of the state itself.

What particularly distinguishes liberalism, in Foucault’s view, from governmental rationalities of other kinds is its commitment to governing as far as possible through the promotion of certain kinds of free activity and the cultivation among the governed of suitable habits of self-regulation. According to this account, the image of the market plays an exemplary role in liberal political thought: it plays ‘the role of a ‘test’, a locus of privileged experience where one can identify the effects of excessive governmentality’ (Foucault 1997, p. 76). Here, the market is seen as a decentralised mechanism of government operating at two rather different levels. At the first and most immediate level, the perception is that individuals are governed, at least in part, by the reactions of others with whom they interact and that, at least among more civilised peoples, their interactions will normally take a peaceful form – the market itself providing the most obvious example. This view suggests that, while the promotion of suitable forms of free interaction may be an effective way of dealing with the government of civilised populations, it is likely to be less successful in other cases. Secondly, over the longer term, interaction with others is thought to influence the internal standards which individuals use to regulate their own behaviour – by affecting, for example, their sense of good and bad conduct, of what is acceptable or unacceptable in particular contexts, and so on. At this level, market interaction itself is seen as a powerful instrument of civilisation, inculcating such virtues as prudence, diligence, punctuality, self-control, etc. (Hirschman 1977; Holmes 1995). This view suggests that, if only suitable forms of property can be set securely in place and non-market forms of economic activity reduced to a minimum, then market interaction itself may function as a means of improving the character of less civilised peoples. In this case, authoritarian state intervention to reform property relations and impose conditions that would enable widespread market interaction to take off, may be seen as a liberal move towards a situation in which individuals may be governed through their free interactions.

I will suggest, in the following section, that this Foucaultian view of liberalism as committed to governing through freedom is far too restricted. What should be noted at this point, however, is simply that Foucault’s own account of liberalism and the governmentality accounts which have followed his lead have focussed on the rationality of the government of the state - that is, on the government of state agencies and of the population and territory over which the state claims authority. Thus, while eschewing political theory’s normative pretensions, the governmentality approach nevertheless shares its view that liberalism is concerned primarily with the field of intra-state relations, and it therefore shares also the limitations which that view entails (Hindess 2000). In fact, adapting MacMillan’s argument noted earlier, liberalism should be seen as a governmental project which developed initially within the conditions provided by the Westphalian system of states. It is a rationality of government concerned with governing not simply the particular populations of individual states but also the larger aggregate population which the system of states encompasses. It addresses this task at two levels: first, by allocating populations to states and secondly, by deploying a range of devices to civilise and to regulate the conduct both of states themselves and of those within the particular populations under their authority.

Governing liberty

Considered as a political theory or ideology liberalism is most commonly regarded as a normative political doctrine which treats the maintenance of individual liberty as an end in itself and therefore views liberty as setting limits of principle both to the legitimate objectives of government and to the manner in which those objectives might legitimately be pursued. Critics of liberalism (e.g., Marcuse 1972) have sometimes endorsed this view while adding that the liberty which liberalism is so concerned to promote is not what it seems. I noted above that, while not perceiving the issue in normative terms, Foucault's account of liberalism as a rationality of government also accords central place to individual liberty: the significance which liberalism attaches to individual liberty, he suggests, is intimately related to a prudential concern that one might be governing too much, that the attempt to regulate directly certain kinds of behaviour might in fact be counterproductive. According to this account, liberal political reason sees individual liberty as a limit, if not to the legitimate reach of government then certainly to its effectiveness. Governmentality scholars (for example, Dean 1999, Rose 1999) have adapted and extended this account of liberalism to produce a powerful and innovative analysis of contemporary governmental uses of individual choice and empowerment and the more general promotion of market or auditing regimes in the government of domains previously subject to more direct forms of regulation.

Nevertheless, in spite of its productivity in this respect, such an account of liberalism as a rationality of government can only be regarded as seriously incomplete. If liberalism is concerned with 'the particular form of governing which can be applied to the state as a whole' (2001: 206) then, even in contemporary Western states it must also be concerned with the government of numerous individuals and significant areas of conduct which seem not to be amenable to available techniques of governing through freedom – with the criminal justice system, the policing of immigrant communities, the urban poor and indigenous peoples, the provision of social services and the management of public sector organizations. Indeed if, in Foucault's words, the market plays 'the role of a "test"', then it is a test that surely cuts both ways, suggesting not only that some people and some fields of activity can best be governed through the promotion of suitable forms of free behaviour, but also that there are other cases for which alternative forms of rule will be required.

