

Liberalism, Hermeneutics, and the Other

By

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Abstract

For hermeneutics, liberal universality—the conception that rights for being humans *as such* are universally true—is a sort of *subjective* universality. Subjectivity is just another way of saying that universality is historically situated, and whoever claims universality cannot objectify herself from her own history; accordingly, universality is not universality-as-the-thing-is (a sort of “objective” universality), but universality-for-person P -in-her-historical-situation, even if the claimer is totally unaware of the restrictions imposed by her own tradition and historicity.

Subjective universality reveals the fact that the content of universality is affected by the *personal* dimension of its claimer. That is, the claimer’s personal background, including culture, language, tradition, education, social-economical aspects, even gender and race, are reflected, consciously or unconsciously, explicitly or implicitly, directly or indirectly, in her view of what universality ought to be.

How to treat the *other*— a political and metaphysical category of existence that is radically different from oneself—reveals the subjective nature of liberal universality. In history, this subjectivity worked negatively, for liberals, to select and exclude some groups e.g. women, the propertyless, and the colonized subjects. But in light of our contemporary understanding of what is truly free and equal, this subjectivity can function positively to assure respect for the other and avoid producing new types of alienated other. The advocated liberal approach is a hermeneutic approach, which asserts the practices of being humble, dialogical, non-violent, and voluntarily self-dislocated, in dealing with the other.

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Not done yet...

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Introduction

The great challenge of the coming century, both for politics and for social science, is that of understanding the other.

Charles Taylor, *Gadamer on the Human Science*¹

Identifying the Problem

The natural separateness of one person from another is one of the most common phenomena in any human organization. Essential biological differences create the distance between one and the other. In a liberal democratic society, we know to treat difference with respect and dignity. In an aristocratic society, which conceives honour and self-sacrifice as virtues, people show loyalty to others who rank higher in the social hierarchical system, while sometimes expressing sympathy to others in the lower ranks. Our racial, ethnic, religious and geographical backgrounds can draw us closer together or distance us further apart. These natural differences appear as seeming facts, telling us nothing about right or wrong, good or bad, for us to be accepted. However, there is another type of the other, which is simply created in the mind of some particular group of people. For them, the “other” is a noun used to identify another group of people on the basis of some arbitrary criteria, to highlight their perceived weaknesses and either to diminish the moral responsibility of the stronger self to grant them certain rights or to educate, convert or “civilize” them. As Edward Said believes, the term “othering” refers to “the act of emphasizing the perceived weaknesses of marginalized groups as a way of stressing the alleged strength of those in positions of power.”²

¹ Charles Taylor, “Gadamer on the Human Sciences”, 126-142, *The Cambridge Companion to Gadamer*, ed., Robert J. Dostal, Cambridge University Press, Cambridge, 2002, 127.

² Edward W. Said, *Orientalism*, Routledge & Kegan Paul Ltd., London and Henley, 1978, 5.

In the modern history of the Euro-American West, the artificially selected “other” seems to include Amerindians, Jews, gypsies, negroes, Orientals (including the Arabs, Chinese, Egyptians, Indians, Persians, Syrians, Turks and even the whole of Asia), the poor and women. Some of them, such as negroes, have become an historical conception, while others are still at the heart of an ongoing debate in contemporary social, political and ethical arenas. In the post-colonial literature, much has been said about the imposition of oppressive colonialism and imperialism upon the other. Colonialism and imperialism have had their day and celebrated their misdeeds and splendours, but now they are deservedly dead and buried, along with the infamous fascism and Nazism. But if we take the concurrence and consequences of colonialism and imperialism into consideration, we find they had a strong bearing on liberalism. If liberalism were a dead historical conception, we would not need to worry about it. It is however one of the most robust living social and political traditions in western societies. After its development during the past three centuries, it continues to provide inspiration and to bear as its fruits fresh western political thoughts. Liberal cosmopolitanism, for example, is ascendant in contemporary political theory. Its direct intellectual father, John Stuart Mill, and its most provocative advocacy of humanitarian intervention, both of which were born amidst British imperialism of the nineteenth century, seem to make the study of the nature of liberalism highly relevant to the contemporary politics.

Liberalism is characterised by its hallmark—universal claims of the existence of “rights of man”. This claim was first made by Locke in the seventeenth century (or perhaps even earlier), inherited by Voltaire, Diderot, Condorcet in the eighteenth century, and then echoed again by J.S. Mill and Tocqueville in the nineteenth century. Their voices for claiming universality are persistent and strong. Ironically, much of current human rights literature, in its discussion of two famous declarations (namely, the 1776 Declaration of Independence and the 1789 Declaration of

the Rights of Man and Citizen), is voluntarily inserting a footnote behind the term “rights of man” to suggest that this “means all human beings.” Since the phrase “human being” was available by the time these two declarations were drafted, it is worth considering by historians why those founding fathers preferred the word “man” to the phrase “human being.” But it is also the philosopher’s task to find out whether their justification of using their preferred vocabulary is defensible. However, it is definitely a travesty barren of contemplation simply to equate the phrase “rights of man” with the phrase “rights of human beings.” Thereby, two unnecessary difficulties are presented to the understanding of liberalism: Firstly, to paint the illusion that liberal universalism bore the same meaning in the seventeenth and the eighteenth centuries as it does today, as if early liberals were prophets transcendental to their historical localities. This naïve way of whitewashing does not heighten the understanding of liberalism because it distorts the historical facts of liberalism. Secondly, in light of well-known liberal practices of political exclusions in history, such a broadly inclusive notion, which has just gained momentum recently, would make early liberals look insincere and hypocritical for pursuing their beloved liberal values and morals.

Hence, it appears necessary to investigate how early liberals envisaged their claims of universality and why they failed to adopt the interpretation of universality in the contemporary sense. Most importantly, we should inquire whether it is coherent for early liberals, in their own historical contexts, to claim their versions of universal human rights while positively believing that certain political exclusions are compatible and integral to their theories of liberalism.

Indeed, throughout the discourse of European modernization during the seventeenth, eighteenth, and nineteenth centuries, the belief that all men are free and equal gradually became so obvious

as to appear “self-evident”. Rights of man are considered “natural” and in accordance with the Law of Nature. Liberal doctrines of rights for free man are inalienable, unalterable and incommensurable to any other consideration. They are, therefore - to borrow a term from contemporary ethics - *deontological* and not subject to any calculation of utility. However, paradigmatic figures in the historical development of liberalism, including liberalism's very founders - Locke, Adam Smith, French liberal vanguards, Voltaire, Diderot and Condorcet, and the two greatest liberals of the nineteenth century, John Stuart Mill and Tocqueville unequivocally chose somewhat narrower definitions of the recipients of those rights. For Locke and Adam Smith, liberal rights are intrinsically linked to property owning. This criterion of property possession became a prerequisite for enjoying liberal rights through the whole of the eighteenth century. Voltaire, Diderot and Helvetius, with no exception, connect the rights of liberty to the ownership of property, as if only people with property are capable of reasoning, whereas rational people are all capable of earning property. John Stuart Mill harshly deprecated non-Europeans' immaturity and capacity of being rational, while defending with great zeal the political rights of average Europeans, including women. Tocqueville, in spite of all his genius in shedding light on the nature of modern democracy, vehemently supported French colonial oppression of Algeria and the proletariat revolution of 1848, for the sake of the perceived French democratic order.

Indeed, as Uday Singh Mehta points out, “the fact of political exclusion—of colonial peoples, of slaves, of women, and of those without sufficient property to exercise either suffrage or real political power—over the past three and a half centuries must be allowed to embarrass the universalistic claims of liberalism.”³ When one seriously questions the limited scope of “all

³ Uday Singh Mehta, *Liberalism and Empire*, University of Chicago Press, Chicago, 1999, 76.

men” in the declarations, treatises and revolutionary pamphlets, it is almost inevitable for one to doubt whether those slogans aimed at liberty and whether liberation had any real emancipatory meaning. Lynn Hunt, in her discussion of radical liberals in the French Revolution, argues that “it is troubling to see that those who so confidently declared rights to be universal in the late eighteenth century turned out to have something much less all-inclusive in mind.”⁴ She continues, “we are not surprised that they considered children, the insane, the imprisoned, or foreigners to be incapable or unworthy of full participation in the political process, for so do we. But they also excluded those without property, slaves, free blacks, in some cases religious minorities, and always and everywhere, women.”⁵ The founders, framers and declarers, therefore, appear to deserve to be judged elitist, racist, and misogynist for their inability to consider everyone truly equal in rights.

The breathtaking massive political movements in the twentieth century seem to pick up exactly the unfinished tasks of liberation left by liberalism in the past centuries. The socialist movement, for example, advocates equal rights for the poor and the class of wage labourers, feminism the rights of women, the civil rights movement rights for African-Americans. The desire for liberal rights, especially for equality, springs from institutional rights and penetrates to a deeper level of natural rights. Although those movements target different groups, whose complete liberation is seen as the ultimate destiny, they are all essentially, I think, endeavouring to truly actualize the liberal tenet of the universality of rights for human beings. As the margins of political and psychological exclusion are shrinking and diminishing, the complete realization of the liberal universal principle of rights depends on the disappearance of exclusions of all kinds.

⁴ Lynn Hunt, *Inventing Human Rights: A History*, W.W. Norton & Company, New York, 2007, 18.

⁵ *Ibid.*, 18.

Since the exclusion of the other has, in retrospect, posed serious challenges to liberalism's unconditional claim of universality, this thesis aims to answer the question: Based on what assumed logic does liberalism claim universality while actively and sincerely engaging in excluding the perceived other? Moreover, given the reality that liberalism is a living tradition of western society and that its *ideal* form of universality has *prima facie* legitimacy on the basis of assuming that no human being would reject the idea that he or she should be free and equal to others and worthy of being treated with respect and dignity, the second goal of this paper is to investigate whether or not there may ways better than the current common practice—e.g., humanitarian intervention—to treat the other in order to draw nearer to the ideal form of liberal universality.

The Theme

The relationship between liberalism and the other may be explored via many different avenues, e.g., via Marxism or feminism. But the central aim of this thesis is not to offer a downright criticism of liberalism, but to provide a better understanding and accordingly a better interpretation of how and why liberal theory evolved in the way it did. The orientation and methodology of this thesis are therefore in the spirit of hermeneutics. An effort will be made to interweave three elements - liberalism, the other and hermeneutics - together.

Hermeneutics emphasizes the importance of personal experience and historical contingency in understanding any historical event. In hermeneutical experience, the distinction between an abstract theory and concrete practices is not clearly cut; nor is there a temporal sequence of theory first and then the practices based on it. This clarification helps us understand liberal universalism's apparent contradiction: If early liberals do believe liberal doctrines such the one

that as human beings are born equal as universally valid conceptions, then they ought to take them as their unconditional political commitments; consequently, they should commit no political exclusion in their practice, unless they do not take their own doctrines seriously. But it is very unlikely that the early liberals to advocated “rights of man” only half-heartedly or insincerely pretended to believe what they advocated. Now hermeneutics can explain away this ostensible contradiction by highlighting that liberal universalism in history is not an abstract theory, which automatically implies impartiality and objectivity; and early liberals were not inclined simply to follow this imagined theory. Instead, early liberals, consciously or subconsciously, applied their own experiences, including their social and political backgrounds, to their understandings of what liberal universalism should be. Since any personal experience bears the mark of the characteristics of the era in which the person lives, early liberals’ understanding of what groups of people should be included in or excluded from their universal definition is inevitably affected by the historical moments they lived in. For instance, notwithstanding the continuity of the strong tradition of Christian belief and the widespread zeal for commerce embedded in European cultures over centuries—the political and cultural atmosphere in Great Britain right after the Glorious Revolution of 1688 differs from that in Paris on the eve of the French Revolution. Indeed, scholars commonly agree that eighteenth-century France shared great similarity with Britain in the seventeenth century, even if in a “retarded” manner. But as time changed and place varied, liberalism was undoubtedly contemplated by early liberals from different aspects with different emphases. British liberals have a tradition of favouring liberty and opposing governmental intervention in their liberal theories, while French liberals tend to favour equality and a positive governmental role. J.S. Mill’s optimistic view and confidence in human progress cannot be separated from Britain’s historical status as a

hegemonic power in the nineteenth century. Likewise, Tocqueville's pessimistic view of human reason, which was once held dearly by his revolutionist precursors of the 1790s, somehow reflects the fragile status of a democratizing France in the early nineteenth century.

We must, therefore, ask what kinds of particular experiences those early liberals had and how those experiences impacted their perception of liberal universalism. In other words, we should not forget the *restriction* placed on the understanding of rights by the general cultural and political atmosphere in early modern Europe. We should ask, "How did these men, living in societies built upon slavery, subordination and seemingly natural subservience, ever come to imagine men different from them and in some cases women, too, as equals?" How was it possible for the equality of rights to have become a self-evident "truth" in such unlikely places? In light of the fact that liberals claimed that the "truth" they embraced was self-evident, what kind of "undesirables" were neglected by them or excluded from their conception of equals, whether subconsciously or consciously? As Hunt points out, "it is astounding that men such as Jefferson, a slave-owner, and Lafayette, an aristocrat, could speak as they did of the self-evident, inalienable rights of all men. If we could understand how this came to pass, we would understand better what human rights mean to us today."⁶

Furthermore, because of its emphasis upon human experience, hermeneutics actually offers a possible explanation of the nagging problem of the apparent discrepancy between liberal abstract universal principles and their flagrant violation in actual political exclusion. That is to say, liberalism as a system is, hermeneutically speaking, still coherent. As Mehta writes,

⁶ Hunt, *Inventing Human Rights*, 19.

A system is internally coherent. By coherence I mean simply a condition in which people's lives and experiences are undergirded by what Wittgenstein calls 'a passionate commitment to a system of reference'. A system of reference may involve aspects of belief or practices, which, from the standpoint of coherence, may not be *true* in themselves, or the practices fitting in some *extra* systems. Rather, the beliefs and practices are coherent because they are part of a passionate commitment to the system of reference—that is, they represent an *interpretation* that has, for whatever reasons, taken *hold*. In all likelihood, such interpretations gather the loyalties of conscience, a sense of belonging, a belief in certain ideas, and a habituated familiarity with certain ongoing practices. What is important from the standpoint of experience is that all these frame a picture of life with its various possibilities and boundaries, its vision of a future, and accordingly make possible a way of living – a life form.⁷

That is to say that, even though, according to contemporary criteria, there exists a glaring contradiction between liberal abstract universalism and a disgraceful political exclusion in history, liberalism in its various early phases can still be considered a coherent system. For liberalism, as a system of *experience*, does take into account personal understanding, commitment and historical background as important factors.

Hermeneutics also sheds lights on another important historical fact relevant to the development of liberalism, namely, science. The centuries-long Medieval Christian-Aristotelian belief system was first challenged by Copernicus' and Galileo's discoveries in astronomy and then continually shaken by the further development of science. The power and success of natural science in reshaping the structures of European knowledge and society undoubtedly inspired many social reformists to apply the so-called scientific method to social, political and cultural spheres in hopes of solving existing problems within the domain of human relations, such as those among

⁷ Mehta, *Liberalism and Empire*, 211-2; italics added.

the individual, the church and the state. Many people sincerely believe that an ultimate truth can be discovered as long as a scientific method is strictly followed, and science is often viewed as the panacea for all social ills. Hobbes, for example, wished to construct a science of politics or civil philosophy, analogous to what was being achieved in natural science. To realize this scientific ambition, it was necessary to see human beings themselves as parts of nature, subject to the same fundamental laws as other natural beings. Auguste Comte believed that a positivist method of examining social phenomena would lead to the discovery of laws to describe social relations just as in natural science. The riveting objectivity, certainty and universality attributed to laws in natural science, such as physics and astronomy, encouraged liberal thinkers to use perceived “scientific” way to prove the validity of their own universal claims.

However, while the enthusiastic attempts of early liberals to imitate natural science is perhaps a remarkable feature of Enlightenment thinking, this imitation also revealed an irrevocable shortcoming of the scientific approach to liberalism itself. Gadamer, in his *Truth and Method*, famously makes a distinction between natural science and human science (to which liberal theory may belong). He argues that, in pursuing the desired objectivity, human science has departed from its own system of life-experience. Since scientific objectivity implies impartiality and independence of time and place, the experience of the subject who is inquiring and knowing becomes irrelevant to the perceived trustworthiness of the scientific model with which he is dealing. In other words, the element of subjectivity that lies in the human nature of a scientific researcher is antagonistic to the perceived fundamental value of natural science—objective universality. Accordingly, an individual’s personal experiences are merely anecdotal and are excluded from scientific consideration unless they serve as concrete support for the theoretical model. In Gadamer's view, natural science’s hallmark claim to objective universality is the exact

reason why human science should avoid mimicking it. Human science, insofar as it focuses on the study of the human individual and his or her society, deals with *historical* knowledge in the sense that each individual *de facto* lives in his or her own concrete time and place and embraces the world of experience of his or her own. Historical knowledge does not strive to induce general rules from observed phenomena. The individual case does not serve simply as a confirmation of a law that makes predictions possible. Instead, “Its ideal is to understand the phenomenon itself in its unique and historical concreteness.”⁸ In other words, human science aims to “understand how this man, this people, or this state is what it has become or, more generally, how it happened that it is so.”⁹

Gadamer’s analysis of the distinctions between natural science and human science makes it possible to explore the main argument of this thesis, namely, that the philosophy of liberalism has at its core a “subjective universality.” In a nutshell, although early liberals deemed the proposed universality of liberalism to be objective, partly as a result of liberalism’s century-long mimicry of natural science, liberalism’s own quintessential nature of being a type of human science, a philosophy of experience, makes it inherently subjective. Hermeneutics effectively recognizes the gap that lies between the objectivity upon which natural science prides itself and the subjectivity of human experience. This gap created a space in which the idea of universality in the minds of early liberal theorists could free-play. I shall argue that liberalism in its hybrid nature was thus born. Its eye always aims at universals in the form of objectivity (similar to “the Form” in Plato’s philosophy); its foot, however, always stays firmly planted upon the earth in all its locality and particularity.

⁸ Hans-Georg Gadamer, *Truth and Method*, 2nd revised edition, Crossroad Press, New York, 1990, 5.