It would therefore be misleading to describe liberalism, considered as a rationality of the government of 'the state as a whole', as being concerned only with governing through liberty: liberalism must also be concerned with determining which individuals and which areas of conduct within the state can best be governed in this way and which cannot, and with deciding what can be done about governing the latter (Hindess 2001). I have made this point in relation to the Foucaultian analysis of liberalism but it would apply equally well to the more familiar account of liberalism as a normative political theory or ideology committed to the maintenance and defense of individual liberty. To the extent that it is concerned with the government of actual states and populations – to the extent, we might say, that it is serious about politics in the modern world – then liberalism can hardly avoid the question of what to do about individuals and areas of conduct which seem not to be amenable to government through the promotion of suitable forms of individual liberty. Rather than describe

liberalism as committed to governing through freedom, then, it would be more appropriate to present it as claiming only that there are important contexts in which free interaction can serve as an instrument of regulation: that is, that certain populations, or significant individuals, groups and activities within them, can and should be governed through the promotion of particular kinds of free activity and the cultivation of suitable habits of self-regulation, and that the rest must therefore be governed in other ways.

In fact, if I can use this descriptive figure to introduce such a contentious observation, many of the historical figures who have described themselves as liberals or else, like John Locke, Adam Smith, David Hume or Immanuel Kant, have been posthumously recruited into the liberal camp⁵ were clearly concerned to distinguish between what can best be governed through the promotion of liberty and what should really be governed in other ways. Liberals have drawn the line in very different places and rationalised their decisions by means of correspondingly different arguments, but they have done so most commonly in historicist and developmental (and often gendered) terms. They have argued, in other words, that the capacity to be governed as a free agent is itself a product of civilisation - or 'improvement', to use one of John Stuart Mill's favourite expressions - and therefore that it will be most fully developed amongst those inhabitants of civilised societies who, as Mill liked to think of himself, exhibit the highest degree of improvement, and less fully developed, or not developed at all, in other sections of humanity.

Nevertheless, while such narcissism has provided liberalism with particularly congenial foundations on which to erect its distinctions between what can be governed through the promotion of liberty and what must be governed in other ways, it would be misleading to suggest that liberalism is necessarily committed to a developmental view of human capacities. It is the distinction which is necessary to the liberal government of populations, not the particular historicist or other grounds on which it might be made. The governmental promotion of a sphere of religious freedom in parts of seventeenth and eighteenth century Europe could also be said to represent a kind of liberalism. However, the decision in this case to tolerate a limited range of religious observances arose not from any view of inalienable individual rights but rather from a pressing concern to protect the state from the consequences of religious dispute. Nor did the corresponding decision to suppress observances which fell outside the range of toleration need to draw on any historicist view of the differential development of human capacities in the religious communities concerned (Hunter 2001). This example suggests that the historicist and developmental view of humanity which played such an important role in the era of liberal imperialism should not be seen as an indispensable feature of liberal political reason: rather, it was an influential liberal response to the problems of governing, and of understanding, populations not encompassed within the original Westphalian system of states. It is hardly surprising if, in addressing these problems, liberals have been tempted to draw upon and elaborate further historicist accounts of the development of human capacities initially derived from the experience of Hispanic rule in the Americas (Pagden 1991). Nor should it be surprising that by the end of the twentieth century many liberals had begun to question central features of this historicist vision.

⁵ The term 'liberal' was not used to denote political allegiance before the early years of the nineteenth century Vincent 1995.

My point is not that this view of human development should be seen as merely an ideological support for Western imperialism. It provided J. S. Mill with an important part of his argument for increased public participation in politics and, in the hands of the new liberalism of late nineteenth century Britain, it served to support a powerful case for the promotion of liberty by the state – through intervention in labour market contracts and working conditions, as well as in housing, education and other areas of social policy (Clarke 1978, Collini 1979). Liberal imperialists, of whom there were many among the new liberals, have commonly seen such historicist views as justifying what they liked to think of as a civilising mission, but many liberal opponents of imperialism – from Adam Smith to J. A. Hobson – have held equally historicist views. In any event, rather than focus on questions of justification (on the legitimacy of the state or the defense of imperialism) my discussion of the role of historicist and developmental arguments within liberal political thought has been concerned to register their implications for liberal attempts to address the mundane governmental question of how to rule the population of a state or an occupied territory. This is one of the areas in which liberal political thought has often drawn on other kinds of expertise – on the advice, for example, of social scientists or colonial administrators.

These last points return us to my earlier suggestion that the adoption of a different understanding of liberalism can provide a fuller and more powerful account of the work of central figures in the liberal tradition. If we treat liberalism as committed to the maintenance and defense of individual liberty then the active involvement of prominent liberals in the practice of imperial rule must appear incomprehensible, at least in liberal terms.⁶ John MacMillan, for example, asserts that J. S. Mill's argument in favour of authoritarian rule in India is inconsistent with his liberalism, Pierre Manent's (1994) discussion of Tocqueville's liberalism completely ignores his defense of and practical involvement in French rule in Algeria while Jennifer Pitts (2000) and Melvin Richter (1963) insist that it can only be regarded as an aberration, as something to be explained away by reference to his nationalism and other non-liberal factors.

The difficulties which these commentators seek to address arise not from the actual writings of Mill or Tocqueville, which are generally fairly clear⁷, but rather from the limited understanding of liberalism which they bring to their analysis. Thus, if we take a broader view of liberalism, if we treat distinctions of the kind noted above as necessary elements of any serious liberal reflection on the government of states and populations, then the fact of liberal complicity in the practice of imperial rule appears in a very different light. Tocqueville's nationalism may help to account for his enthusiastic defense of the French takeover of Algeria, but it tells us nothing about the reasons for his recommendations concerning how the subject population should be governed. With regard to this last issue, their arguments for the necessity of authoritarian rule should be seen not as evidence of Mill's or Tocqueville's inconsistency but rather as part and parcel of their liberalism.

⁶ Various aspects of this involvement have been amply documented in the British case by, for example, Uday Mehta (1999), Eric Stokes (1959), Peter van der Veer (2001) and Lynn Zastoupil (1994).

⁷ Although there are obvious difficulties of interpretation presented by the draft dispatches which Mill prepared as part of his duties in the East India Company. The careful examination in Zastoupil 1994 shows that Mill's own views can often be clearly discerned.

Nevertheless, while liberal politicians and administrators have clearly acknowledged the necessity of employing 'illiberal' forms of rule in many cases it is equally clear that liberal political theory has preferred, for the most part, to focus on the defense and promotion of individual liberty, paying little attention to alternative forms of rule and often ignoring them altogether. If, as I have suggested, liberalism can hardly avoid the question of what to do about individuals and areas of conduct which seem not to be amenable to government through the promotion of suitable forms of individual liberty, how should we account for this disjunction between liberal practice and liberal theory? One possible answer would be to invoke the development of liberal political theory as an academic specialism which is close to, or part of, philosophy. The focus of liberal theory on matters of principle could then be seen as reflecting a broadly Kantian view of the proper division of academic labour: namely, that on the one hand the realm of pure research (political theory in this case) should be clearly separated from the more applied disciplines to which its subject matter is closely related (law, public administration, public policy) and, on the other, that it should subject the latter disciplines to a critical intellectual oversight (Kant 1979). On this view, the task of liberal theory is precisely to work at the level of principles, not to get caught up in the mundane governmental concerns that preoccupy the applied disciplines and their political masters.

There is much to be said for such a response but, as we shall see in a moment, the disjunction between liberal theory and liberal governmental practice could be observed well before political theory became established as a distinct academic specialism. The argument from the division of academic labour must therefore be supplemented by another kind of answer – to which I turn after considering an alternative account which is far less flattering to the ethical pretensions of liberal theory. I refer, of course, to the charge, frequently levied by critics of liberal imperialism (e.g. Césaire 1972, Guha 1997, Said 1992), that this disjunction is a straightforward case of hypocrisy and special pleading.