⁹ *Ibid.*, 5.

In the most natural way of understanding, any philosophical theory is a representation of subjective universality. From Plato and Aristotle, to Descartes, Hegel, Marx and Gadamer, philosophy is the intellectual fruit of thinking and meditation. They conceived their philosophies as a kind of universally valid knowledge of the world. But hiding behind this facade of objectified philosophy is the very subjective person who is making seemingly universal claims, with a voice uniquely *his* own, with ideas belonging to *his* own time and society. This thesis does not aim to expand on this meta-understanding of subjective universality. Instead, it aims to show that in the hermeneutic view of a historical event such as liberalism, subjective universality is the characteristic of the nature of liberalism. In spite of liberalism's affinity with natural science in its early development, liberalism's subjective universality stands in sharp contrast to the notion of objective universality that is the hallmark of natural science. A hermeneutic exploration of the historicity of liberalism will reveal the subjectivity entrenched in its claim of universality.

To repeat, the central argument in this thesis is that liberalism's nature, hermeneutically speaking, is subjective universality. On the one hand, subjectivity accounts for the liberal acceptance of political exclusions in history; on the other hand, however, subjectivity is also instrumental in helping to eliminate all types of exclusions, to enable one to treat the other truly in harmony with liberal principles, and to make it possible for human society to come closer to the ideal form of universality.

How is liberalism being developed in our contemporary times? Has it completely eliminated its former political exclusion of the other? The answer is, I'm afraid, no, for the simple reason that contemporary liberalism still cannot free itself from its bonds to natural science. As liberalism constantly attempts to objectify human society, some new type of "the other" to be excluded

always emerges. Humanitarian intervention, as an attempt to treat the alienated other, is a problematic liberal approach. It clearly shows the so-called “scientific mentality” in practice. People with this type of mentality assert that they have beheld the universal truth, and those who fall outside of this truth are deemed as unfortunates who need to be converted, civilized and improved. The concept of otherness is thereby intensified, and, as Gadamer stresses, human relationships, instead of becoming respectful “I-Thou” relationship, are reduced to the “I-It” relationship, the same kind of relationship that exists between a scientific researcher and the object under study in a laboratory.

What is a proper way of treating the other then? As Gadamerian hermeneutics illustrates, to think of understanding the other as a communicative event, a conversation, a dialogue may be helpful. In a dialogue, we both speak to others and listen to them. All in all, we need to be aware that the conversation is based on a subject-to-subject relation. To treat the interlocutor as a meaningful subject, whose value and dignity are no greater or lesser than one's own, is a precondition for a successful conversation. Insolence or contempt for one's partner forecloses the conversation. To heavy-handedly project one's own prejudices onto the other's motives and meanings serves only to “prove” a self-fulfilling prophecy. Self-righteousness and close-mindedness makes a peaceful conversation no better than a hostile confrontation. NATO's bombing of Serbia and Libya or the American conquer over Iraq, for example, left the public confused as to whether it was the victory of the West, a historically contingent hegemonic *power*, or persuasion of the *idea* of liberal law of humanity.

Hence, it becomes practically significant to inquire what is really entailed in a true subject-to-subject relation, especially, when one side claims to be liberal. After all, freedom unequivocally

means non-intervention and especially the absence of violent intervention, while equality means non-discrimination. These two most basic liberal tenets seem to be violated time and time again by some who claim to uphold liberal values. In the nineteenth century, liberalism not only failed to counteract the oppressive power of colonialism and imperialism, but also attempted to provide philosophical justification for colonial rule and empire. (Back then, Thomas Macaulay, a self-proclaimed liberal, was actually an utter imperialist; the liberty-loving James Mill, J.S. Mill and Tocqueville helped maintain oppressive British and French empires.) Today, liberalism seems to be repeating what was morally reprehensible then and is failing to convince the global public that it aims to realize the ideal of liberal universality—rights for every human being with no exclusions.

Hermeneutics, again, offers a morally comprehensible approach, which embodies the spirit of the liberal principle of equality more than the current liberal approach can. In a communicative event, such as a conversation, a basic characteristic that, as commonly believed, ought to be possessed by interlocutors, namely, rationality, is less important than the courageous *openness* to the other. It is courageous because it puts the speaker's and listener's self-identity at risk: “I myself must be ready to accept some things in the other that are *against* me, even though no one else forces me to do so.”¹⁰ As an interlocutor, I must not overlook the other’s claim but allow him or her to really communicate something to me. Not only am I willing to let the other present him- or herself (instead of projecting my own preconceived meaning on him or her), but I also “self-forgetfully” engage in experiencing the other. Farah Godrej argues that, a hermeneutic way to understand the other involves two stages: self-dislocation and self-relocation. He believes that, in the first stage, one immerses oneself intellectually and existentially within the world of the

¹⁰ Gadamer, *Truth and Method*, 361.

other one is trying to understand. Accordingly, one “shall not just superficially gaze at the otherness in the other, but instead try to dwell in, reside in, and exist within otherness, to immerse and participate in ways of life by inhabiting a perspective internal to the tradition [of the other].”¹¹ In the second stage, one returns home—to the intellectual tradition in which one grew up. One calls into question the very settled presumptions of one's own tradition. Then “one struggles with introducing these dislocating insights into familiar theoretical conversations, precisely so that they challenge the very self-understandings that define these discourses.”¹²

This thesis is divided into four chapters. Chapter one introduces hermeneutics as the philosophy guiding the whole discussion. It should be borne in mind that hermeneutics itself has developed and changed over the time. The philosophical thoughts of hermeneutics employed here are those of Gadamer, especially those argued in his books *Truth and Method* and *Philosophical Hermeneutics*. Also, only those among his thoughts pertinent to our discussion of liberalism will be our focus. Chapter two discusses the influence of science on the development of the early modern liberalism. I shall argue that the subjective universality of liberalism is the consequence of this influence. Chapter three focuses on how subjective universality helped determine the liberal conceptualization and practice of political exclusions in history. This is the dark side of liberal subjective universality. Its discussion will be divided into two parts: the internal level (how liberals excluded certain groups within their own countries), and the external level (how European liberals politically excluded non-Europeans under colonial rule). Chapter four focuses

¹¹ Farah Godrej, *Cosmopolitan Political Thought: Method, Practice, Discipline*, Oxford University Press, Oxford, 2011, 12.

¹² *Ibid.*, 12.

on the bright side of liberalism. The historicity of *our* contemporary generation offers the hope that liberal universal principles will eventually lead to equal rights for all of humanity. Some approaches are not as helpful to this goal, but certain others, which will be discussed, may do better because they depend on the unique premise of liberal tenets, namely, freedom and equality.

Chapter 1: Hermeneutics

Hermeneutics, historically perceived as a theory of interpretation, has a long tradition that dates back to ancient Greek philosophy. During the Middle Ages and the Renaissance, hermeneutics emerged as a crucial branch of Biblical studies. Later on, it came to encompass the study of ancient and classical cultures. The first section of this chapter will briefly outline a history of the development of hermeneutics. The following three sections will highlight three salient features of contemporary hermeneutics: the hermeneutic understanding of human existence as experience; the hermeneutic understanding of one's relation to the other; and the hermeneutic understanding of the self. These three hermeneutic features are closely related to our discussion of liberalism.

What Is Hermeneutics?

Hermeneutics may have been named after Hermes, the messenger who communicates orders, warnings and prophecies from his fellow gods to humans in Ancient Greek myths. This mythical origin associates hermeneutics with the act of outward communication and transformation, as opposed to the mere inward contemplation of eternal essences unalterable by their observer.¹³ In fact, hermeneutics is most commonly understood as an expression of thought, which is one of the functions of language or *glotta* (speech). Meaning can be conveyed as a statement of observations, as an explanation (or interpretation) of what is observed and as a translation.¹⁴ Before the modern era, hermeneutics mainly referred to the art of interpreting texts, especially to Biblical exegesis and to the interpretation of texts of classical philosophy. In this sense, hermeneutics means a teleological process of understanding and interpreting texts. At first, the main focus was on the text, while its author and its interpreter remained of lesser significance.

¹³ Ferraris Maurizio, *History of Hermeneutics*, Humanities Press, New York, 1996, 1.

¹⁴ *Ibid.*, 2.

As it developed, early modern hermeneutics began to consider the influence of the author's and the interpreter's cultural and historical contexts and their personal experiences and characters on the texts and interpretations. Giambattista Vico, for example, argued that thinking is always rooted in a given cultural context, which resulted from historical developments, as opposed to the then prevailing Cartesian view of abstract thinking as independent of time and place. Not satisfied with the dogmatic rule that one ought to interpret the parts of a text in terms of the whole of the text and the whole in terms of the parts, Friedrich Ast believed that the text cannot be properly understood unless its relationship to the historical and cultural traditions in which it was created is examined. Friedrich August Wolf went further by arguing that hermeneutic knowledge requires not only a general study of history and culture but also an understanding of the sensitivities and individuality of its author. Early modern hermeneutics, thus, expanded its focus from interpreting the text alone, to understanding the culture and history in which it was created, to understanding the experiences of the author who created it, and became a systematic methodological discipline, a philology or literary study of classical scholarship.

Hermeneutics also underwent an important change in its early modern stage. While a systematic methodology prepared people to answer the epistemological question: "How do we interpret a text?" dispute occurred over which methodology should be employed in interpreting historical texts. In the seventeenth and the eighteenth centuries, scientific methods of inquiry became extremely popular in the development of natural science. Parallel to this, some scholars came to believe that the true meaning of a text can be accurately extracted as long as a scientific method is used. This "scientific" approach, however, presupposes that a kernel of absolute objective knowledge is concealed within the superficial literal meaning or shell of the text and that hermeneutics is simply a nutcracker by which to crack the shell open to extract the deeper

meaning. Contrary to this trend of favouring supposed scientific methods, proponents of hermeneutics insist that hermeneutics must be treated as a human science and take human history into account. While the natural sciences uncover universal natural laws, the historical sciences, such as hermeneutics, try to understand the nature of human experience. Unlike the scientist who is independent of his object, the historian cannot entirely separate himself from the object of his study. Instead, the hermeneutic researcher relates himself to the object by the ever-renewed and self-renewing tradition of his own. His object is always mediated. That is, by understanding history, the researcher begins to understand something of his own identity, goals and desires and his culture's own traditions and place in history.¹⁵

Modern hermeneutic philosophy was profoundly shaped by Martin Heidegger and Hans-Georg Gadamer. A hermeneutic relationship, for Heidegger, exists not merely between the text as a whole and its individual parts or between the text and its surrounding traditions but also between our self-understanding and our understanding of the world. According to this view, the central question in hermeneutics is no longer the epistemological question of “How do we interpret a text?” but an ontological one of “How can we communicate at all?” which demands an inquiry into the most fundamental conditions of human existence in the world. The hermeneutic relationship between the self and the world is an existential one with which each of us is confronted. In his *Being and Time*, Heidegger used the German term *Dasein* (literally meaning 'being there') to refer to the human experience of being in the world, in which human beings must confront their own personhood, morality and relationships to other humans and to their own selves. However, because *Dasein* is fundamentally embedded in the world, we simply cannot

¹⁵ Bjørn Ramberg and Kristin Gjesdal , "Hermeneutics", *The Stanford Encyclopedia of Philosophy* (Summer 2009 Edition), Edward N. Zalta (ed.), URL = <http://plato.stanford.edu/archives/sum2009/entries/hermeneutics/>, Section 3.

understand ourselves without the detour through the world, and the world cannot be understood without reference to Dasein's way of life.

After Heidegger brought an “ontological turn” to hermeneutics, the understanding of human conditions, including self-understanding and understanding of the world, became the centre focus of hermeneutic philosophy. While the basic function of hermeneutics, namely, understanding and interpreting the text, remained the same, the scope of the text and the orientation of understanding and interpretation have totally changed.

Gadamer creatively developed Heideggerian hermeneutics by reviving the original sense of hermeneutics, namely, the effectiveness of linguistic expression, and linking it with the Heideggerian ontological concern of human existence. Gadamer believes that human existence is an existence in language. It is through language that the world is unravelled for us. We learn to know the world by learning to master a language. Hence we cannot really understand ourselves unless we understand ourselves as situated in a linguistically mediated, historical culture. Language is our second nature. In the context of language, the Heideggerian notion of understanding the self and the world has transformed into the two interlocutors in a *dialogue*, which makes the relation between the self and the world become more dynamic. Correspondingly, the Heideggerian notion of “world-disclosure” becomes the *manner* of a dialogue. The desirable manner is to maintain openness between the two interlocutors. Maintaining openness of vocabulary and tentativeness of phrase and of re-phrasing is, from the hermeneutic perspective, a guiding norm of any genuine dialogue. The reason is that only in such openness are new truths able to emerge, truths that are not simply a yielding of one position to

another, but a genuine preservation of the insight shared by both sides. This dynamic, practical, educational aspect of dialogue is an essential element of ontological hermeneutics.¹⁶

*The Hermeneutic Understanding of Human Existence as Experience
Participation*

For Hermeneutics, what is experienced is what one has experienced oneself (the immediacy that offers a starting point for interpretation), but at the same time what is experienced yields a permanent content (the result of experience). In historical understanding, Gadamer insists that there is a strong affinity between the structure of understanding and the structure of experience. Given the hermeneutical belief that life manifests itself via experience and that this experience itself is learning and knowing, hermeneutical understanding is essentially a practical philosophy.

The ways of life of human beings are, in contrast to those of animals, not fixed by nature but result from knowingly preferring one thing to another and choosing among possible alternatives. James Risser states, "Practice, properly understood, is the form of human life that goes beyond the technical 'choice' of the best means for a pre-given end."¹⁷

According to Gadamer, experience must always be acquired, and from it no one can escape. Experience in his sense belongs to the historical nature of a human being. Although in bringing up children, for example, parents may try to spare them from certain experiences, experience as a whole is not something from which anyone can be spared. Experience in this sense inevitably involves many disappointments of one's expectations; only thus can experience be acquired. Recognizing that painful and disagreeable experiences are part of the overall human experience

¹⁶ Ramberg and Gjesdal, "Hermeneutics", section 5.

¹⁷ James Risser, *Hermeneutics and the Voice of the Other*, The State University of New York Press, Albany, 1997, 112.

does not indicate pessimism but the nature of experience: namely, we learn from suffering.¹⁸

However, the hermeneutic concept of experience is not without competing alternatives. Modern science regards experience teleologically in its aim of obtaining objective knowledge. This scientific concept of experience, since Aristotle's day, is what we find in a theory of induction where experiences are built up from concrete examples to form generalizations. Gadamer writes:

For Aristotle, the essence of experience is only in regard to "science". Experience is always actually present only in the individual observation. Science as universal truth must not depend on the contingency of observation, but be valid in a really universal way. How is that possible on the basis of such contingent observations? There must already be certainty – i.e., the individual observations must show the same regularity. Only when the universality found in experience has been attained can we look for the reason and hence begin a scientific inquiry. We ask again: what kind of universality is this? It is obviously concerned with the undifferentiated commonality of many single observations. It is because we retain these that we can make certain predictions... From particulars to a universal, Aristotle presupposes that what persists in the flight of observations and emerges as a universal is, in fact, something common to them: for him the universality of the concept is ontological prior. What concerns Aristotle about experience is merely how it contributes to the formation of concepts.¹⁹

Moreover, Gadamer points out that contemporary life is determined to a large extent by its technical production in which the technical expertise gained from the mastery of the forces of nature has been transferred to social life. We look to science for guidance in overcoming social problems. From a scientific market analysis to the scientific rearing of children, the application of science to all fields of social life gives expertise a commanding position in economy and society. But it is precisely here that we begin to see the distortion in the notion of practice; for the expert, which the scientist becomes because of his or her superior knowledge, has been invested with an exaggerated authority. The expert is the one whose "truth-based" directives we seek for acting, that is, "for discharging of the practical, political, and economic decisions" we

¹⁸ Hans-Georg Gadamer, *Truth and Method*, 2nd revised ed., trans. Joel Weinsheimer and Donald Marshall, Crossroad Publishing, New York, 1989, 356.

¹⁹ *Ibid*, 350-1, 353.

need to make, instead of relying on our own practical and political experience. The expert cannot substitute genuine practical and political reason and act in the name of everyone else. The expert, and a society that relies on the expert, Risser believes, remains essentially rootless without the practical (hermeneutical) reason one employs to guide and illuminate life situations.²⁰

What is the exact way of hermeneutically understanding experience then? Gadamer believes that a reader who is trying to understand a text must experience the text himself in his own way. In the process of understanding a text, he is always *projecting*. He projects a meaning for the text as a whole as soon as some initial meaning emerges in the text. The initial meaning emerges only because he is reading the text with *particular expectations* of a certain meaning. “Working out this fore-projection, which is constantly revised in terms of what emerges as he penetrates into the meaning, is understanding what is there.”²¹ By projecting the fore-meaning of the text, the interpreter’s own current situations such as his psychological, social-political and epistemological status play a crucial role for him to enter the hermeneutical circle of understanding the text. That also means that the attempt to obtain an objective and scientific understanding must be deferred. For Gadamer, we are allowed to have our own subjective fore-reading (prejudice) on the text because historical works do not primarily reveal themselves to us as neutral and value-free objects of scientific investigation. They are part of the horizon in which we live and through which our world-view gets shaped. We are, in other words, formed by these great works before we get the chance to approach them with an objectivizing gaze.

Hermeneutics and Truth

²⁰ Risser, *Hermeneutics and the Voice of the Other*, 111-2.

²¹ Gadamer, *Truth and Method*, 267.

In light of the subjective and individual nature of experience in historical understanding, hermeneutics is often criticized for its lack of ability to determine truth. As Gadamer points out, this criticism originates from the refusal to resist the temptation to attribute scientific knowledge, as it exists in the natural sciences, to the human science. Scientific truth, e.g., Newtonian physical laws, has a transcendental nature, which is independent of human intervention. The meaning of the law is not subject to the different points of view of the interpreters. That means that various interpreters' observations of physical motion must converge on the same principle and have predictable outcomes on the basis of Newton's laws. The temporal distance between our time and Newton's time does not distort the meaning of these physical laws. In other words, Newton's physical laws entail eternal certainty, which is universally applicable anywhere.