Like so many smart weapons, this charge seems to me slightly off-target: hypocrisy and special pleading have clearly played an important part in liberal imperialism, as they have in other human endeavours, but there need be no inconsistency in arguing for the value of individual liberty in the metropolitan context and the necessity of authoritarian rule elsewhere. What brings metropolitan liberalism to consort with colonial autocracy is the historicist and developmental view of human capacities noted earlier, which provided politicians and administrators with a means of identifying cases in which the governmental promotion of liberty would not be appropriate at present (Helliwell and Hindess 2002). However, while it served to promote a belief in the necessity for authoritarian rule this historicist view tended also to generate among imperial administrators and politicians a civilised distaste for the work involved in governing those whose capacities for autonomous action were thought to be relatively undeveloped (Hindess 2001). Colonial administrators in London or Paris commonly took care to distance themselves from the more unsavoury practices of their subordinates in the field – as did many of those lower down the chain of command – thereby displaying as much concern for their reputations as cultivated exemplars of Western civilisation as senior public servants of other kinds have commonly done.

The work of John Stuart Mill - who, like his father, spent much of his adult life as a senior officer of the British East India Company – provides some interesting examples of this distancing manoeuvre. In his remarks on the people of British India towards the end of his *Considerations on Representative Government*, Mill observes that, in marked contrast to the enlightened views of the colonial government itself, administrators on the ground will often be tempted to 'think the people of the country mere dirt under their feet' (p. 571) and to treat them accordingly - and he adds that it will always be extremely difficult for the colonial government itself to eradicate such feelings. This observation, and the more general discussion of imperial rule in which it is located, is revealing in a number of respects: first and most obviously it displays Mill's recognition that distinctly unsavoury practices were an inescapable part of the Company's rule over its Indian subjects; but secondly, in the suggestion that he and his colleagues in London would not themselves have condoned such practices, it also serves to convey a corresponding sense of Mill's own degree of civilisation.

But the most striking example of this distancing manoeuvre in Mill's writings is his *Autobiography*, which asks us to believe that his day job working for the empire played no real part in his intellectual development. Just how misleading the *Autobiography* is in this respect has been shown by Lynn Zastoupil's (1994) careful examination of Mill's engagement with the government of India. Zastoupil begins by noting that his governmental work may not have fitted the story Mill wished to present of his life, the story of one great mind learning through its interactions with other great minds. This is entirely plausible but, as we can see by taking the point a little further, it also lets Mill off the hook rather too easily. The story Mill chooses to present carries the image noted earlier of a division of labour between liberal theory and liberal governmental practice to the extreme of suggesting that the latter had no real influence on the former. In this case, however, Mill's view of the division of labour can hardly be seen as resulting from the development of political theory as an academic specialty: rather, I suggest, it both hides and betrays the cultivated liberal's distaste for the dirty work of empire.⁸

Promoting markets and commercial property rights

Finally, liberalism has often been seen as particularly committed to the promotion of markets and therefore also to the promotion of the property rights that are thought to be necessary to their efficient functioning. I have already noted, for example, that in Foucault's view, the image of the market plays an exemplary part in liberal political thought: it plays 'the role of a 'test', a locus of privileged experience where one can identify the effects of excessive governmentality' (Foucault 1997, p. 76). Liberal commentators have generally attached particular importance to economic freedom (that is, to the legal protection of free markets and private property), seeing it not only as a fundamental source of economic growth but also as a precondition for the emergence of a politically significant middle class and civil society. In this respect,

⁸ It is not inconsistent with this point to note that, in other contexts, Mill took pride in the practical significance of his administrative work. His comments on T. B. Macaulay's 1835 *Minute on Indian Education*, which suggests that there was little worth preserving in Indian civilisation, are particularly revealing: in a letter to Harriet Taylor, Mill describes it as the work of 'a coxcombical dilettante litterateur who never did a thing for a practical object in his life' (CW vol. 14, pp. 1969-70, cited in Zastoupil 1994, p. 214).

economic freedom has been seen as securing the political foundations on which other forms of liberty must rest – with some commentators going so far as to suggest that these other forms of liberty may sometimes have to be suppressed in order to ensure the fullest development of economic freedom (e. Friedman 1980). Critics of liberalism, too, have often emphasised the centrality of markets and private property to liberal political thought (Polanyi 1957). They have seen it as an ideology of the bourgeoisie and of international capitalism, aiming to insulate economic power from political control and even, according to one account, giving ‘privileged rights of citizenship and representation to corporate capital and large investors’ (Gill 1998, p.23).

As my brief reference to economic freedom will have suggested, this perspective on liberalism can be seen as a particular case of the more general view of liberalism as committed to the promotion and defense of individual liberty, and it therefore calls for much the same response. Key liberal thinkers and organisations have certainly insisted on the defense and promotion of markets and property rights but many of them have also taken the view that there are important contexts in which the unconstrained development of market relations would simply not be appropriate – the ‘new liberalism’ noted earlier (e.g. Ritchie 1891) providing a striking case in point⁹. Similarly, many liberals have supported the restrictions placed on commercial relations by the legal, medical and other professions. Or again, during the colonial period liberals generally favoured the reform of property relations among subject peoples but they were also concerned to limit the exposure of certain sectors to what they saw as the destructive impact of markets. More recently, some liberal supporters of free trade (e.g., Bhagwati 2002) have argued against the MAI, suggesting that states may well be justified in imposing social or environmental obligations on corporate investors.

Here, as in the more general case discussed above, a liberal insistence on maintaining limits to markets and the rights of property should be seen, not as evidence of inconsistency but rather as reflecting a fundamental *governmental* concern – a concern, that is, with the question of what can sensibly be governed through the promotion of appropriate forms of freedom and what must be governed in other ways. And in this case too, liberals have disagreed about where best to draw the line. This is another area in which they have called on the expertise of social scientists and experienced administrators.

Post-imperial liberalism, or what is new about neo-liberalism?

The argument of this paper has been directed against accounts of liberalism which present it as primarily concerned either with the sphere of relations between a state and its subjects or with the promotion and defense of individual liberty and/or private property. As against the first, I have argued that liberalism has been concerned with regulating the conduct of the aggregate population encompassed within the system of states, and that it addresses this task by allocating responsibility for the government of specific populations to individual states, using treaties, trade and other devices to regulate the conduct of states themselves, and promoting within states appropriate

⁹ I am grateful to Marian Sawyer for reminding me of the political importance of this example.

means of governing the populations under their control. As against the second, I have suggested that while liberals have certainly been concerned to promote some kinds of liberty and private property, they have generally located these concerns within the broader task of governing populations. Indeed, it is hardly possible to understand the ways in which liberals have actively participated in the government both of free peoples and of various subject populations unless we acknowledge the significance they have attached to this broader task.

In the course of the imperial era, some of the most influential varieties of liberalism extended their ambitions from the populations of the European system of states to include the whole of humanity, aiming to bring it within the remit of the modern system of states either directly through imperial rule or indirectly through the complementary and interdependent deployment of a standard of civilisation, elaborate systems of capitulations which required independent states to acknowledge the extra-territorial jurisdiction of Western states, and ‘the imperialism of free trade’ (Gong 1984, Fidler 2000, Gallagher and Robinson 1953)¹⁰. I have also suggested that the historicist view of the development of human capacities that one finds in the work of so many nineteenth century liberals should be seen as perhaps the most influential – but certainly not the only – liberal response to the problem of governing and understanding populations which appeared to be quite unlike those inhabiting the original Westphalian system of states.

If there is any truth in this last suggestion, then we should expect to find that the need to address the novel governmental problems brought about by the end of colonial rule and the widespread disruption of established systems of capitulations by war or revolution has led to some striking new developments in post-imperial liberalism. I bring this paper to a close by suggesting that a focus on the supra-national, governmental character of liberalism can help to clarify at least two of these developments: the displacement, which is still far from complete, of the most influential rationale for the civilising pretensions of liberal imperialism and the emergence of neo-liberalism in both the international and the domestic spheres.