In contrast, hermeneutics proposes that human experiences are the experience of finitude. The truly experienced person is one who has taken this finitude to heart, who knows that he is master of neither time nor the future. The experienced man is one who knows that all foresight is limited and all plans uncertain. "What is real is to have the insight that all the expectation and planning of finite beings is finite and limited. Genuine experience is experience of one's own historicity."²² Perfect experience does not mean that a perfect form of knowledge is reached. Rather, a slew of previous experiences only tell us that there is always a new need for openness to new experiences. In the context of understanding and interpreting a text, Risser argues, a historical event has a "continuity of movement made up of both the original and the history of its effects which follow after it like a comet's tail. The interpreter, situated within a history of

²² Ibid, 357.

wholeness (which is infinite), remains too finite to contain the fullness that sweeps over him or her.”²³

The interpreter’s awareness of her own finitude and historicity in understanding a text gives rise to the need for great caution in evaluating and interpreting historical works. First, we never know how a historical work originally appeared to its contemporaries. We have no access to its original context of production or to the intentions of its author. Second, we are constantly projecting the fore-meaning on the text in front of us. In doing so, we are reading our own historicity into the supposed meaning of the text. Third, we are aware that the author of the text must be situated in her own historicity and therefore subject to her own finitude and limitedness. Finally, we must be alert to any *universal* claim made in regards to human experiences and conditions. For the universality of a claim, more often than not, presupposes the existence of scientific-truth-like knowledge about experience, which is objective, certain, predicable and transcendental.

To recognize human experience as the experience of finiteness poses a dilemma for hermeneutical understanding, however. On the one hand, the only way for us as interpreters to understand historical works is to project our fore-meanings onto them; otherwise, the circle of hermeneutical understanding could not even begin. On the other hand, it is the task of hermeneutics to correct any misunderstandings and misinterpretations of a text. Hermeneutics is supposed to reveal the authentic meaning of the text projected by the author. The interpreter is situated in her own historicity, projecting her own historically limited fore-meaning onto the text in order to understand the text, while constantly struggling with “errors” made by other interpreters situated in *their* historicities. How is an accurate understanding then possible?

²³ Risser, *Hermeneutics and the Voice of the Other*, 121.

As Gadamer believes, one way of detecting a questionable interpretation of a given text is that the interpretation is boring, meaningless, sometimes ridiculous, or distant from our common understandings and beliefs. We have a general expectation that what the text says will fit perfectly with our own meanings and expectations. For instance, we may give little value to a biblical interpretation that Jesus was not a real person or to an aesthetic interpretation that the *Mona Lisa* is the self portrait of Da Vinci. We reject these interpretations precisely because they are too far away from our common understandings and beliefs about these historical works. However, as Gadamer asks, how can we prevent the potentially serious problem of misunderstanding a text that has been systematically misunderstood from the start?²⁴ A traditional understanding of a text that does not contradict our current understanding may in and of itself have been a misunderstanding. It is possible for us and our ancestors to constantly prefer one kind of interpretation to another on the basis of our systematically biased framework of contemplating the object, while rejecting alternative interpretations, which might be closer to the original meaning than ours are.

In response to this challenge, the Gadamerian solution is always to maintain a degree of skepticism about our own opinions and beliefs, Gadamer writes:

A hermeneutically trained consciousness must be, from the start, sensitive to the text's alterity. While this kind of sensitivity does not have to involve in "neutrality" with respect to content, nor the extinction of one's self, along with whose foregrounding, fore-meanings and prejudices, the important thing is to be aware of one's own bias so that the text can present itself in all its otherness and thus assert its own truth against one's own fore-meanings.²⁵

Notice that the Gadamerian solution shares the spirit of liberal skepticism: I think I am right, but I may be wrong and you may be right, and in any case let us discuss it, for in this way we are

²⁴ Gadamer, *Truth and Method*, 268.

²⁵ *Ibid*, 269.

likely to get nearer to a true understanding than if each of us merely insists that he or she is right.

In light of the understanding of human finitude, it is also not arbitrary to think of the real possible meaning of a text from the angle of its author's own historicity. We may perceive some recognizable determinants of the social reality of the author's time as real factors. For instance, it has been commonly accepted to assign the reason for Thomas Hobbes's belief that human nature is greedy and selfish to his historical circumstance, in which the brutal British civil war just ended. We can certainly get the same interpretation about human nature from his *Leviathan* on the basis of conscious, manifest and intelligible arguments constructed in the book. But Hermeneutics likes to bring the concrete factors of work and politics (e.g., economic situations, popular thoughts surrounding the author and international relations of that time) into the scope of consideration. It is, as Gadamer believes, analogous to a psycho-analyst bringing unconscious motives into conscious awareness in evaluating an individual's life.²⁶

Encountering the Other

Hermeneutic experience is about the one interacting with the other. In contrast to either the Cartesian experience of monological self-reflection (possible without the other) or Hegelian dialectical experience of the other as a mirror of the self, the other in hermeneutics is a real and embodied other, who is situated in his own historicity, who has special autonomy and who cannot be assimilated but who needs to be respected. The other, intuitively understood as "not the self," can be distinguished from the self in multiple dimensions: temporal distance (which distinguishes the present one from the other in history), spatial distance (which distinguishes the one here from its contemporary others living elsewhere), biological distance (which distinguishes the one from those others of a different gender or skin colour) and ethnical distance (which

²⁶ Hans-Georg Gadamer, *Philosophical Hermeneutics*, trans. and ed. David E. Linge. University of California Press, Berkeley, 1976, 31.

distinguishes the culture to which the one belongs from the cultures to which others belong). Because of these possible distances, the interpreter is able to rely on his sense perceptions, in addition to his faculties of reason and emotion, to understand the otherness of the other. For hermeneutics, to understand human existence is to experience, and to experience is to experience one's encounter with the other; therefore, encountering the other is the necessary condition of understanding human existence.

Hermeneutic understanding, as a communicative event, is framed by the dynamics of conversation in which we speak with others. Therefore, the dialogical element of hermeneutic understanding means that what is brought to speech is the voice of the other. Gadamer even argues that "to participate with the other and to be part of the other is the most and the best that we can strive for and accomplish.... We may perhaps survive as humanity if we would be able to learn that we may not simply exploit our means of power and effective possibilities, but must learn to stop and respect the other as an other, whether it is nature or the grown cultures of peoples and nations."²⁷

Tradition as the Other

For Gadamer, a paradigmatic example of the other is tradition. In textual interpretation, the interpreter is encountering a tradition whenever he is reading and trying to understand a historical work. Tradition is not identical to history, even though both refer to what occurred in the past. To qualify as a tradition, the past needs to be able to, in some way, "speak" to later generations. In other words, the past should be a "living" past in order to become a tradition. Gadamer addresses specifically the linguistic nature of hermeneutic experience; that is, tradition comes to a dialogue when its interpreter is an interlocutor. "The word that come down to us as

²⁷ Hans-Georg Gadamer, *On Education, Poetry, and History: Applied Hermeneutics*, Ed. Dieter Misgeld and Graeme Nicholson, SUNY Press, Albany, 1992, 235-6.

tradition and to which we are to listen really encounters us and does so as if it is addressed to us and concerned with us.”²⁸

The term “tradition” entails continuity, familiarity, and belongingness. Certainly, not every historical work that is able to speak to us can be called a tradition. Instead, only those historical living works that have provided part of the self-identity of the interpreter, that have shaped and are still shaping the interpreter in myriad ways (many of which go unnoticed) are the tradition of the interpreter. Tradition reveals that hermeneutic experience is, in essence, never absolutely innovative, but always passed on to and interpreted by its heirs. Through the traditions of language, we interpret the things said in the past. By recognizing that we are living in a tradition, we understand our own finitude and historicity, we find the continuity between the past and the present and we realize that we are an organic part of a huge hermeneutic wheel which runs from the past to the future.

According to hermeneutics, tradition allows us to conform our expectations to it during our encountering with it. It is not supposed to shock us with unexpected discoveries of past events during our interpretation. This does not mean that we come to no surprising understandings while researching our own history. These surprises, however, must be “reasonable” in the sense that they are, more often than not, the parts of history that have been neglected, which, once scrutinized, are in accordance with our traditional way of thinking and acting, and thus can be perfectly integrated into our known part of tradition. Encountering tradition, therefore, is in part about repeating it. In our practical lives, only through repetition can we acquire the necessary part of the self, namely, habit, which is stable, and always already there.” For Aristotle, repetition is the proper relation between being and becoming. “Past possibilities of action

²⁸ Gadamer, *Truth and Method*, 461.

become future possibilities and are repeated in the moment of decision.”²⁹ By repeating tradition, we develop a familiarity with tradition; the familiarity further fosters the sense of belongingness.

To repeat tradition, in the hermeneutic sense, does not mean to “copy” or imitate it for its own sake, however. Tradition, as the other, is distanced from us by time, which distinguishes the present from the past. Gadamer believes that “tradition is not simply a permanent precondition; instead, we ourselves *produce* it inasmuch as we understand it and participate in its evolution and hence further determine it ourselves.”³⁰ Therefore, the process of the repetition of a tradition is also creative and flexible, for it allows us to go through new experiences. Gadamer states that if we experience an object in a new way, this implies that hitherto we may not have viewed the thing correctly and that we may now know it better.³¹

In the creative repetition of tradition, tradition is kept alive, and its interpretation is not dogmatic. The hermeneutic understanding of a text is a process of interplay between the movement of a tradition and the movement of its interpreter. To encounter a tradition is not merely to reconstruct what has happened before; instead, it is to produce a new meaning for past events. Interpreting a text is a conversation that places a certain demand upon the reader as the locus of the real exchange and work. Gadamer stresses the *performative* nature of the work in every interpretation. That means, an interpretation of a text is created by the reader and through the reader it leaves a trail of effects. There is always room in the interpretation of texts for the interpreter to project the fore-meaning that is particularly meaningful to him.

The First Hermeneutical Circle – The “I-Thou” Relation

²⁹ Quoted by Risser, in *Hermeneutics and the Voice of the Other*, 38.

³⁰ Gadamer, *Truth and Method*, 293.

³¹ *Ibid*, 351.

The interplay between tradition and its interpreter calls for a recognition of a dialogical relationship between the two. One of the striking features in Gadamerian hermeneutics is the recognition of a tradition's authority. Since the dawn of the Enlightenment era, tradition has been viewed as the main obstacle to human progress. The development of the notion of human autonomy, signified by Kant's famous saying, "dare to know," particularly challenges the authority of tradition. Gadamer, however, points out that a radical parting from tradition not only does not lead to the desired outcome, but also clouds the real relationship between us and tradition. However much we may disagree with our past traditions, encountering them is an experience that teaches us to know and govern. The authority of tradition plays a role as a genuine partner in dialogue. It is not an object which we can simply dispose of. Instead, tradition and we (as its interpreters) can only establish a type of "subject-to-subject" relationship. That is, tradition, in language, expresses itself like a "Thou."³²

Gadamer argues that, since the Thou is not a passive object, but in a dynamic relationship with us, how we should understand the Thou becomes question of morality. Since tradition as the Thou helps us to discover patterns of behaviour in our fellow men and predict the behaviour of others on the basis of shared tradition and expectation, it would be immoral and contradictory of the moral definition of man if we use the other as means to an end instead of as an end in himself. Moreover, to acknowledge the Thou as a person entails that "the inner historicity of all the relations in the lives of men consists in the fact that there is a constant struggle for *mutual* recognition."³³ This struggle occurs even in the extreme case of master-slave relationship. A

³² Ibid, 358.

³³ Ibid, 359.

dialogical relationship of reciprocity that governs all I-Thou relationships is inevitable. Those who try to withdraw from this reciprocity are attempting an impossible task.

For Gadamer, to experience the Thou truly as a Thou—i.e., not to overlook his claim but to let him really say something to us, I and Thou must be mutually open to each other. Both the speaker and the listener in a dialogue must be open. Without such openness to one another, there is no genuine human bond. Belonging together always also means to be able to listen to one another. When two people understand each other, this does not imply a unidirectional action of only one of the two “understanding” the other. Similarly, “to hear and obey someone” does not simply mean that we blindly do whatever the other desires. We call those who blindly obey orders slavish. “Openness to the other, then, involves recognizing that I myself must accept some things that are even against me, even though no one else forces me to do so.”³⁴

Special Autonomy of the Other

What makes hermeneutics a renowned and meaningful philosophy is that, according to Gadamer, it catches the beat of the political and philosophical trend in the contemporary era. Gadamer’s comment that “we must learn to stop and respect the other as an other” echoes Kantian ethical claims of respecting the human individual’s autonomy and dignity.³⁵ In hermeneutic textual interpretation, Gadamer personifies the text as a historical other, which must also possess its own autonomy and dignity. This personification is not arbitrary, however. It reflects what truly concerns hermeneutics in its “ontological turn.” Hermeneutics now deals with the meaning—or lack of meaning—of human life; understanding is a mode of being, and as such it is characteristic of human being, of *Dasein*. In the text, the author gives his own understanding of

³⁴ Ibid, 361.

³⁵ Hans-Georg Gadamer, *On Education, Poetry, and History*, 235-6.

the world, which reflects his historicity and finiteness. In textual interpretation, we, as the interpreters, project our own understanding of the world, which reflects our historicity and finiteness, onto the text. Therefore, to recognize the text as a dignified other is to recognize that hermeneutic understanding is an existential task, which is always situated in a particular historicity and which is a part of a hermeneutic circle.

To recognize and respect the autonomy of the other in textual interpretation poses the same risk as it does in respecting a human individual as the other. Particularly, what is at stake in understanding the other is the otherness of the text and its ability to assert its truth against one's own fore-meanings. The openness to experience means that the one who seeks to understand does not overlook the claim of the other, even if it challenges one's preconceived opinions.

To respect the autonomy of the other means to resist two types of temptation: the temptation to treat the other merely as an object (or as an "it"), and the temptation to assimilate and exploit the other as the other side of one's own (to use the other as a mirror of the self). In both temptations, the other is treated merely as means for one's own ends. On the one hand, in Hegelian dialectical philosophy, the life of the other is absorbed into the life of one's own self. The other is grasped by pure self-consciousness. The relationship between the self and the other then essentially becomes the relationship between the self and an objectified self. This pseudo-"dialogical" relationship eventually leads to the extrication of one's self out of the interpretative situation and to the view of one's self as transcendent. By recognizing the finitude and historicity of human experience, Hermeneutics, on the other hand, insists that transcendental understanding is impossible because the interpreter's attempt to extricate himself from the dialogue is identical to his denial of his own finitude and claim to a universal self, independent of time and space.

For Gadamer, the autonomy of the other is unavoidable: “Hermeneutical experience must take everything that becomes present to it as a genuine experience. It does not have prior freedom to select and reject. Nor can it maintain an absolute freedom by leaving undecided matters specific to what one is trying to understand. It cannot unmake the event that it is itself.”³⁶ This sense of determination seems to originate from Gadamer’s insights on the primacy of “hearing” in hermeneutical experience. When seeing and hearing are compared, Gadamer states, hearing is, by its virtue of necessitating mutual engagement and two-way communication, closer than seeing to the heart of hermeneutics. For, when you look at something, you can also look away from it by looking in another direction, but you cannot “hear away.” “It is not just that he who hears is also addressed, but also that he who is addressed must hear whether he wants to or not.”³⁷

Both Habermas and Derrida challenged Gadamer on his emphasis on the authority and autonomy of the other. Derrida argues that the ethics of hermeneutics, consisting in the recognition of the possible truth of the other’s point of view, tends to cover up the way in which the other escapes one’s own self, the way in which the *I* always fails to recognize the *thou* in its constitutive difference.³⁸ Habermas believes that placing emphasis on the authority of the other, such as a tradition, leaves no room for personal critical judgment. Reason is accordingly denied the critical power of an objective, disinterested judgment. Even though we *de facto* are conditioned by history, a set of “quasi-transcendental” principles of validity is still desired and necessary in order to evaluate various claims from everyone. Only thus may hermeneutics, guided by the social sciences, serve the purpose of emancipation and social liberation.³⁹

³⁶ Gadamer, *Truth and Method*, 463.

³⁷ *Ibid*, 462.

³⁸ Ramberg and Gjesdal, "Hermeneutics", section 8.

³⁹ Ramberg and Gjesdal, "Hermeneutics", section 7.

A possible response, in the spirit of Gadamerian hermeneutics, could address the question this way: “*Whose* reason are we talking about?” Discussion of the nature of reason leads us back to the old debate between natural science and human science since the Enlightenment era. Of course, scientific reasoning is desirable because it leads to knowledge and certainty; however, it only applies to the natural sciences. Hermeneutic understanding is based on human experience, which is individualistic and subjective in nature. Aristotle’s admirable categorization and conceptualization of human experiences in his so-called science of induction, certainly works, but only to a limited degree. It presupposes that the commonality of individual human experiences is significant. Since human beings have great similarities in their biological features, commonalities amongst people are not difficult to find: e.g., the universal desire for food, shelter and safety. But this type of shared experience makes up only a small fragment of total human experience. What lies beneath this surface commonality is an unfathomable ocean of differing human experiences. Although it reigns superior in the natural sciences, reason cannot help us arrive at universal principles in the human sciences simply because it is impossible adequately to summarize and categorize the myriad differences amongst human experiences. If we are to use reason as a standard, we must specify to *whose* reason we are referring. Hence, reason must be considered in terms of its holder and his or her own historicity.

Moreover, hermeneutic understanding is not supposed to aim at emancipation and liberation (even though it is likely to have these effects). Hermeneutics is not even teleological due to its descriptive nature. As Gadamer states, hermeneutics helps us describe and understand “what is there”. It basically acknowledges the fact that something occurs in the world and presents methods by which we can understand it. But the understanding does not aim at changing what is

there. Understanding merely helps us to gain a greater awareness of what is there.⁴⁰ This implies that hermeneutics prevents itself from engaging in the Enlightenment's struggle to "grasp," to offer an "objective" understanding of what is there and accordingly to change what is there.