The first of these developments is easily understood. While the historicist view of the development of human capacities flourished in the context of restricted franchise in the constitutional states of Europe and the Americas and direct or indirect imperial rule elsewhere its utility in the post-imperial context is distinctly limited: it can hardly be invoked without offence, for example, in referring to the leaders of independent states or, if those states have any pretension to majority rule, to the majority of their populations. Governmental projects of improvement or development remain influential in the post-colonial world but, within those projects, intellectual resources have shifted away from older theories and conceptual frameworks which focused on a supposed incapacity for self-government that could only be removed over a period of generations. They have moved instead towards more politically congenial discourses which focused on the less obviously offensive problem of dealing with troublesome structural factors: transforming cultures and values, creating infrastructures, promoting civil society, removing political obstacles to development, combating

¹⁰ The phrase, ‘the imperialism of free trade’ derives from Gallagher & Robinson’s controversial interpretation of nineteenth century British policies but it has an obvious relevance for us today.

corruption, etc.¹¹ In the academy, one striking consequence of this shift has been that where liberal theory once openly acknowledged that the greater part of humanity was not yet able to cope with the demands of self-government, it now tends to insist that, given suitably conducive external conditions, we are all of us capable of autonomous conduct.

As for the second development – the rise of neoliberalism – we can begin by noting that the liberal vision of a hierarchy of social conditions and a corresponding need to bring about the improvement of the less advanced remains in place but, following the end of empire, the civilising mission can no longer be pursued in its earlier imperial guise.¹² The discourse of improvement has taken a different form, in part for the political reasons just noted, and liberalism’s civilising mission is now pursued by parties of two very different kinds who have both overlapping and competing visions of what it might involve. It is pursued first, by significant minorities in the ex-imperial domains themselves - as it was, in many cases, during the colonial period - many of whom are also concerned to reaffirm (and thus to reinvent) elements of their own cultural heritage.¹³ Like Western colonial officials before them, members of such liberal minorities can be expected to combine a civilised distaste for the dirty work of governing their less advanced compatriots with a reluctant acknowledgment of its necessity. But, since they have also taken over governmental functions that would once have been performed by officers of the imperial state, they do so under radically different circumstances. On the one hand, because of their local connections, the rulers and public officials of the successor states tend to be seen, and perhaps to see each other, as more vulnerable to corruption even than Western officials had been during the colonial period.¹⁴ On the other, the positive affirmation of authoritarian rule under the guise of non-Western values provides them with a local, culturally specific variant of the patronising liberal view that the people of these domains cannot yet be trusted to govern themselves.

The project of improvement is pursued, secondly, by the liberal West itself but, where it could once rely on the decentralised despotism (Mamdani 1996) of indirect rule over colonial subjects, the Western version of liberalism’s civilising mission now has to treat those who it sees as most in need of improvement as if they were in fact autonomous agents. The old imperial divisions between citizens, colonial subjects and non-citizen others has been displaced by a post-imperial globalisation of citizenship, and indirect rule within imperial possessions has been superseded by an even less direct form of decentralised rule, reminiscent in many respects of the older system of capitulations (Fidler 2000), in which the inhabitants of post-colonial successor states

¹¹ The fact that this shift is still far from complete reflects the extent to which the political constraints just noted have played the predominant role in bringing it about. Thus the older view remains influential in cases where such constraints carry less political weight: that is, when states are dealing not with other independent states but with indigenous minorities in white settler societies and with tribal minorities elsewhere.

¹² These concluding paragraphs draw on Hindess (2002).

¹³ The formation of such liberal minorities was one of the intended effects of imperial rule but, as Bhabha (1994) observes, the mimicry which it involves invariably cuts both ways: while it serves the purposes of the colonial power in some respects it works against them in others. The affirmation of their own tradition – of Asian values, for example – by such minorities is also a kind of mimicry, and one that can be no less ambiguous in its effects.

¹⁴ Rose-Ackerman (1999) offers a particularly clear example of this perspective.

are governed through sovereign states of their own. Indirect rule now operates through national and international aid programs that assist, advise and constrain the conduct of post-colonial states, through international financial institutions and also, of course, through that fundamental liberal instrument of civilization, the market – including the internal markets of multinational corporations.

My point is not to suggest that this new form of indirect rule is likely to be any more successful than its imperial predecessors in imposing its will on target populations. Rather, it is to emphasise the fundamentally liberal character of the regime of ‘good governance’ which is now being promoted both within states and in the international arena has to be understood.¹⁵ Good governance within states is now seen as involving democracy - in the sense that the governments of states are expected to be at least minimally responsive to the wishes of their citizens and the citizens in turn are expected to own¹⁶, or at least to go along with, the policies of their government - and the implementation of basic human rights. But it is also seen as ensuring that the freedom of action of these governments, and therefore the ability of their citizens to determine what those actions will be, is severely constrained by both internal and international markets. In fact, the use of markets in regulating the conduct of states and in the conduct of government within them has become increasingly prominent as we move further away from the decolonisations of the mid-twentieth century. In liberal eyes, as noted earlier, the market appears to perform a variety of desirable functions: not only in promoting prosperity overall but also in regulating the conduct of states and fostering civilized attitudes and patterns of conduct among both their rulers and inhabitants.