How to Communicate with the Other

In hermeneutic experience, the value we place on the other, the way in which we think of the other's position in relationship to ourselves and the way in which we treat the other determine our understanding of what is there. In a communicative event, different presumptions about the partner lead to different outcomes. Treating the other *strategically*, which is paradigmatic in scientific study, predetermines an unequal relationship between the researcher and the object, in which the former reserves the power to manipulate the latter. In textual interpretation, strategic treatment of the text focuses on the methodology of understanding and interpreting. The interpreter behaves like a scientist to develop various experimental models for the central purpose of confirming his hypothesis. This was a typical stance of philosophers who conducted inquiries into human society and human nature during the Enlightenment era. In encountering tradition, whether in its totality or in a specific historical work, these philosopher-interpreters cast a critical gaze upon it as if they were mere disinterested spectators. As a consequence, their judgements on what is there were, more often than not, claimed to be disinterested, impartial, non-contingent, and universal.

For Gadamer, hermeneutic understanding demands of one not to treat the other strategically but genuinely. Hermeneutic experience essentially manifests in arrays of communicative events, more specifically, conversations in which two interlocutors must have an "I-Thou" relationship. For one to treat the other as a Thou, one must recognize that the other is autonomous and that

⁴⁰ Gadamer, *Philosophical Hermeneutics*, 39.

one's own status is not superior to the other's in the conversation. Since nobody alone has the power to dominate the conversation, the appropriate way to keep a conversation spinning is to have the "good will" to try to understand one another. This good will for Gadamer means that "one does not go about identifying the weakness of what another person says in order to prove that one is always right, but one seeks instead as far as possible to strengthen the other's viewpoint so that what the other person has to say becomes illuminating."⁴¹

In Gadamerian hermeneutics, when one experiences a work of art, one needs to let the other present itself in order to understand and interpret it. For one to experience art, one must be able to recognize art's ability to make a claim, to say something to one. One accomplishes this not by being a distanced onlooker but in a participatory involvement with the art, in the manner of a play. In performing art, the presence of what is presented stands in its own right as a completed whole in the presentation. As Risser points out, in a theatrical performance, for example, the work of art is neither in the script nor in the mind of the theatre-goer. Here, the work of art is literally in its being played.⁴² Even though Shakespeare's *Hamlet* re-creates a person's struggle over doubts for which one can find examples in life outside the play, it is not the life outside the play that is portrayed but Hamlet's own struggle, and it is this struggle that the audience sees. A transformation occurs in dramatic plays: what is meant is intrinsic to the presentation.⁴³

The distinctive feature of "what is being played" is that "it" is presenting itself, that it makes itself immediately evident. The work of art in its self-representational mode asserts its own merit, its "shining-forth," which has an enlightening effect on those who view it. The audience becomes

⁴¹ Hans-Georg Gadamer, *Dialogue and Deconstruction: The Gadamer-Derrida Encounter*, ed. Diane Michelfelder and Richard Palmer, SUNY Press, Albany, 1989, 55.

⁴² Risser, *Hermeneutics and the Voice of the Other*, 141.

⁴³ *Ibid*, 147.

more acutely aware that the other (the work of art) is showing its own truth, which is compatible with itself as a whole, even though the audience may argue against it.

Gadamer goes on to argue that what is true of the visual image should also be true of the word, for the word is not simply a sign, but more like an image. In a word, as in the “shining forth” of the beauty of a visual image, there is a showing. Words are situated in a communicative event; they are caught up in our speaking, which is also a type of performance.

[W]hen we understand a text, what is meaningful in it captivates us, just as the beautiful captivates us. It has asserted itself and captivated us before we can come to ourselves and be in a position to test the claim to meaning that it makes. What we encounter in the experience of the beautiful and in understanding the meaning of tradition really has something of the truth of play about it.⁴⁴

Hence, in our conversation with the other, to let the other shine forth is a type of authentic experience for both the other and ourselves. The other’s self-presentation is a genuine way of speaking to us, and we are obligated to hear what the other is saying. In our willingness to listen to the other, we not only respect the other as a Thou, but also put ourselves in a much better position to interpret what the other said.

Hermeneutics stresses the fact that human experience is always situated in historicity and, therefore, always renewing instead of discovering itself. There is no first or last word in our conversation with the other. The best we can do is to find the right or “fitting” word in our conversation. In the fit lies the interpretation. To find the measure fitting the situation is the heart of hermeneutic interpretation. In dialogical conversation, we throw out statements along the way in an effort to find the fitting response: we put statement forward, but we also discard or abandon statements along the way, since we find some statements to lead us nowhere. We carry our fore-understandings into the conversation with the awareness that many of them might be mere misunderstandings. While these misunderstandings are inevitable, they have fulfilled their tasks

⁴⁴ Gadamer, *Truth and Method*, 490.

of keeping the hermeneutic circle spinning and should be replaced when they appear not to fit the present situation. The fitting response is the word that can be heard by the inner ear, that rings true, that says more than what is said, that sparks inspiration in both the speaker's and the listener's mind, that allows whomever is expecting to receive what is expected.

The Stranger as the Other and the Second Hermeneutical Circle – The “I-It” Relation

As we know from the historical development of hermeneutics, hermeneutics used to function mainly in text interpretation. But after the “ontological turn,” the focus of hermeneutics expanded towards the essence of human existence to include not only what is said in historical texts and what is experienced in works of art but also what is happening *now*, what is presenting itself to us. For Gadamer, hermeneutic understanding is not limited only to history and text, but pertains to everything about which one seeks to communicate. He also states that there is no fundamental barrier for hermeneutics to extend its scope from focusing on temporal distance alone to spatial and cultural distances as well. In hermeneutics' emphasis on the present, the fact that the interpreter and his contemporary other are co-existing in time generates hermeneutic inquiry on how to understand what is there, more specifically, what is being there.

The other, measured along spatial, temporal biological and cultural dimensions, appears to have different types of otherness than the type that appeared in tradition as the other. In understanding a historical work within our own tradition, we project fore-meanings upon it and expect the text to “tell” us what we are expecting. Anticipating an answer itself presupposes that the questioner is part of a tradition and that he regards himself as addressed by it. Tradition as the other entails familiarity and belongingness. Hermeneutics also seems to bear a *prima facie* responsibility to offer as fitting an understanding and interpretation of a text as possible. It is because the stake is high for us of the present generation—the understanding of the past is tied to our understanding

of who we are. (A typical example is how contemporary Westerners think of Ancient Greeks and Romans or of the Enlightenment.)

In contrast, the other outside our tradition could appear to be entirely unfamiliar to us. We may have little or no feeling of a tie between our tradition and the other's own. The otherness manifested in these others is therefore *strangeness*. When watching strangers, we are prone to be onlookers. It would be supererogatory for us to take responsibility to care about them because we have no stake in them. Furthermore, if we have no stake in the other, a set of questions arises: "Why should we give the other our respect? Why should we allow the other to say anything to us? Why should we open ourselves to the other or allow the other's word to influence us?"

The nature of the "I-Stranger" relation can be illuminated by comparing the "I-Thou" relation to the "I-It" relation. The "I-Thou" relation is characterized by directness, involvement, openness, mutuality and presentness. The "Thou" is not an object (an "it") but in partnership with the "I": the "I-Thou" relation is therefore a true relation between subject and subject. The "I-It" relation, on the other hand, is characterized by distance, detachment and instrumentality; it is not a reciprocal relation at all. Certainly, the interpreter can treat his own tradition as an "it is and apply scientific methodology to the study of human existence, as is done by some philosophers who seek scientific knowledge about human nature. Since hermeneutics seeks to understand everything communicable, the "I-It" relation might be, at best, the only option for one to start the hermeneutic circle of understanding the other, e.g., strangers.

But insofar as the basic hermeneutic understandings about the human condition are that I and the other are both finite human beings and that we are limited by our own finitude, I cannot help but acknowledge that my own status as a human individual is not superior to any other's. Therefore, however strange strangers may seem to me, I understand that they are equal to me. I

must treat each of them as a “Thou.” In contrast, the other in an “I-It” relation is used instrumentally by me to serve my own purposes. The other, treated as an “it,” is granted no autonomy, respect or voice. To replace the “I-It” relation with the “I-Thou” relation in our relationships with strangers means that we must not treat them as a means but as an end in and of themselves; we must have the good will to try to understand them and respect their autonomy.

In the context of hermeneutic experience in textual interpretation, there are two particular reasons for the interpreter to treat the stranger as a Thou. First, the stranger is actually not entirely unfamiliar to us. Historical texts such as travel literature have recorded what happened in encountering strangers at the time. Ancient Greeks encountered ancient Persians; medieval Christians encountered the expanding Muslims; European colonizers encountered North American Indians, African tribes and Asian civilizations. By reading travel texts written by his ancestors, the interpreter has made his understanding and interpretation of the other in relationship to the self a part of his own tradition. Strictly speaking, there is no encounter that is entirely new to us. The stranger as the other has been with us throughout our own tradition. The hermeneutical circle has thus started. Since the basic task of hermeneutics is to correct misunderstandings in textual interpretation, the contemporary interpreter of these texts has the responsibility of correcting any traditionalized misunderstandings.

Secondly, the metaphor applied in hermeneutic experience, namely, conversation in a dialogue, assumes it to be conducted between two living beings. In textual interpretation, in order to bring the past into the dialogue with the present, we often need to “force” the text speak. In other words, part of the task in hermeneutic experience, when encountering tradition, is necessarily to revive or rejuvenate the “dormant” text and make it as “living” as the present. Only in doing so can the work of hermeneutics be carried on. The difference between the past other and the

present other is the latter's "presentness". That means the present other does not need to be "revived" as it is already alive. The present other is constantly speaking to us. Not only can we hear it, but we can also see it. The other is performing its otherness in front of us. The already present "presentness" of the present other, e.g. strangers, offers perhaps more valuable new experiences to us than the tradition or the past other can offer. That is because we are able to anticipate, sometimes to a significant degree, the meaning of our traditional texts. Accordingly, the "new" experience we can get from studying our tradition might not be dramatically surprising. By communicating with the stranger, on the other hand, our new experience could be quite shocking and surprising to us, and therefore really "new." The reason for this is that our anticipation about the stranger can easily fail, and we may not be able to find the fitting word even with our best efforts. This frustration and suffering germinate meaningful new experiences for us.

Hermeneutic Understanding of Knowing the Self

Hermeneutic understanding, in its study of the relationship between the one trying to understand (the interpreter) and the one needing to be understood (the other), also leads to the understanding of the self. Unlike many other philosophical branches, hermeneutics does not intend to provide an "objective" definition of the self. Instead, it examines the situation to which we are subject when we are trying to understand ourselves. For Gadamer, hermeneutic philosophy understands the self not as an absolute position, but as a way of experience. "Genuine experience is that whereby the human becomes aware of its finitude."⁴⁵

What Can We Know about the Self?

⁴⁵ Gadamer, *Truth and Method*, 357.

The study of the self concerns the structure of our inner lives and who we really are. What we call our “inner lives” concerns kinds of experience that are consequences of living in a social world with the kinds of minds and bodies that we have. For example, there are disparities between what we know or believe about ourselves and what other people know or believe about us.⁴⁶ For hermeneutics, a human life is an incessant process of encountering the other, and of engaging in a conversation with the other. In a dialogue, we constantly seek mutual recognition, if we really have the good will to understand each other. The other’s denial would cast doubt on one’s self-identity. The one, therefore, must desire to be understood by the other and strive to obtain a positive appraisal from the other.

The possible conflicts amongst different interpretations, which are manifested in polemic conversations, i.e., debates, more often than not, do not really lie in the interpretation itself but in the nature of the interpreter’s goals (e.g., the precedence of his own interests) or the effects of a given interpretation on a community of people who have an interest in the text being interpreted in a certain way (e.g., the supposed superiority of their own moral values). This phenomenon is apparent in biblical interpretations. “Bias, acrimony, censorship, and emotional recrimination are perhaps the most evident in religious communities where the meaning of a sacred text has a special importance.”⁴⁷ “Because the interpretation of texts cannot avoid the historical contexts and actions of both authors and interpreters, questions of ethics and responsible interpretation are as germane to hermeneutics as questions of validity and correctness.”⁴⁸

Is there a scientific self?

⁴⁶George Lakoff and Mark Johnson, *Philosophy in the Flesh: The Embodied Mind and Its Challenge to Western Thought*, Basic Books, New York, 1999, 267.

⁴⁷Roger Lundin and Anthony Thiselton, *The Responsibilities of Hermeneutics*, William B. Eerdmans Publishing Company, London, England, 1985. x.

⁴⁸Ibid, x.

Hermeneutics opposes the notion of a “scientific self.” To believe in a scientific self is to believe that there is a model of truth and objectivity of the self, which is similar to that entertained by the natural sciences. It entails that the self can be treated as an idealized and putatively subject-independent object, which can be investigated by the subject and/or possessed by the subject. Instead, hermeneutists believe that, in the human sciences, there is no clear distinction between the scientist and the object of his studies. “Understanding and self-understanding cannot be kept apart. Self-understanding does not culminate in law-like propositions. Appealing to tact and common sense, it is oriented towards who we are, living, as we do, within a given historical context of practice and understanding.”⁴⁹

Gadamer argues that self-understanding will not grant one an absolute and complete knowledge of oneself, which can never be finally and definitively achieved. “For the self-understanding only realizes itself in the understanding of a subject matter and does not have the character of a free self-realization. The self that we are does not possess itself; one could say that it happens.”⁵⁰ If we had a scientific understanding of the self, then it must also be possible for us to have a scientific understanding of a historical text. That would mean we could successfully objectify a text as the object of our scientific inquiry. Accordingly, through scientific methods, we could fully grasp the text. But, in doing so, we would require an impossible transcendence of historicity and claim to be God-like super-being.

A disinterested interpretation of a literary text is impossible according to hermeneutical theory; the illusion is not in looking for a point of departure but in looking for it without presuppositions. Likewise, the understanding of the self cannot be fully disinterested. “We cannot raise ourselves

⁴⁹ Ramberg and Gjesdal, "Hermeneutics", Section 1

⁵⁰ Gadamer, *Philosophical Hermeneutics*, 55.

above the course of events and as it were confront it in such a way that the past turns into an object... we are always already in the middle of history,” as Gary Madison notes. “The subject’s own self-understanding is inevitably a function of the historical tradition to which he or she belongs.”⁵¹

⁵¹ G.B. Madison, “Hermeneutics: Gadamer and Ricoeur”, 290-349, *Continental Philosophy in the 20th Century*, ed., Richard Kearney, Routledge, London and New York, 1994, 303.

Chapter 2 Science, early modern liberalism, and Subjective Universality

Harold Laski once passionately stated that, in the period between the Reformation and the French Revolution, a new social class established its title to a full share in the control of the state. With the demand from new material conditions and new social relationships, which were associated with this new social class, a new philosophy was evolved to afford a rational justification for the new world which had come into being. This new philosophy was liberalism.⁵² During its development in the past few centuries, liberalism, despite its fall and rise a number of times, has exerted profound influence on Western societies. It is safe to say, with little exaggeration, that liberalism, in terms of its advocacy of rights of humanity, has profoundly shaped the mind of the West and the spirit of Western culture.

However, what makes liberal tenets powerful is not merely their specific revolutionary role played in European early modern history—undoubtedly, it was indeed influential—as described in Laski’s historical analysis. Rather, it is the character of *universality* in various claims consistently made by liberals over more than three hundred years. This theoretical feature of universality in liberal theory is manifested in the notion of universal “rights of man”. In fact, this liberal claim of universality entails two notions. First, it claims that a person possesses some rights simply because he or she is a human being *as such*, regardless of his or her biological, social, or political backgrounds—truly universal in the scope of human beings as a whole. Second, this claim’s truthfulness is unquestioned. That is to say, if the liberal claim is seen as an *argument*, it must be universally valid; if it is seen as a *conviction*, it must be self-evident.

The liberal claim of universality of rights of man is normally expressed in detailed political rights, such as the right to own property, the right to raise some voice, be it only through the

⁵² Harold J. Laski, *The Rise of European Liberalism*, Unwin Books, London, 1936, 11.

ballot box, as to how one shall be governed and taxed, the right to equal treatment before the law, the right to express one's opinions in public, and the right to practice the religion of one's choice, or to practice none. Despite the difficulty of actualizing these rights in practice, they are, in theory, not subject to negotiation. In other words, liberal rights of man are, theoretically speaking, categorically imperative.

Isaiah Berlin posits the universal claim of rights with the same meaning but in different vocabulary when he speaks of negative and positive liberty. For him, liberalism serves as a type of moral truth of humanity, which rejects the rule of the juggle, and shields the weak from being bullied by the stronger. Each individual enjoys freedom from coercion, that is, she has freedom to enjoy entitlement (against possible encroachments), to express her beliefs (against censorship), and privately satisfy tastes and pursue her own goals (against imposed standards). She also desires to be self-governed, has a yearning for autonomy, and bears the aspiration to self-mastery, to decide for herself instead of being decided for. In any sense, the notions of rights and freedom express the idea that an individual possesses a certain moral essence simply in virtue of being a human individual *per se*.

However, one might be surprised by liberal theorists' remarkable degree of certainty and confidence in believing liberal claims to be universally true, even *prior to* the provision of justification for those claims. A sceptic may wonder, if the liberal claim of universal rights is an argument, it needs a logical deduction to prove its validity; if it is a fact, it needs empirical data and experiments to establish its verisimilitude; if it is, however, a mere belief, it needs, at least, to show that this belief system is better than other belief systems in promoting the well-being of human life. Certainly, many philosophers have attempted to provide various "proofs" of liberal universality from metaphysical, epistemological, social, and political perspectives. Their abstract

theories are claimed to be constructed independently of their specific historical contexts, and therefore manifest universality as well. If we put the universality in liberal universal rights as the primary one, then those theories that try to prove the primary one can be considered to have a second-order universality. That is to say, those theories are using one type of abstraction, which itself is a type of universal claim, to prove another type of abstraction and universality, namely, the liberal claim of universality of rights.

The problem is that these abstract theories themselves need a kind of proof too, either deductively or inductively, or something else. The trick is that, if we were to prove these theories in a deductive way, we need to establish another system of reference in the first place (to prevent circularity). This entails the need to employ third-order universality. Along this line, we would fall into a chain of regression with no hope of eventually bearing fruit. Also, deduction is often argued to produce nothing new—everything should be already there. That is to say, to prove the liberal claim of universality on the basis of another set of (or a series of) theories is no better than simply arguing that it is *self-evident*. This occurred in history. The French liberal revolutionists in the 1780s were certainly not bothered by the demand to provide justification for their universal slogans. They simply, as Diderot did, claimed that the universality of human rights was self-evident.⁵³ Down to the end, to prove something universally true, as Lynn Hunt argues, is to have people *convinced*. It eventually turns out to be a kind of psychological disposition about the thing to be believed. To rely on one abstract theory to prove another abstract theory does not really provide the necessary condition in which a psychological turn, namely, from disbelieving to believing, occurs. Even the convincingness and certainty provided by the Newton's physical law is not justified by theoretical deduction alone; rather, deduction is only a procedure through

⁵³ Lynn Hunt, from a historian point of view, provides a detailed discussion on how rights became self-evident in the public opinion before the French Revolution. See *Inventing Human Rights*, 26-34.

which people can predict a similar occurrence. The power of persuasion in Newton's law, in terms of explaining why an apple falls, lies in its prediction that anything with mass, whatever, a pear, a hat, a cascade, or another apple, in England, Asia, Antarctica, or anywhere will inevitably fall to the ground when unsupported. People are able to verify it by their own experiences. Otherwise, why do we need to bother expending so much labour to prove it is the case, instead of simply believing that God made it happen?

It seems that the liberal claim of universal rights needs something *more* than abstract theories and deductions in order to be persuasive and credible. Liberal theorists in early modern Europe seemed to have a special way to tackle this issue. The basic line of thought is like this: any claim of rights needs sanction from a type of *authority*, one possessing sufficient power of persuasion. Authority serves as a type of proof, not merely a proof *per se*, but a credible one by which certainty and confidence in the legitimacy of rights claim is put beyond question. The traditional authority in early modern Europe is, however, either the Church of Rome or the aristocratic state, which are both hostile to the claim of universal rights. For them, rights are divine and belong only to a small portion of the people as privileges. The claim of universal rights is therefore conceived as heretical and subject to suppression. Accordingly, early liberals were obliged to find a new type of authority, which is not only independent of old traditional authorities, but also able to be employed by liberalism to justify its universal claim. This new type of authority is the power of reason.

No wonder the age of rising liberalism is also often called as the age of Reason.⁵⁴ For liberal theories to expect their justification from Reason appears to be a powerful strategy. To say this

⁵⁴ The age of reason commonly refers to the eighteenth century. But this is only because the eighteenth century was the period during which the idea of reason was intensively expressed by so many people. It certainly had its prelude in the late seventeenth century and coda in the nineteenth century.

does not conflict with early liberals' sincere belief that reason *is* the nature of human beings, and therefore the root of their principles. The point to be made here is that liberals' use of reason as a supreme authority, instrumentally speaking, makes their justification of universality convincing. The plain fact that everyone has some power of reasoning (a sheer empirical observation) offers the first spoon of persuasion and intellectual acceptance of liberal universality.

Reason, which has always been, and still is, a highly prestigious term, is also one of the most complex and elusive in the vocabulary of ideas. Reason, narrowly and more precisely identified, is the ability to think logically, to make calculations and deductions. For instance, given a premise p , and if p then q , then the conclusion should be q . In this classic logical formula of *Modus Ponens*, reason alone warrants the validity of the argument. But the meaning of reason, for early liberals of the age of Enlightenment, seemed to be larger and inclined to be normative. Torture and intolerance are, for instance, viewed as flagrant violence against reason. To follow the Church's dogmatic tenets is also considered irrational. Reason therefore also embodies the sense of humanity and wisdom. Early liberals could put a label on virtually anything unwanted by them as anti-reason or irrational.

Having said that early modern liberalism relies on the power of reason to justify its anti-Medieval-tradition universal claim of rights, it still remains to be seen how the use of reason is able to be persuasive. After all, in virtually every area of endeavour in the early modern age, ideas, beliefs, and thoughts coming from the past continued to exert a strong influence upon all strata of the population. Many deeply entrenched prejudices, superstitions, mysticism, and fascinations with the occult were still integral parts of daily life in that age. The use of reason did not always appear to be more attractive than stories of fairies, ghosts, and goblins, which were passed down through the generations. As Bernard Glassman points out, the persecution of

suspected witches continued through the eighteenth century and into the next, the belief in witchcraft, though on the decline, still attracted some very learned supporters. For example, in 1706, John Hancock, in one of his Boyle Lectures, defended witchcraft on the basis of both biblical and empirical evidence. Superstition was prevalent in all strata of European society. Samuel Johnson was one of many educated gentlemen who were convinced that the royal touch was an effective cure for disease, and Tobias Smollett, a practicing physician, seriously believed that the application of the hand of a hanged man could cure skin tumours.⁵⁵

It seems to be the case that reason, which ultimately offered justification to the liberal principle of universality, actually gained its reputation as a powerful tool of persuasion through its successful application in the development of *natural science and technology*. With the unshakable certainty and objectivity obtained by rational inquiry in natural sciences and the perceivable power of technology to change the world, early liberals were convinced that reason and science are able to provide a sound ground of persuasion for their ideas. Locke, for instance, was impressed by the approach embodied in the emerging disciplines of modern natural science and in particular, the claim that a rational understanding of things must proceed not from ambitious speculative propositions but from clear reasoning based upon concrete evidence. This view had led, in scientific thinking, to an emphasis upon particular observations as the raw data that ground any theoretical account. The ideal model for early liberals was, of course, Newtonian physics: just as our common reason had uncovered the laws of matter and motion, so too could it be expected to uncover the laws of human nature, society, morals, and politics. Each field is awaiting its Newton: as Isaiah Berlin states, “in the eighteenth century there was a fairly wide

⁵⁵ Bernard Glassman, *Protean Prejudice: Anti-Semitism in England's Age of Reason*, Scholars Press, Atlanta Georgia, 1998, 12.

consensus that what Newton had achieved in the region of physics could surely also be applied to the regions of ethics and politics.”⁵⁶

Anthony Arblaster argues that, in regard to the relation connecting reason, science and liberalism, “science is committed to reason, questioning, criticism and the advance of knowledge through trial-and-error experiments. Liberalism represents the application of these rational and pragmatic methods to the ordering and government of human society.”⁵⁷ Although it is true that, from our contemporary point of view, scientific method *is* not always invariably so rational, and many scientific discoveries are indeed like an *art* work of genius, we should bear in mind that the consideration of science in terms of art creation, sometimes even jumping out of the perceived framework of rational inquiry is a very recent thing, perhaps only starting in the 1960s after Karl Popper published his revolutionary book *The Logic of Scientific Discovery*.⁵⁸ In the age of Enlightenment, or even earlier, when modern science was in its fledgling phase, to equate science with the use of reason was perhaps more plausible than it may be today.

In short, it seems to be the case that people of a liberal mind in the early modern era had strong admiration for reason and science. Even Descartes believes that, if a person grasped a “scientific” method, then this person is *self-sufficient*. In a letter dating from 1640 Descartes wrote: “By ‘science’ I understand skill as resolving all questions and in inventing by one’s own industry everything in the science that can be invented by human ingenuity. Whoever has this science does not desire much else foreign to it and indeed is quite properly called autarchies—

⁵⁶ Berlin, cited by Gerald F. Gaus, in *Contemporary Theories of Liberalism*, Sage Publications, London, 2003, 5.

⁵⁷ Anthony Arblaster, *The Rise and Decline of Western Liberalism*, Basil Blackwell, New York, 1984, 26.

⁵⁸ We will discuss this contemporary logic of scientific discovery in the third section of this chapter.

self sufficient.”⁵⁹ Hence, it seems to be reasonable to say that science, in the early modern era of Europe, possessed a kind of power of authority, which offered certainty and confidence to the things that attach to it. The liberal claim of universality certainly gained its credibility from its affinity with science. In fact, many liberal theorists, such as Locke, J.S. Mill think seriously of their theories in their perceived scientific ways.⁶⁰ Locke’s empirical science in his theory of human understanding, Mill’s logic of the moral sciences, and his praise of Tocqueville’s liberal approach as the true Baconian and Newtonian method applied to society, reflect the influence of science over liberal thinkers and their philosophies. Despite the impossibility of liberalism and its claim of universality really being proved by scientific method, early liberals hold a high degree of confidence and certainty that what they stand for is as credible as what has been proved by natural science.

In the following two sections, we will see how science in its exemplary exercise of reason affected the development of liberalism, especially the solidification of its tenet of universality in its early modern phase. To claim that there exists a close relationship between science and liberalism, however, does not mean that science is the single factor that underpins the characteristics of liberalism; nor does it imply that liberalism has no independent discourse. Rather, the claimed special relationship between liberalism and science derives from their historical contingency, namely, the growth of modern science and the emergence of liberalism are overlapping developments; and several of the most important philosophers of the seventeenth century, such as Bacon, Descartes, Hobbes, Spinoza, and Locke, make major contributions to

⁵⁹ Rene Descartes, quoted by Lachterman, *The Ethics of Geometry*, 139.

⁶⁰ To use the qualification word “perceived” is to show that those philosophers might not have a complete and sophisticated conception of science in their minds. The next section will mention what is science according to the traditional definition.

both traditions. Most importantly, early liberals adopt a strong posture of imitating natural science in its methodology and mentality, such that they believed sincerely that their liberal claims were as universal, objective, and thus credible as those scientific truths.

Science and Liberalism

We therefore proceed to investigate how well the influence of science over early modern liberalism might be. A precaution is that we do not intend to find a single formula, as if liberalism were simply a function of the rise of science. The simple fact that they co-existed and thrived together for more than three centuries makes us think of the possibility of some correlation between the two. This section and the next attempt to reveal, in increasing depth, the correlation between modern science and liberalism. The ultimate goal is to show that, given the significant tie between science and liberalism in modern history, it is reasonable to believe that the nature of liberalism was heavily influenced by the nature of natural science⁶¹. From their methodology to their psychological disposition, early liberals seem to make serious efforts to arm their liberal theories with science. Meanwhile, many of them possess a mentality similar to that of a scientist, that is, they are pursuing objective truth, and their inquiry is rational and objective. They therefore believe that their liberal universal claims can be objectively true.

A critique of this liberal conviction of universal principles as objective truths will be raised later. Briefly, the distinction between natural science and human science (to which liberalism belongs), as Gadamer points out, raises doubt about the supposed objective nature of human science. A universal claim, such as the liberal claim of universality, is inevitably mixed with the

⁶¹ Interestingly, many philosophers of science, such as Karl Popper believe that the general liberal atmosphere in early modern Europe actually nurtured the development of natural science as well. Due to the focus of this paper is on liberalism, instead of philosophy of science, I would like only to stress on one side of this reciprocal relationship, namely, the impact of natural science over liberalism. There should be no contradiction between my view and a more balanced view, however.

liberal theorists' own experiences, their own subjectivity. Therefore, liberal universality is fundamentally a type of *subjective universality*.

As the first step, we will simply compare science and liberalism in the early modern history from three perspectives: order, efficacy, and progress. It may look as if that these comparisons seem to be meaningless simply because science and liberalism focused on totally different subject matters. But historically speaking, there was no clear-cut distinction between scientists and liberal theorists, and investigations into Nature and human nature are often derived from the same desire or ambition, with the achievements of one side often affecting the other. Moreover, since the subject matter we will deal with is intrinsically historical, it is necessary for us to give significant weight to the contingency of historical *contexts*, because only in that is the comparison intelligible. Since our discussion will cover the long period from the seventeenth to the nineteenth century, we will mainly focus on some paradigmatic historical moments and places: Great Britain in the late seventeenth century, France in the eighteenth century, and both countries in the middle of the nineteenth century. These moments are closely associated with some principle liberal thinkers, such as Locke, Adam Smith, Voltaire, Condorcet, Diderot, James Mill, J.S. Mill, and Tocqueville, whose influences are profound, and whose thoughts are available to us for analysis.

The observed commonalities between science and liberalism in the early modern era seem to comprise three aspects: order, efficacy, and progress.⁶² By using the term “commonalities”, we do not mean that science and liberalism share a great deal in terms of their contents. Rather, it shows that many people, in the development of science and liberalism in the early modern era,

⁶² Of course, there are many other commonalities available. We cannot name and discuss all of them here. The comparison from these three aspects simply shows how early liberals, consciously or subconsciously, apply the ideas of natural science in the field of politics.

spontaneously ask some similar questions in different fields. The inquiry about order, for example, would turn out to be the question, “What is an ideal cosmic order?” which therefore could be answered by natural sciences, such as physics and astronomy; or, “What is an ideal social order?” which could be answered by liberal social reformists. By the same token, both natural scientists and liberals are concerned with the efficiency of world changing, with natural scientists emphasizes the efficacy of technology and scientific advancement, while liberals focus on the efficacy of government. Similarly, whereas both natural scientists and liberals believe progress to be inevitable and necessary, the former treats progress as an internal mechanism and methodology, and the latter view progress mainly in the advancement of humanity, culture, and civilization. Essentially, it shows how profoundly the natural scientists and liberals were preoccupied by the same set of questions, and offered their different answers.

The concept of *science* employed in this thesis refers to, on the one hand, a well-defined type of human endeavour characterized both by a typical aim and an unmistakable method. Its aim is to discover the intelligible structure of observable reality or nature. Its method is systematic observation, theoretical elaboration of observed data, and experimental testing of theoretical deductions.⁶³ Accordingly, Galileo and Newton will be paradigmatic scientists in our discussion. On the other hand, considering that the fledgling modern science of the early modern era is unlikely to be clearly distinguishable from technology and mathematics, the scope of science should be larger than its core concept, and also take the psychological impact of mathematics and technology into consideration. That is, we assume that for the early modern Europeans, the magic power of science is also evinced by bringing about practical changes that man deems

⁶³ See Enrico Cantore, *Scientific Man: The Humanistic Significance of Science*, Ish Publications, New York, 1977, 3.

desirable and by actual skills capable of controlling the dynamism of nature (which are normally defined as technology), as well as by precision in the use of mathematics.

First, in terms of *order*, science searches for the order of nature, whereas liberalism searches for the order of human organization, which fundamentally refers to the relation between individual and the state. But, what is an order? In general, an order is a kind of status in which each part of a whole has its right position and functions properly. It entails regularity of occurrence, cooperation between parts and between parts and the whole, and harmony in each motion and cooperation. Order is also expected to provide a satisfactory explanation of the nature of the thing. Copernicanism and Newtonian law are two classic examples for science of explaining order in the physical world. But to understand what an order ought to be is often subject to disagreement. Accordingly, the emergence of a new order frequently poses a threat to the established order, and foreshadows a power struggle. The order the medieval Christian church sticks to is a barrier to establishing the new type of order scientists and liberal thinkers are looking for. Interestingly, for both scientists and early liberals, their search for order in nature and human society respectively, also includes a strong desire to take control of the order. Bacon, to the embarrassment of many contemporary environmentalists, boldly claims that to command nature is the highest end of science. The enthusiasm for conquering nature was indeed one of main factors for the advancement of natural science in early modern Europe. Similarly, early liberalism, in redefining order in favour of the new rising middle class did not shy away from claiming that the state should be controlled by the same class of people who have the economic power and who should define order for human society.

To clarify, the order under discussion mainly refers to *social and political* order. There is also another important order, *economic* order, which, due to its close relation with governmental role,

will be discussed under the next subtitle, efficacy. The order pursued by liberal thinkers in the seventeenth and eighteenth century, as Laski argues, is centred on the private possession of property. The successful businessmen in commerce and trade should decide what order to shape. The peace and security of men with wealth is the order the whole society must look for. Rationalism, toleration, and constitutional government are all watchwords to protect the private accumulation of property from being intervened in by the state, and from being envied by the poor. This liberal order, in Locke's writing, means to acquire and maintain the natural right of life, liberty, and property. For him, a man's effort shall not be without its reward, and the supreme power cannot take from any man any part of his property without his own consent. For Voltaire, the preservation of order that is in favour of people with property and education is nature's first law. Voltaire's order reflects, more conspicuously than anyone else's, his own outlook: a man of property, a typical successful business man of his age, rich and business-like in his habits. In his praise of British liberties of speech, religious tolerance, person and property guaranteed by trial by jury, he wrote, "the Stock Exchange applies the term 'infidel' only to those who go bankrupt."⁶⁴ Diderot makes the rights of property almost as absolute as can be imagined. "Men in society who have property", he wrote, "have a portion of the general wealth he is absolute master over which he has the powers of a king to use or abuse at his discretion."⁶⁵ In short, the "natural" social order for liberal thinkers in the seventeenth and eighteenth centuries is, in Adam Smith's words, to allow the rich to sleep securely at night.

The nineteenth century is the triumph of liberalism. The order defined by the rich business class has been solidly established. Neither J.S. Mill in England nor Tocqueville in France cast doubt

⁶⁴ Cited by Laski, *Rise of European Liberalism*, 170.

⁶⁵ *Ibid*, 217.

on this order. But the cry for social equality and the provision of assistance to the poor is rising high. Accordingly, the social order desired by Mill and Tocqueville is a little different from that of earlier liberals. For J.S. Mill, the social order is a kind of dynamic relationship between social liberty and aesthetic individualism. Social liberty refers to putting limits on the ruler's power so that he would not be able to use his power to his own advantages and make decisions which could harm society; a representative government is therefore preferable. Meanwhile, Mill believes that such government can not flourish without citizens with an active, self-reliant and enterprising personality. He favoured the active, self-helping type of man required in a democracy, as against the passive type of character preferred by the government of a monarchy or aristocracy. It was "the striving, go-ahead character of England and the United States' which laid the foundation of the best hopes for the general improvement of mankind."⁶⁶ Social liberty or active individual personality, for Mill, requires no distinction in terms of property possession. Reason is the common capacity for every "civilized" individual; and accordingly, in a good social and political order, which, of course, can be nothing but a democratic society with a representative government, every rational being should have his or her voice heard. For Tocqueville, the liberal social order seems to turn conservative. He believes that an ideal order is the combination of liberalism and Catholicism in which reason and faith are united, and free individual and divine authority stay in harmony. This peculiar understanding seems to reflect a common resentment prevailing among French liberals after the Revolution. They saw the destructive power of reason and individual greed for wealth. They believe that a harmonious democratic society must not be dominated only by one force. Rather the balance between the two forces, reason and faith, practically produces the best result for the well-being of the society.