This last point bring us, finally, to the late twentieth century growth of neo-liberalism. If there is a common thread linking the many late twentieth century projects of neo-liberal reform, both within particular states and in the international arena, it lies in the attempt to introduce market and quasi-market arrangements into areas of social life which had hitherto been organised in other ways – the corporatisation and privatisation of state agencies, the promotion of competition and individual choice in health, education and other areas of what Western states once regarded as the proper sphere of social policy, the use of financial markets (and credit-rating agencies) to regulate the conduct of states, etc. It is tempting, then, to place these developments together with the emergence of the new regime of indirect rule just noted: to conclude, in fact, with the suggestion that the problem of governing the post-colonial system of states may be one of the more important sources of this vastly increased emphasis on the governmental uses of the market.

References

- Barnett, M. N. (1997). “Bringing in the New World Order: Liberalism, Legitimacy and the United Nations.” *World Politics* 49(4): 526-551.
 Beitz, C. (2000). “Rawls's Law of Peoples.” *Ethics*(110): 669-96.

¹⁵ The liberal character of the international regime is usefully discussed in Barnett 1997.

¹⁶ The language of ‘ownership’ now plays an important part in development discourse. Joseph Stiglitz, then Vice-President of the World Bank described the Bank’s proposed Comprehensive Development Framework as involving ‘a new set of relationships, not only between the Bank and the country, but within the country itself... Central is the notion that the country (*not just the government*) must be in the driver’s seat’. (1999, pp. 22-3 – emphasis added; see also Wolfensohn 1999)

- Bhabha, H. K. (1994). The Location of Culture. London, Routledge.
- Bhagwati, J. N. (2002). Free Trade Today. Princeton, Princeton University Press.
- Caney, S. (2002). "Cosmopolitanism and the Law of Peoples." The Journal of Political Philosophy 10(1): 95-123.
- Césaire, A. (1972). Discours sur la Colonialisme. Paris, Présence Africain.
- Clarke, P. (1978). Liberals and Social Democrats. Cambridge, Cambridge University Press.
- Collini, S. (1979). Liberalism and Sociology: L. T. Hobhouse and Political Argument in Britain 1880-1915. Cambridge, Cambridge University Press.
- Dean, M. (1999). Governmentality: power and rule in modern society. London, Sage.
- Doyle, M. (1983). "Kant, Liberal Legacies, and Foreign Affairs, Part One." Philosophy and Public Affairs 12(3): 205-235.
- Doyle, M. (1983). "Kant, Liberal Legacies, and Foreign Affairs, Part Two." Philosophy and Public Affairs 12(4): 323-353.
- Fidler, D. P. (2000). "A Kinder, Gentler System of Capitulations? International Law, Structural Adjustment Policies, and the Standard of Liberal, Globalized Civilization." Texas International Law Journal 35: 387-413.
- Friedman, M. and R. Friedman (1980). Free to Choose. Harmondsworth Penguin.
- Foucault, M. (1997). Ethics: subjectivity and truth (edited by Paul Rabinow). New York, The New Press.
- Foucault, M. (2001). Governmentality. Power. Essential Works of Foucault, vol. 3. J. D. Faubion (ed.). London, Allen Lane: 201-222.
- Gallagher, J. and R. Robinson (1953). "The Imperialism of Free Trade." The Economic History Review VI (Second Series)(1): 1-15.
- Gill, S. (1998). "New constitutionalism, democratisation and global political economy." Pacifica Review 10(1): 23-38.
- Gong, G. W. (1984). 'The Standard of Civilization' in International Society. Oxford, Oxford University Press.
- Guha, R. (1997). "Not at Home in Empire." Critical Inquiry 23(Spring): 482-93.
- Held, D. (1995). Democracy and the Global Order. From the Modern State to Cosmopolitan Governance. Cambridge, Polity.
- Helliwell, C. and B. Hindess (2002). "The 'Empire of Uniformity' and the Government of Subject Peoples." Cultural Values 6(1): 137-150.
- Hindess, B. (2000). Divide and govern: governmental aspects of the modern states system. Governing Modern Societies. R. Ericson and N. Stehr. Toronto, University of Toronto Press: 118-140.
- Hindess, B. (2001). "The Liberal Government of Unfreedom." Alternatives 26(2): 93-111.
- Hindess, B. (2001). "Not at Home in the Empire." Social Identities 7(3): 363-377.
- Hindess, B. (2002). "Neo-Liberal Citizenship." Citizenship Studies 6(2).
- Hirschman, A. O. (1977). The Passions and the Interests. Princeton, Princeton University Press.
- Holmes, S. (1995). Passions and Constraints: on the theory of liberal democracy. Chicago, University of Chicago Press.
- Howard, M. (1978). War and the Liberal Conscience. London, Temple Smith.
- Hunter, I. (2001). Rival Enlightenments: Civil and Metaphysical Philosophy in Early Modern Germany. Cambridge, Cambridge University Press.
- Kant, I. (1970). Political Writings (edited by Hans Reiss). Cambridge, Cambridge University Press.