⁶⁶ J.S. Mill, Cited in *Western Liberalism*, ed. E.K. Bramsted and K.J Melhuish, Longman, London, 1978, 249.

Particularly, the traditional Christian belief in “ransom”, which means to require the rich to give some share to the poor as a sort of justification of his wealth, should be kept in an ideal liberal order for the sake of remedying the inequality engendered by the greed of individual accumulation of wealth.

Second, in terms of *efficacy*, how the power of scientific discoveries and technological advance effectively changed the world and conquered the nature in the early modern era of Europe need not be repeated here. Hundreds or thousands of scientific and technological achievements occurred within these three centuries. Even before the end of the sixteenth century, various impressive successes in scientific research had left the mark on a changing medieval society. If Kepler’s science of optics is only meaningful to a small circle of scientists, theologians, astronomers, or men of letters in general, then medical progress, which includes the manufacture or artificial eyes and limbs, the use of new drugs, the more specialized study of disease, seems to allow laymen to be benefited by the power of scientific advancement. That the agricultural revolution produced the light plough, and the classical revival in architecture provided the solutions for the problems in structural mechanics is closely related to ordinary people’s lives in terms of their eating and dwelling. That the development of engineering and metallurgy improved labour-saving devices in all aspects of heavy industry, such as deep-mining for both coal and metals, paved the way for the advent of industrialization.⁶⁷ As science began to make possible a great power over nature, so its practitioners developed an ever greater confidence in the power of reason.

⁶⁷ There are long lists of scientific discoveries and technological advance that occurred in history provided in Ernest Untermann, *Science and Revolution*, Charles H. Kerr & Company, Chicago, 1920, as well as in Laski’s *The Rise of European Liberalism*.

Early liberal thinkers were not only certainly cheered up by the outcome of scientific achievements, but also impressed by the effectiveness of science in shaping the world. For they themselves are eager to find a good social and political structure to allow them to exercise their liberties, most importantly, the liberty of accumulating wealth and property. Pioneered by early merchants, and inspired by their surprisingly successful experiences in free commerce, trade, and the accumulation of wealth, the early liberal thinkers gradually adopted a belief that the efficiency of wealth accumulation lies in the maximally free activity of the individual in pursuit of his personal interests and the least intervention from authorities, such as church and government. As Laski believes, by the time Adam Smith published his famous book, *The Wealth of Nations*, in 1776, there exists almost a tacit consensus of the whole society at that time that commercial liberty and governmental non-intervention are the golden principles of liberal economics. Smith is merely a representative of this unanimous voice.

Adam Smith summarized the consensus concerning what an economic order should look like shared by early liberal thinkers. But it is not excessive to say that this economic order is by no means unfamiliar to our contemporary generations, especially those who advocate so-called “neo-liberalism”, which in essence is almost an exact duplication of what Smith said more than two hundred years ago. Briefly, Adam Smith is against any type of governmental action in terms of setting industrial regulations, protective tariffs, trade combinations, and labour legislation. His motto is, Let every man be free to seek his self-interest as he pleases, and maximum social good will be realized by his attention to his own concerns. Over time, Smith’s theory on economics develops into a specific kind of economic theory, *laissez-faire*, which is still exerting powerful influence over contemporary economic policy.

Almost all prominent liberal thinkers in the early modern era adopted, at least in principle, the outlook of *laissez-faire* as their liberal model of economics and the role of government. Locke's famous argument about "mixing labour" is aimed to provide rational justification for appropriating the common resources of nature. He did not see any positive role that "insidious" politicians or government in general could play other than providing protection of private property from encroachment. For Voltaire, "it is impossible in our unhappy world for men living in society not to be divided into the two classes of rich and poor."⁶⁸ For we are not equally talented, and property, in general, is a fruit of talent. If a person is incapable of becoming rich, it is totally his own fault; the government has no responsibility to help him. Here we see the other face of *laissez-faire* economics: while non-intervention from the government may enable individuals to take advantage of their talents and accumulate wealth, it is equally true that the weak should not expect to get help from government either. A wage-labour cannot complain if his earnings barely make a living because his wage, as a free contract, is decided by his value to his employer. Therefore the government has nothing to do with the natural inequality that divides people. In that vein, Voltaire argues that subordination of the poor to the rich is a social necessity; and the rich repay society by the opportunities they open to the poor; but more than this is unnecessary.

No doubt, a free, though sometimes brutal, competition advocated by *laissez-faire* economics secures for everyone his best efforts to obtain and maintain a winning position; as a result, it effectively maintains a high individual productivity, as well as a high productivity of society as a whole. Any governmental intervention would imbalance such a productive and fair society. To lay a tax on industry and economy is, J.S. Mill argues, equivalent to imposing a penalty on

⁶⁸ Cited by Laski, *The Rise of European Liberalism*, 214.

people for having worked harder and saved more than their neighbours. While Mill constantly urges the poor to help themselves, he also thinks education may be provided to the working class to teach them how to be prudent and industrious. Tocqueville is an uncritical believer in *laissez-faire* economics, and he believes that the demands for work, and for unemployment relief, raised in Paris in 1848, rested upon a simple failure to understand that economic laws doomed such enterprises to failure.⁶⁹

Marx has acutely observed that the rising bourgeois in the nineteenth century successfully accumulated their wealth and transformed into capitalists at the price of impoverishing the working class. When facing the demand of social justice from the people who suffered profoundly from the emergent social order, who fought on the side of Cromwell in England, and of the Third Estate in France, against the tyranny in state or church, the rising class of property owners responded with violent oppression. They felt that their property was threatened again — the first threat was from the old aristocratic state and church, but this time it is from their former comrades, Quakers, Levellers, and the Fourth Estate. They do not believe that they did any injustice to the poor, whose poverty is rather self-created. They complacently believe that their wealth is God's blessing, and "grace in a poor man is grace and is beautiful, but grace in a rich man is more conspicuous, more useful."⁷⁰ They may feel sympathetic to the miserable conditions of the poor, but they absolutely do not think the government has any responsibility to look after the poor. Rather, they believe that to help the poor is solely a private matter to which only people's genuine sentiments, mercy, charity, and generosity can be applied. This limited sympathy towards the poor is held by most of the early liberal thinkers. When the poor demands

⁶⁹ Arblaster, *Rise and Decline of Western Liberalism*, 272.

⁷⁰ Cited by Laski, *The Rise of European Liberalism*, 74.

social justice and economic equality, liberals respond with their self-claimed virtue of generosity and philanthropy, instead of institutional reform.

Charles Taylor defines generosity as “an emotion which accompanies my sense of self, my human dignity. This sense of esteem then fuels my continued commitment to virtue.”⁷¹

Generosity, therefore, has a strong tie to the giver’s perception of self’s worth and honour. No wonder no prominent liberal thinkers feel qualms about their insistence on government’s non-intervention into the misery of the poor, because they are unanimously willing to offer their “generosity” to the poor. Indeed, it is not surprising that some rich liberals, English and French gentlemen, even feel strongly obliged to offer charity to their poor fellows. This is really a “peculiar” liberal mentality: on the principle of *laissez-faire* economics, it is the poor’s own fault that they live in miserable conditions because each rational being is fully equipped with freedom to pursue his self-interest. His failure is therefore the failure of his own character, which in turn shows that he does not possess the expected virtues, such as intelligence or industriousness. Meanwhile, because of his failure in making himself a successful businessman, he becomes a burden on society, and his voice should not have weight in public policy making. Since such a man, whom we (the rich) do not need to help, and who does not deserve help, but to whom we nevertheless offer help, our generous deeds consequently demonstrate only our own virtue.

The reason to stress this peculiar early liberals’ perception of generosity is that this virtuousness shows its full power in the nineteenth century. In defending British imperial rule over India and French colonial domination over Algeria, some liberal thinkers, such as James Mill, J.S. Mill, and Tocqueville frequently make use of the idea of liberal generosity. They accordingly do not believe that their apology of colonial rule contradicts the liberal principle of the universal rights

⁷¹ Charles Taylor, *Sources of the Self: The Making of the Modern Identity*, Harvard University Press, Cambridge, 1989, 155.

of man. Rather, they sincerely believe that they are generous to Indian and Algerian, and their colonization is doing good for the well-being of the colonized. After all, these “uncivilized” Indians or Algerians, like the poor European working class in the seventeenth and the eighteenth century, are responsible for their lack of privilege, and liberal generosity is a serendipity they should feel blessed to get.

Third, liberalism and science share great commonality in bearing the feature of *progress*. By definition, progress means to go forward, to advance to a higher or better level in development. Progress can be viewed as a matter of fact, or a belief. To view progress as a fact is retrospective thinking. The observable improvement of human living conditions, the accumulation of knowledge, and the naturalistic explanation of natural occurrences which could only be explained by superstitions previously, all help establish the view of progress as a fact. On the other hand, to view progress as a belief is a way of prospective thinking, which regards progress as no more than a faith or an educated prediction that the future will be better. There is no necessary connection between these two ways of thinking about progress, even though it is often the case that people have no difficulty in holding faith in progress in light of the progressive achievements in natural science and technology.

The very nature of science is to progress because the development of science is based on the logic of progression. Since science does not presume the infallibility of human cognition, the basic undertaking of scientific inquiry is to correct errors and remove ignorance, which exactly means to progress. In early modern Europe, Copernicus and Galileo raised the curtain of scientific revolution. Their achievements gave an interpretation of the universe which rendered obsolete the competing theological view. They established, thereby, the self-sufficiency of a reason free of the need to take account of metaphysical assumptions sanctioned by the churches.

By the seventeenth century, science has earned a wide-spread reputation in Europe, and the founding of the Royal Society, established in 1660 in England, the French Academy of Sciences in 1666, and the Academia dei Lincei in 1670 show government recognition of its importance. These scientific societies obtained endowment, and were asked to solve the practical problems from all strata of society. Steven Shapin and Simon Schaffer offer a vivid picture of how popular the experimental lab in the Royal Society was:

The experimental laboratory was advertised as a place where practically useful knowledge was produced. Did gunners want their artillery pieces to fire more accurately: then they should bring their practical problems to the physicists of the Royal Society. Did brewers want a more reliable ale? Then they should come to the chemists. Did physicians want a theoretical framework for the explanation and treatment of fever? Then they should inspect the wares of the mechanical philosopher. The laboratory could also supply solutions to less tangible problems. Did theologians desire facts and schemata that could be deployed to convince otherwise obdurate men of the existence and attributes of the Deity? They too should come to the laboratory where their wants would be satisfied.⁷²

As Laski points out, even intellectuals, such as Leibniz, Huygens, and Boyle are filled with enthusiasm for scientific discovery. The extent of such enthusiasm was so great that Sprat could say, in 1667, that the interest in science was so strong that “there seemed to be nothing more in vogue throughout Europe.”⁷³ What is important to our discussion is less the science’s achievement or grandeur than its ideological implications. The fanatic enthusiasm for science in the seventeenth and the eighteenth century, it is not excessive to say, creates a mood of self-confidence in early modern Europeans in their power of reason, of mastering Nature, of shaping their own environment. The new knowledge is so immense and so vital that men have a deep conviction of progress, which is essentially the optimistic view of their own power of reason. They believe that they have reduced the world to a mechanism the laws of whose operation are

⁷² Steven Shapin and Simon Schaffer, *Leviathan and The Air-Pump*, Princeton: Princeton University Press, NJ, 1985, Chapter 8.

⁷³ Cited by Laski, *The Rise of European Liberalism*, 90.

revealed by knowledge. They can apply the methods of science to every aspect of life, which, needless to say, includes how to organize government and human society.

Early liberals probably had no hesitation in embracing the scientific enthusiasm for progress. Encouraged by scientific discoveries in natural science, liberal philosophers claim some important discoveries in human anthropology. One of them is Adam Smith's famous notion that human societies seem to have four different types: hunting, herding, agricultural, and commercial. While Smith does not explicitly express whether the relationship among these four types of society is linear and therefore represents a progression of human society, other liberals in the late eighteenth and early nineteenth centuries develop the idea of a progress of human society into various systematic theories of stages whose arrangement is not random, but follows a specific sequence—like what happens to the growth of an animal: an infant stage, intermediate stages, and a mature stage.

Condorcet, Auguste Comte, and J.S. Mill are, among liberal thinkers, the most prominent advocates of the idea of progress. In addition to their basic belief that human societies pass through linear stages, they also attribute some other particularities, such as the capacity of human cognition, human morality, and the destiny of human civilization, to the notion of linear progress. For Condorcet, the belief in progress was a religion. It meant faith in the unlimited perfectibility of man. This progress, he says, “will doubtless vary in speed, but it will never be reversed as long as the earth occupies the present place in the system of the universe.”⁷⁴ Condorcet distinguished ten stages in the history of mankind, which consists of developments in history, technology, and politics. In his theory, human progress slowly evolved since the pre-historic period, via the stages of agriculture, the rise and fall of Greeks, the invention of printing, and

⁷⁴ Cited in *Western Liberalism*, 163.

Descartes, and culminated in the French Revolution. Comte proposed (following Saint-Simon) a 'law of the three stages' that began with a theological stage, and progressed through a transitional metaphysical stage to the positive stage. In the first two stages, attempts are made to understand the nature of things through supernatural and metaphysical explanations. The positive stage, by contrast, was distinguished from those that preceded it by a recognition of the limitations of human knowledge: the positive thinker relies only on the experience of the senses and seeks to establish truth by means of observation and experiment.

Both J.S. Mill and Tocqueville distinguish the category of human civilization into two stages, barbarism and civilization. J.S. Mill's understanding of progress owed much to his reading of Auguste Comte; he particularly supported Comte's view that philosophical history should follow the course of progress by paying attention primarily to the society that was in the vanguard at a given moment. While commenting upon Comte's view of history, Mill offered one of his own most complex accounts of social development, recognizing stages of intellectual development, the effects of the division of labour on social evolution, and the interaction between material and intellectual causes in the progress of society. But the most influential feature of Mill's idea of progress is perhaps his transformation of progress from a concept of philosophical anthropology into a normative theory which directly entails what human history *ought* to be, and how to treat others who are located in different stages of civilization. This normative aspect of Mill's theory of progress leads to his controversial justification for British imperial practice.⁷⁵

Tocqueville's belief in progress is, like his belief in the nature of an ideal order, deviant from that of other liberal thinkers. For him, the problem for human society is not how to make progress, but how to stop the backward slide. Human progress for him lies not merely in reason

⁷⁵ It will be discussed in the next chapter.

and science –otherwise only destruction will be ensured—but also in preserving the old tradition, which for him is Christianity. He believes that Christianity contains the principle element of modern civilization and the necessary condition for social progress. Even democracy, he believes, could only be established in the Christian world. Progress is, for Tocqueville, coeval with the Christian mission – a mission that is professed not merely by the institutional Church but by all members of society – to inspire the love of true liberty and regularity, respect for the dignity of the individual, the wish to preserve the noble heritage of the Christian civilization passed on to us.

To briefly summarize what has been discussed in this section: the aim of this section is to highlight the influence of science over the development of early modern liberalism. The discussion of order, efficacy, and progress aims at illustrating how natural science and the power it exerted on society as a whole has affected the orientation of early liberalism toward a certain direction. Natural science affected early modern Europeans' habit of thinking, and early liberal thinkers, as members of their societies, inevitably adopted some characteristics of natural science, and applied them, consciously or unconsciously, to their liberal theories. Moreover, we can see from liberal views on order, efficacy, and progress that none of them was reasonably *inferred* from a liberal foundational claim of universal rights. Rather, the consideration of what an order should be is historically contingent, namely, it is the order that favours the property owner; the embrace of *laissez faire* economics and its ensuing policy of non-intervention by government, as well as charity as the solution to social and economic inequality seems conceivable only in the early modern age. Their theories of progress complacently condone European superiority and Euro-centrism, which are incompatible with liberal universal principles. All of these features of early modern liberalism seem to suggest an arbitrary and *subjective* manner of defining what

should be universally true. Notwithstanding the subjectivity and imperfection of these early liberal thinkers' understanding of liberal universal principle, they hold it dearly, and confidently believe that what they hold is scientifically true. As a result, they are deeply convinced, and also try to convince others, that their own subjective beliefs are objective truths.

Scientific Method and Its Implication—Scientific Mentality

In this section, we proceed to narrow down our discussion by focusing on the inquiry into the essence of natural science. But first, it is worth reiterating our aim in this thesis—we are not looking for a *direct*, conspicuous impact of natural science on the development of early modern liberalism. More specifically, we are not trying to show that those prominent liberal thinkers deliberately employ science in writing their liberal theories. Rather, our aim is to show that it seems very natural for early liberal thinkers who live and grow up in an atmosphere strongly in favour of the scientific approach and fanatically adopting science as a new way of life, to take some scientific *elements* into their theoretical accounts and world views.

Certainly, there *are* some liberal thinkers, such as Condorcet and Comte, who explicitly make use of science in their liberal theories. Condorcet's mathematical science of man, for example, represented an attempt to apply mathematics and statistics to socio-economic phenomena. He rejected Rousseau's approach, which attempted to augment classic rationalism with sentiment, and instead tried to raise social reason to the mathematical level, arguing that the only social obligation is to obey reason, rather than the general will. His social mathematics was intended to be both an objective description of social behaviour and to act as a scientific basis for individual conduct, freeing human beings from instinct and passion by applying reason to all social affairs. Comte, on the other hand, held that a positivist approach to examining social phenomena would lead to the discovery of laws to describe social relations just as in the natural sciences.

But other than Condorcet and Comte, liberal thinkers generally appear not to intermingle their discussion of liberalism with their theories, if any, on science. Locke's explicit use of empirical science in the discussion concerning human understanding shows little resonance in his *Two Treatises of Government*. J.S. Mill frequently uses the term "experiment of life" in his liberal theories, which may insinuate his inclination toward natural science, but we are not sure whether he intended to scientificize his liberal theories.

Rather, it seems more appropriate to view the influence of natural science on liberal thinkers as a fragmented, occasional instead of systematic, application of natural science and elements of scientific method. More subtly, the influence might only demonstrate a sort of scientific mentality that might be habitual for a liberal thinker, but nevertheless not something he is aware of.

Morris Kline argues that, "Modern science owes its present flourishing state to a new scientific method which was fashioned by Galileo Galilei (1564-1642)."⁷⁶ This new scientific method, according to *The Oxford English Dictionary*, is a method or procedure that has characterized natural science since the 17th century, consisting in systematic observation, measurement, experiment, and the formulation, testing, and modification of hypotheses. To a large degree, science is defined by its method. The core idea of scientific method is that the inquiry must be based on empirical and measurable evidence subject to specific principles of reasoning.

A scientific method, as is commonly believed, consists of at least four elements: hypothesis, prediction, test, and analysis.⁷⁷ A hypothesis is a conjecture, based on the knowledge obtained while formulating the question, that may explain the observed behaviour of a part of our universe.

⁷⁶ Morris Kline, *Mathematics for the Nonmathematician*, Courier Dover Publication, 1985, 284.

⁷⁷ The following definitions of conceptions of scientific method are quoted from *Reason in the Balance*, Sharon Bailin and Mark Battersby, McGraw-Hill Ryerson, Toronto, 2010, chapter 12.

A scientific hypothesis must be falsifiable, meaning that one can identify a possible outcome of an experiment that conflicts with predictions deduced from the hypothesis; otherwise, it cannot be meaningfully tested. Prediction involves determining the logical consequences of the hypothesis. One or more predictions are then selected for further testing. The less likely that the prediction would be correct simply by coincidence, the stronger evidence it would be if the prediction were fulfilled. Test is an investigation of whether the real world behaves as predicted by the hypothesis. Scientists (and other people) test hypotheses by conducting experiments. The purpose of an experiment is to determine whether observations of the real world agree with or conflict with the predictions derived from a hypothesis. If they agree, confidence in the hypothesis increases; otherwise, it decreases. Experiments should be designed to minimize possible errors, especially through the use of appropriate scientific controls. For example, tests of medical treatments are commonly run as double-blind tests. Finally, analysis involves determining what the results of the experiment show and deciding on the next actions to take. If the evidence has falsified the hypothesis, a new hypothesis is required; if the experiment supports the hypothesis but the evidence is not strong enough for high confidence, other predictions from the hypothesis must be tested. Once a hypothesis is strongly supported by evidence, a new question can be asked to provide further insight on the same topic.

What does this lengthy description of scientific method tell us? How is it related to our discussion of liberalism? The answer lies in the implication of using scientific method in establishing the *credibility* of the supposed universal objectivity of science. Scientific inquiry is generally intended to be as *objective* as possible in order to reduce biased interpretations of results. In order to achieve this goal, so-called “scientific” method actually employs every applicably reasonable idea in the stock of human knowledge. Its recognition of more than one

hundred possible biases and fallacies, many of which, such as confirmation bias, hindsight bias, and narrative fallacy, are very natural in human cognition; its detailed techniques for preventing errors, e.g., falsification, document, share all data, and peer review, its tireless efforts to find potential sources of error and bias; and its humble and sceptical attitude (in a reasonably degree) towards its own method, all contribute to a high degree of reliability and credibility to its outcome. In other words, science gains a sort of *authority* from its nearly perfect method of inquiry. We may ask ourselves, “Do we have any reason to *reject* scientific method as a way of thinking by ourselves, insofar as we are rational beings and aiming at acquiring truth?”

I assume that to resist the temptation of applying the method of natural science to aspects of life other than laboratory research needs considerable strength. Given its, logically speaking, nearly perfect outlook, science actually *commands* individuals with rationality to adopt it in other parts of their lives. This was probably the case for early modern Europeans too. Besides biblical exhortation, which is too old to offer attraction, it was perhaps very difficult for them to find any other way of thinking and living comparable to the scientific way of thinking and living.

However, even before people’s excitement about their newly acquired way of life starts to cool down, a new problem is looming large. To acquire a habit takes time, but once it has formed into a person’s disposition it becomes the *mentality* of this person. Just as many people had a Christian mentality in the middle age (or many of our contemporaries have “post-911” mentality), many people gradually developed a sort of “scientific mentality” in early modern Europe.

Although it seems very natural for a scientist to have a scientific mentality; nevertheless, if he insists that all he does is to pursue truth, and his conviction that there is one full explanation for a given explanandum cannot be questioned, controversy is inevitably caused.

A western anthropologist, for example, went to an Asian country to investigate its local culture, which has been there for thousands of years. But what he can get, in light of his own scientific training in the West, from observing the ritual practices in this local culture is nothing but a conviction, scientifically measured, that this local culture is full of superstitions, ignorance, and even “barbarous” behaviours. He writes travel dairies, publishes articles and claims the local culture he encountered is “primitive”. Many of his fellow scholars, including philosophers, read his writings and based on which meditating human nature and human society (in the case of Locke, who read about North American Indians and judged that the American continent was in the status of nature). Then they publish their own reflections on human history, and teach their students, who in turn spread the “knowledge” to their own students, and so on and so forth. This chain of events seems not uncommon in the seventeenth, eighteenth, and nineteenth century. Locke, Kant, Hegel, Marx, and James Mill all joined this practice by constructing their philosophy of human nature, or human history on the basis of traveller literatures, while they never saw by themselves the nations and cultures under their critiques. Certainly, scientific method, as mentioned above, demands repeatability for experiments and observations. And it does happen: many new travellers come to visit the same culture and make the same observations, confirming the original conclusion. One peculiar example is westerners’ observance of the Indian’s ritual of *sati*, which briefly refers to a Hindu tradition for a wife to throw herself into her dead husband’s funeral pile.⁷⁸ When facing a totally exotic culture, which is beyond the scope of the current scientific explanation, western scientists, equipped with no alternative way of contemplating it, often draw the conclusion that the local culture is primitive,

⁷⁸ See Andrea Major, *Pious Flames: European Encounters with Sati 1500-1830*, Oxford: Oxford University Press, 2006. In terms of how Europeans made efforts to apply scientific ways to observe and analyze sati, see chapter 3.

and the natives are backward. More importantly, this apparently perfect system of scientific inquiry seems unable to check its own systematic bias, which becomes conspicuous only in the presence of *another* system. The scientific method that originated and developed solely in the context of Europe appears not to be very scientific or not even rational in its application to an alien, non-European culture.

Further, for a non-scientist whose regular work has nothing to do with scientific research, but who is nevertheless equipped with a scientific mentality, his daily practice of thinking and behaving scientifically are, unlike a true scientist in a real environment of research, not subject to a regular and strict error-checking mechanism. As a result, he may have the inclination to engage in what is called “scientism”.⁷⁹ He may heedlessly adopt it methodologically, and use the methods of natural science in other disciplines. While there are specific methods central to these other disciplines, he applies the method of natural science anyway because of his conviction that scientific method is superior to any other methods. He may also adopt it epistemologically in the sense that the only reality we can know anything about is, he believes, the one natural science has access to. He may even adopt it as an axiom, and consequently believe that the only truly valuable realm of human life is science, and all other realms are of negligible value. These three dimensions of scientism express one fundamental position: that science alone can and will eventually solve all the genuine problems of humanity. Certainly, not only an unsophisticated mind might think in this way. Some liberal philosophers, like Auguste Comte, did so too. The central problem of scientism is its self-contradicting nature: the *exclusivity* of scientific explanation can never itself be part of a scientific explanation. As Louis Caruana points out, “The entire scientific enterprise is founded on a claim that the enterprise itself is obliged to

⁷⁹ T. Sorell, *Scientism*, Routledge, London, 1991.

consider irrelevant. The major inconsistency, therefore, lies in the fact that scientism, sooner or later, involves sawing off the very branch on which one is sitting.”⁸⁰

Natural Science and Human Science

Our discussion of scientific mentality suggests that there are some fields to which the method of inquiry that is primarily based on the model of natural science is inappropriate. Where would these fields be then? What are the characteristics of those fields that resist the application of the method of scientific inquiry? They are, Gadamer believes, the fields in the domain of human sciences, such as history, art, and the other humanist disciplines.

Human sciences, broadly defined, are the studies and interpretations of the experiences, activities, constructs, and artefacts associated with human beings. These studies are aimed at expanding human knowledge of the *existence* of human beings themselves. As a study of human phenomena, the study of human experiences is essentially historical in nature. If we attempt to see the distinction between natural science and human science only teleologically, we would not be able to see this distinction, which is natural and large. The ultimate question of science is – What is reality? The ultimate question in the study of human beings is simply – What is the reality of being human? The difference between natural science and human science looks like the merely a difference between their objects, the reality of the nature for one, and the reality of being human for another. For any Buddhist, Taoist, or holistic environmentalist, this distinction must puzzle them, or even make them laugh: why do we need to distinguish human beings from the nature? Aren't human beings parts of nature? Does this distinction make human beings as a whole stand out and feel more powerful than Nature?

⁸⁰ Louis Caruana, *Science and Virtue*, Ashgate, London, 2006, 71.

The whole debate regarding what the relation between nature and human beings ought to be is not within the scope of this thesis. But what we need to indicate, pursuant to our discussion, is that the relation between nature and human beings was perceived by the early modern Europeans mainly as a power struggle. Bacon set the tone for conceiving of early modern natural science: to conquer and command nature by the power of human reason for the purpose of obtaining knowledge. Whereas natural science openly exhibits its anthropocentric essence, nature is bound to be the necessary object the subjugation of which shows humanity's will to power.

Go back to our main discussion of the difference between natural science and human science. The question posed by the previous section seems to be that there are some fields in which only one type of science, either natural science or human science, is appropriately applied, and cross-application would cause error or confusion. That seems to immediately show mutual *exclusivity* between the two types of science. A challenge accordingly might well be expected: does it mean scientific method cannot be applied to human existence at all? This challenge is obviously legitimate and the answer to the question is yes. The researches on, for instance, the human body, blood, disease, nutrient, DNA, HIV, Dementia, calcium supplement, and so on are undoubtedly subject to the method of inquiry in natural science. That is to say, there is a considerable degree of overlap between scientific study and the concern of human existence. But there are also significant parts of human existence that resist scientific method.

For example, scientific method loses its power in dealing with human *experience*. Human experience is necessarily associated with history, and history is unrepeatable, while repeatability is crucial to scientific method: only when the phenomenon can be tested and repeated is confirmation and certainty obtainable. The fundamental phenomenon of human existence seems to be human experiencing as an individual and as a member of a community living in a particular

time at a particular place, developing a particular social relationship with other human fellows, and whose body and mind are prone to continuous change. All of these characteristics of human experience seem to vie with the paradigmatic features of natural science, such as universality, objectivity, and certainty.

Natural science is aimed at truth and knowledge. “The concept of knowledge based on scientific procedures,” Gadamer writes, “tolerates no restriction of its claim to universality.”⁸¹ Universality in natural science does not have to be a grand proclamation (like Newtonian laws), but when it does claim universal validity it bears the formidable mark of the transcendence of time and place. The transcendence of time and place, on the other hand, does not entail that the particularity in terms of time and place is irrelevant to scientific truth. Rather, universality lies in taking any particularities into account, but also expressing them as *parameters* in its universal formulae. A scientific study of the characteristics of a type of fungus, which exists only under a particular kind of rock on a specific seashore, for example, possesses its universality anyway. It is because this type of fungus has been successfully put under a category in which the fungus’s particularities are expressed as parameters only, to locate it in a precise sub-category. That is to say, a claim regarding this type of fungus, as long as presented with accurate parameters, is universally valid. It is because each *instance* in a domain defined with these parameters is guaranteed to belong to this category of fungi. On the other hand, it also means that parameter-setting allows individual *variations* under a universal category. This feature is important because it shows that scientific categories are not homogeneous, static and rigid, but rather dynamic and inclusive, which might provide crucial adaptivity to the analysis of humane pluralistic experiences.

⁸¹ Gadamer, *Philosophical Hermeneutics*, 54.

But the universality procured by scientific method comes with price. While universality, literally, implies a sort of *inclusiveness*—everyone, everything, no matter what, it actually demands exclusivity. A universal category must exclude those instances that cannot be included according to its definition. In other words, scientific universality allows variations but not exceptions. Any fungus, taking the previous example, with specific characteristic that cannot be represented by the established parameters must be placed in another category. That means that scientific universality is based upon a paradoxical move: to exclude in order to include.

Further, behind the hallmark feature of scientific method, namely, objectivity, is an unstated presupposition, *objectification*. Objectivity, literally, refers to the object as what it is, and it is supposed to be no distortion of the true nature of the object. It entails the highest degree of verisimilitude in the study of an object. After all, what can be truer than the true nature of the object itself? In a scientific research, objectivity seems to involve not the object alone, but also its researcher. There is therefore fundamentally a relationship between a subject and an object. Joel Weinsheimer argues, “[T]he mutual autonomy of subject and object is the condition of objectivity: where I share nothing with what is to be known, it can be an object for me.”⁸² That is to say that, scientific research presupposes the complete separation of the subject from the object. Objectification serves to separate and make an artificial distance between the two. In doing so, objectification must also assume that the object remains static at least for a reasonable period of time.

Objectification as a prerequisite of scientific study makes the relation between the subject and the object essentially unequal: the subject as the knower, the observer, the tester, the conclusion-maker, in comparison to the object as the thing being known, observed, tested, concluded, enjoys

⁸² Joel C. Weinsheimer, *Gadamer's Hermeneutics: A Reading of Truth and Method*, Yale University Press, New Haven, 1985, 14.

the superior power of manipulating the object. That is exactly the high feeling Bacon wants to achieve. The object, by contrast, is silent (or its voice is negligible), and bound to be represented by its researcher. The object cannot (or at least is not supposed to) “talk back” to its researcher, or refuse to be represented. In Gadamer’s language, the relationship in scientific research is a sort of “I-It” relation, a highly unequal, one-directional relation in which the primal “I” always exercises hegemonic and domineering power over the object—“it”.

Particularly, the *certainty* prided by scientists in an unmistakable use of scientific method rests squarely on its exclusion-oriented universality and “despotic” objectivity. After all, how is it possible *not* to be certain if every deviation has been excluded and the rest is effectively silenced? Unanimous observation is guaranteed and consensus is ensured. However, one may contend that scientific method *does* expect differences, errors, deviations; it even robustly seeks to falsify the researcher’s own hypothesis. Notwithstanding these obviously true descriptions of scientific method, these error-checking mechanisms are not prepared for the dynamics between a researcher and an object; but rather between a researcher and another researcher, which is not an “I-It” relation, but an “I-Thou” relation.

Having mentioned these characteristics of natural science, such as universality, objectivity, and certainty, it is not intended to put a normative label on natural science. It is simply what natural science is. But this description of science is not available from *within* the system of natural science. The critical light must be shed from *without* by a system independent of natural science. This external system is human science. Natural science as a system is coherent, effective, and reliable in dealing with a scientific object. But its own bias as a system is invisible to itself.

As to human science, any claim of universality remains *paradoxical* because it is equivalent to claim that there is universal experience (human science deals with the world of experience).

Experience, as a bundle of contingencies—many particular individuals with their unique backgrounds encounter many events at many particular times and places—contains almost infinite varieties. Universal experience is, therefore, either possible only mathematically, or by relying on an arbitrary move of sweeping generalization by neglecting a large portion of context-dependent details. But we should bear in mind that human beings naturally *desire* to and will be always inclined to claim some human experience to be universally true, such as that human beings are born free and equal. The challenge is that once a claim of universality is made, *how can it be proved?* If we acknowledge that there exists a fundamental difference between natural science and human science, and that the method of scientific inquiry is not suitable to inquiry in human science, then human science must have its own way to make its universal claims *credible*.

A humanistic solution, and an alternative to scientific method, lies in hermeneutics. Gadamer, in his discussion on the difference between natural science and human science, argues that whereas the aim of natural science is to achieve knowledge of law, the ideal of human science is to *understand* the phenomenon itself in its unique and historical concretion. To achieve knowledge of law means to understand “how men, peoples, states generally develop themselves”, but to understand phenomena means to understand “how this man, this people, this state is what it has become—how it can have happened that it is so.”⁸³ In explaining how something has become what it is, human science does not rely on a conceptually universal category; rather, its historical approach to understanding works from the concrete to the concrete, without subsuming “temporal particularity” into a “temporal generality”. As Weinsheimer clearly puts it:

History is not subject to concept or mind or consciousness. Historical understanding sees every moment of history, including its own, as ineluctably factual, and particular, immersed in having been, and never finally determined as an instance of a general

⁸³ Gadamer, *Truth and Method*, 6.

concept under which it could be conclusively subsumed, but rather always awaiting interpretation and always exceeding it.⁸⁴

Of course, this is only the very general outlook of human science's historical approach. To return to the claim of universality in human science, the question is how to deal with it in such a historical approach. For Gadamer, any claim of universality is immediately mediated by the culture, language, and tradition in which it is situated. This does not mean universality is impossible on hermeneutical way of understanding, however. Rather, it means universality can only find its legitimacy in the particularities, such as the time and place from which it originates. The particularity in which universality may be situated is *tradition*. What we know and need not prove (namely, believing it as self-evident) is what is our tradition. Gadamer states, "Tradition retains a *justification* that is beyond reasons, and to a great extent determines our institutions and attitudes." He continues, "Customs are freely taken over, but not at all created out of a free insight or grounded in their validity. Rather, that is what we mean by tradition: the ground of their validity."⁸⁵

For hermeneutics, we are situated in a never-ending historical discourse. History binds us together. Accordingly, objectification, the prerequisite of scientific method, which completely separates the knower from the thing to be known, is, hermeneutically speaking, not possible. For there is always a shared mode of *being* between the subject and the object, and what is to be known cannot be wholly set over against the knower. The "I-It" relation in scientific method implies that the knowing "I" grasps the cognitive power and knowledge, both of which are much superior to that of "It", which enables the knower to safely say that the world of "It" is transparent to him, while his world remains unfathomable to "It". But for hermeneutics, such

⁸⁴ Weinsheimer, *Gadamer's Hermeneutics*, 35.