- Kant, I. (1979). The Conflict of the Faculties. Lincoln, Nebraska and London, University of Nebraska Press.
- MacMillan, J. (1998). On Liberal Peace. Democracy, War and the International Order. London & New York, I. B. Tauris.
- Mamdani, M. (1996). Citizen and Subject: contemporary Africa and the legacy of late colonialism. Princeton, Princeton University Press.
- Manent, P. (1994). An Intellectual History of Liberalism. Princeton, Princeton University Press.
- Marcuse, H. (1972). One Dimensional Man. London, Abacus.
- Mehta, U. S. (1999). Liberalism and Empire. A study in nineteenth-century British liberal thought. Chicago, University of Chicago Press.
- Pagden, A. (1991). European Encounters with the New World. New Haven, Yale University Press.
- Pitts, J. (2000). "Empire and democracy: Tocqueville and the Algeria Question." Journal of Political Philosophy 8(3): 295-318.
- Pogge, T. (2001). "Rawls on international justice." The Philosophical Quarterly 51: 246-53.
- Polanyi, K. (1957). The Great Transformation. Boston, Beacon.
- Rawls, J. (1999). The Law of Peoples. Cambridge, Mass., Harvard University Press.
- Richter, M. (1963). "Tocqueville on Algeria." Review of Politics 25: 362-398.
- Ritchie, D. (1891). The Principles of State Interference. London, Swan Sonnenschein.
- Rose, N. (1999). Powers of Freedom: reframing political thought. Cambridge, Cambridge University Press.
- Rose-Ackerman, S. (1999). Corruption and Government: causes, consequences and reform. Cambridge & New York, Cambridge University Press.
- Said, E. W. (1992). Nationalism, Human Rights, and Interpretation. Freedom and Interpretation. The Oxford Amnesty Lectures, 1992. B. Johnson (ed.). New York, Basic Books: 175-205.
- Schmitt, C. (1950). Der Nomos der Erde, im Volkerrecht des Jus Publicum Europaeum. Cologne, Greven.
- Spruyt, H. (1994). The Sovereign State and Its Competitors. An analysis of systems change. Princeton, Princeton University Press.
- Stiglitz, J. (1999). Participation and Development: perspectives from the Comprehensive Development Paradigm. Seoul, World Bank.
- Stokes, E. T. (1959). The English Utilitarians and India. Oxford, Clarendon.
- Tully, J. (1995). Strange Multiplicity. Constitutionalism in an age of diversity. Cambridge, Cambridge University Press.
- van der Veer, P. (2001). Imperial Encounters. Religion and Modernity in India and Britain. Princeton, Princeton University Press.
- Vincent, A. (1995). Modern Political Ideologies. Oxford, Blackwell.
- Walker, R. B. J. (1993). Inside/Outside: international relations as political theory. Cambridge, Cambridge University Press.
- Wolfensohn, J. D. (1999). A proposal for a Comprehensive Development Framework. Washington, World Bank.
- Zastoupil, L. (1994). John Stuart Mill and India. Stanford, Stanford University Press.