⁸⁵ Gadamer, *Truth and Method*, 249 (italics added).

superiority in favour of the knower is not apparent: however desirable it is by the knower, both the knower and the thing to be known are affected and limited by the tradition, the time or the place they are situated in. In other words, the knower is unable to behave like an impartial spectator, or an impersonal researcher independent of the thing to be known. More importantly, the thing to be known exerts influence over the knower too—a sort of talking back.

Certainty, in a historical approach, is not gained via the unshakeable application of scientific method. Rather, the certainty of beliefs is taken over from a self-evident tradition and rendered beyond doubt. Gadamer suggests that this certainty is no less sure than that certainty methodologically verified by the natural sciences. I am no more than certain of my existence now than before I read Descartes. Again, tradition, culture, and every historical condition offer a safety net for a believer about the truthfulness of his beliefs.

Here we come to the whole point of the argument of this chapter—*where* is the certainty and confidence of a belief in a historical moment from, or, *how* is a specific belief (such as that human beings are born free and equal) made credible and persuasive? The fact that the belief in geocentric cosmological order for people in the middle ages is no less sure than the belief in heliocentric cosmological order for people now, or that the belief in universal rights of “man”, literally speaking, for people before the nineteenth century is no less sure than the belief in universal rights of human beings (both men and women) now, suggests that it is not the truth value of the belief itself that lends authority to the system; rather, it is the opposite: the system in which a specific belief dwells makes the belief authoritative. People’s lives and experiences are undergirded by a passionate commitment to a system of reference. The system may not be true in itself (like a geocentric system, or rights for men only); but nevertheless, the system and individual beliefs in it are coherent, and provide mutual support for the legitimacy of each.

In such a coherent system, certainty is self-evident, and located at the back of people's consciousness. The very fact that the truth value of a belief within a system remains unchallenged shows that the certainty of a belief is *solid*. The passionate commitment to the system of reference gathers the loyalties of conscience, a sense of belonging, a belief in certain ideas, and a habituated familiarity with certain ongoing practices. All these frame, as Mehta points out, "a picture of life with its various possibilities and boundaries, its vision of a future, and accordingly make possible a way of living—a life form."⁸⁶ But, certainly, this way of living is possible and meaningful only for particular people at their own particular time and place.

Having said all this, we can look back and ask whether the claim of universality for human phenomena is possible in anything like the way it is in science. The answer is yes. But the mechanism is different. In a scientific inquiry, exclusion happens consciously; it is a deliberate decision of the researcher to keep the purity of the universal category. In contrast, exclusiveness in human existence works behind our consciousness. The idea of what should be excluded or included conceals itself in the daily practice of tradition. Our ordinary understanding of what it is to be a human agent, how to live in society, having what sorts of moral convictions, aspiring to what happiness, or in general what is human life seem so obvious and fundamental as not to need formulation. But it is precisely these characteristics that may make it difficult to be understood by the *people of another time or place*. As Charles Taylor nicely puts it:

We can innocently speak of people in other ages holding opinions or subscribing to values, without noticing that in our society there is a generalized understanding that everyone has, or ought to have, their own personal opinion on certain subjects—say, politics or religion; or without being aware of how much the term *value* carries with it the sense of something chosen. But these background understandings may be completely absent in other societies. We stumble into ethnocentrism, not in virtue so much of the

⁸⁶ Mehta, *Liberalism and Empire*, 211-2.

theses that we formulate, but of the whole context of understanding that we unwittingly carry over unchallenged.⁸⁷

Subjective Universality in Liberal Universal Claims of Rights

At this point, I hope, it is at least intuitively understandable why liberal universality—the belief that rights for being humans *as such* are universally true—is a sort of *subjective* universality. Subjectivity is just another way of saying that universality is historically situated, and whoever claims universality cannot objectify himself from his own history; accordingly, universality is not universality-as-the-thing-is (a sort of “objective” universality), but universality-for-person A-in-his-historical-situation, even if the claimer is totally unaware of the restrictions imposed by his own tradition and historicity.

Before illuminating the conception of subjective universality, let’s briefly review what we have learned from our previous discussion, and how much of it can be employed to illustrate the notion of subjective universality. The section, *science and liberalism*, demonstrates the historical context, the backdrop to which our interpretation of the legitimacy of liberal subjective universality is possible. The section, *scientific method and its implication—scientific mentality*, shows a sort of passionate commitment to natural science among the people of the early modern era. This is the concrete historical reason justifying the legitimacy of liberal subjective universality. These two sections construct an image in which early modern European society operated as a system. This system had two protagonists, science and liberalism. This system and its two parts mutually support each other, and comprise a hermeneutical circle. The section, *natural science and human science*, seems to make antagonists of natural science and human science, as if they were two opposing systems. But the only purpose of my argument there is to show how differently human science understands universality, objectivity, and certainty in

⁸⁷ Charles Taylor, “Gadamer on the Human Sciences”, *The Cambridge Companion to Gadamer*, 131.

comparison to the understanding of those concepts in natural science. Natural science and human science (to which liberalism belongs) are *not* isolated systems, historically speaking. For hermeneutics, they together belong to a bigger hermeneutic system in which they interact with each other. Only by singling out natural science can we see the power of scientific method in offering authority and persuasion; only by putting it back into the historical context can we understand why liberalism's fanatically pursuing scientific method gained credibility for its universal claim.

Subjective universality refers to a status in which the definition, the scope, and the content of universality are affected by the *personal dimension* of its claimer. That is, the claimer's personal background, including culture, language, tradition, education, social-economical aspects, even gender and race, are reflected, consciously or unconsciously, explicitly or implicitly, directly or indirectly, in his or her view of what universality ought to be. Subjective universality, accordingly, introduces an important humane factor, namely, the claimer and the audience, into the understanding of a universal claim. Therefore, although a subjectively universal claim may look identical to a universal claim in logical form, we nevertheless need to consider how the claimer would understand his claim, and how the audience would understand the claim. For hermeneutics, any claim is fundamentally subjective because the claimer is a historical being who carries the historicity and positionality inevitably given by his tradition, his particular time and specific place in history. Similarly, the audience for the claim offers a *community* to whom the claim is declared and justified. There is no *abstract* claimer or *abstract* audience, even though they can be well imagined. Both claimer and audience are embodied in their historical localities. A claimer can pretend to talk to an abstract, transcendental audience (this is always the

case in philosophy) but he has to pay the price of the truth value of his claim being inevitably postulated, instead of being justified.

Since the justification of a “self-evident” claim relies on recognition and acceptance from its audience, or the community in which the claimer is situated, we must consider whether the justification of the truth value of a claim is based on the claimer’s own system, or someone else’s, and whether the justification serves the audience in the claimer’s system, or the audience in other systems. It is very likely that a claim is fully justified as a truth by its claimer and its audience, while remaining very problematic, or at least requiring more justification to the audience in an alien system. In his *Two Treatises of Government*, Locke’s emphasis on the aim of political society as the *preservation of property*, equally with life and liberty, seems to need more justification than is provided, but it nevertheless received a sympathetic reading by Locke’s public because his audience consisted of “the English gentleman, the Member of Parliament, the administrator and politician, at home and overseas, but above all the landowner, the local notable.” Among such people “there would be little clash of interests between the government and the governed As property owners, they alone would fully be members of the political society.”⁸⁸ The French national assembly of 1789 passed its declaration in which property was claimed as one of the “natural and imprescriptible rights of man”, but one obvious fact is that more than seventy percent of its members were property owners.

Indeed, the claimers of liberal universality in the seventeenth and eighteenth century had no hesitation in believing that universal rights are prepared only for men with property. Property owners’ demand for order and security is perceived as the political order of an *ideal* society; their demands for commercial freedom are specifically defined as a *laissez faire* economic order in

⁸⁸ *Western Liberalism*, 109.

which government should not intervene even if, in this order, the political rights of the masses were denied and social inequality was tolerated. To provide a justification for these perceived necessary contents of liberal universality is almost impossible to *us*, the generation of the 21st century. But it seemed not to be a problem for the audience in those two centuries.

Hence, the liberal claim of universal rights is, hermeneutically speaking, a subjective universality. This is shown by two considerations: first, the content of universality is defined by different historical beings, liberals, such as Locke in the seventeenth century, Voltaire and Condorcet in the eighteenth century, and Mill and Tocqueville in nineteenth century Europe. They offered different understandings of what liberal universality should embody. Second, its credibility and justification must be considered in the context of its various historical occurrences.

How is the early modern liberal claim of universality made credible, given the fact that it entails exclusions and inequality? I argue that its credibility lies in the consideration of the system of reference. For early liberals, their universal claims of the rights of man, notwithstanding the (to us) glaring exclusion of the alienated other, was nevertheless credible. It is because the credibility only makes sense for *them*—the claimer and the audience in the early modern era of Europe, but not for *us*, the current generation. As long as *they* were convinced by the claim, the claim became credible and justified. For *they*, unlike us, belong to the historical system in which the claim was made and exclusions were condoned. The only task for us is, therefore, to see whether the claimer and the audience in *their* system were justified in their belief in universal rights.

I argue that they did have a sound foundation for this belief, which was natural science. The credibility of this claim was gained precisely from the affinity between liberalism and natural science in the early modern era. The enthusiasm for scientific advancement and the conviction

that natural science with its unmistakable method can solve all social problems were deeply and widely held. The success of science and technology created authority and reputation for scientific method. Liberalism gained a similar value by its own strong science-oriented attitude. From liberal philosophers, social reformists, “men of letters”, to laymen with less education, the conviction of science’s magic power was unquestionable. Early liberals with a scientific mentality sincerely believed that their projects were scientific. Therefore, their claim of universality gained its credibility from being judged scientific as well.

Natural science, on the other hand, gained credibility for itself from its feature of “objectivity.” Scientific claims of universality, such as the Newtonian law of gravity cannot but be “objectively universal.” Here we must be careful to distinguish the usage of the term of “objective universality” and of the term of “subjective universality”. For hermeneutics, unlike the common usage in epistemology, which always refers to objective universality as the *antagonist* of subjective universality, objectivity is simply a *void* term because any experience *as such* means only the experience *of* someone. In contrast, objectivity demands impersonality and independence from any ownership in the first place. Hence, the use of the term “objective universality” is entirely for practical convenience—to show how credible a universal claim is, because to say something is objective, in common usage, bears the implication of being authoritative and persuasive.

In our discussion of the credibility of liberal subjective universality, to use the term “objective universality” is particularly meaningful, however, precisely because liberal universality was held dear in light of its *perceived* objectivity. The perceived objectivity was borrowed and transformed from the reputational objectivity of natural science. It is conspicuous for *us* now to see that the liberal claim of universal human rights may have nothing to do with the objectivity

embedded in natural science, let alone the latter offering a justification for the former. But this was not the case in early modern Europe, where those early liberals with their scientific mentality fanatically believed they could apply scientific method to all aspects of society, including the organization of social institutions and the relation between the individual and the state. With the conviction of objectivity and certainty offered by natural science at the back of their consciousness, they believed that their scientific work on reforming society had the same objectivity and certainty as anything in natural science.

We just mentioned that the credibility of subjective universality needs the audience of the universal claim to be convinced. This seemed not to be a problem at all in early modern Europe. Diderot's proclamation in 1755 that "the use of this term [human rights] is so familiar that there is almost no one who would not be convinced inside himself that the thing is obviously known to him"⁸⁹ was supported by the "torrents of emotion" of French (if not European) people who empathized with others across class, sex, and national lines, and who deeply resent torture and cruelty. Again, the credibility of the claimed self-evidence for liberal universality ultimately came from the feeling of the audience, whose passionate commitment to the idea of liberal universal rights provided the foundation for liberal subjective universality, even though it contained imperfect and exclusionary contents, which will be the subject of the next chapter.

In conclusion, early liberalism's claim of universal rights of man appears to be puzzling when it is read in light of its commitment to some specific doctrines, such as exclusive rights for property owners, the economic order of *laissez faire*, government of non-intervention, private charity, and human progress. For from the logic of universal rights alone we cannot derive those specific doctrines, let alone the denial of alternatives. How to explain this phenomenon?

⁸⁹ Cited in Hunt, *Inventing Human Rights*, 26.

Hermeneutics offers an interpretation based on a historical analysis of the contingent factors that influenced the development of early liberalism. It shows that natural science appeared to play an important role in affecting early liberals' vision of what liberal universal claims should entail. More importantly, we may wonder how it is possible for early liberals to adopt a narrowly defined conception of universality, but nevertheless sincerely believe it was true. The special role played by natural science in the early modern era again helps answer this question. The affinity between natural science and liberalism in early modern history offered a strong sense (if not illusion) of commitment to scientific objectivity by early liberals, as well as ordinary people, in their endeavour of reforming and reshaping social institutions and society.

Chapter 3

Political Exclusions of the Other —the Negative Implication of Liberal Subjective Universality

Natural rights is simple nonsense: natural and imprescriptible rights, rhetorical nonsense,—nonsense upon stilts.

Jeremy Bentham, *Anarchical Fallacies*

While liberal universalism, from the seventeenth century to the present, has prided itself on its universality and politically inclusionary character, when viewed as a historical phenomenon, the period of liberal history is unmistakably marked by the systematic and sustained political exclusion of various groups and “types” of people. We will see in this chapter that liberal exclusion is the consequence of liberal subjective universality since the subjectivity featured in liberal universal claims is symbiotic with the influence from social conventions, structures, manners and contingent political urgencies over the early liberals as particular historical beings.

Here, we will mainly focus on those exclusions to which the early liberals offered their explicit intellectual endorsements. The examples to be discussed include the domestic exclusions of women and the propertyless in seventeenth and the eighteenth century England and France, which were openly discussed and justified by the liberals of the time, and the cross-cultural exclusions of the colonial subjects such as British Indians and French Algerians in the nineteenth century, which were supported by J.S. Mill and Tocqueville in the name of benefiting “backward” peoples. In the discussion of each case, we will provide a possible hermeneutic interpretation, from each particular liberal’s perspective, on how he, sometimes unconsciously, integrated the influence of the social conventions and contingent political concerns into his own understanding of liberal universality.

Before we start to review the seemingly paradoxical combination of the inclusionary pretensions of liberal tenets and the exclusionary effects of liberal practices, a precaution has to

be made: we are not supposed to project *our* understanding of what liberal universality should entail to the understanding of it by early liberals. Certainly, our current understanding of liberal universality tends to be time-independent, transcultural, and most certainly transracial. The declared and ostensible referent of liberal principles for us is quite literally a constituency with no delimiting boundary: that of all humankind. The political rights that it articulates and defends – the institutions such as law, representation and contract – all have their justification under a universal category of human beings that brackets names, social status, ethnic backgrounds, gender, and race. It is exactly this presumption that makes liberal tenets in relation to their early practices appear to be paradoxical to *us* and that attracts our academic interest in investigating its nature. It is true that the early liberals indeed used a similar universal language in their claims. But, as we have mentioned in the last chapter, their universal claims also depend on hermeneutically speaking, on how *they* (including the claimer and the audience) understand their claims. The early liberals may understand claims that were written in a universal lexicon very differently. This difference is precisely what we want to reveal.

An attempt to reveal is not equivalent to an attempt to justify, however. For hermeneutics, to justify what happened in the past is meaningless; to whitewash it, absurd. To understand how the things happened as they did demands the effort of putting the things back into their historical contexts, and evaluating contingent and temporary factors that played important roles in shaping the destiny of the things. While it is natural for us to offer our interpretation of what has happened, our interpretation is neither a philosophical justification nor whitewashing mechanism, but merely our understanding of a historical concept in *our* own context. It is therefore not problematic for the early liberals to think about their universal claim with exclusion, but it would be a problem for *us* to think liberal universality with exclusion—our historical context does not

allow us to think it in the same way anymore. Hence, when we ask the fundamental question, “Can one, within the universalistic theoretical framework of liberalism, identify a political exclusionary impulse?” the answer for us is clearly no, yet for the early liberals it might be yes. For us, it is impossible, in theory, to interpret liberal universality with non-all-inclusiveness in mind. Since we may not succeed, in practice, to actualize the all-inclusiveness, the problem for us is the problem of discrepancy between a theory and its practice. In other words, if we regard ourselves as liberals, then we know it is *self-contradictory* to exclude certain types of people; the exclusion happening in our actual practice does not derive from our theory, but from our nature of as fallible beings or the weakness of our will, or sheer technical problems in implementation. But the theories of the early liberals may be integrated with a certain degree of exclusiveness. The problem for them is not the discrepancy between theory and practice but the theory itself.

What prevented or hindered the early liberals from taking a broader view of political inclusion? In history, claims of rights always seemed to attach to some particular considerations such as birth and membership of a specific group, e.g., citizenship. For the ancient Greeks and Romans, birth, along with the place of birth, was a precise political credential. Liberty was very restricted—not for non-citizens, women, subjected peoples or slaves. In Renaissance Florence, only 3000 out of a total population of 100,000 were able to take part in the political life of the city.⁹⁰ The significance of birth can be further elaborated by the common exclusionary bases of eighteenth and nineteenth-century Conservative thought. Edmund Burke, for example, the most influential critic of liberal principles, argues that “it has been the uniform policy of our constitution to claim and assert our liberties, as an *entitled inheritance* derived to us from our

⁹⁰ Arblaster, *The Rise and Decline of Western Liberalism*, 99.

forefathers, and to be transmitted to our posterity.”⁹¹ The elevation of the “Rights of Englishmen” over the “rights of man” shows that the idea of a shared and exclusive inheritance serves as an exclusionary but necessary gatekeeper.

Although early liberalism is readily seen today to be exclusionary, what the early liberals vehemently attacked nonetheless was precisely these “rights” based on birth or some other hierarchical social criteria. More importantly, for liberals, any explicit consideration, including birth and social hierarchy, based on which exclusion is conducted, owes a rational justification which should be coherent with ostensible universal claims. Hence, if it indeed happened, it must be, at least theoretically, disingenuous for early liberals to construct a list of criteria for exclusion without qualm.

To clarify, what is intended here is to argue that the fact of political exclusion in the development of early liberalism does not entail that this exclusion was inevitable. At the same time, it is also not the case that liberal exclusion is mere episodic compromise with the practical constraints of implementation. That is to say that liberal exclusion is not due to its concrete impracticality, even though the difficulty is imaginable were one to extend the franchise to women and the propertyless in the seventeenth and eighteenth centuries, or to colonial subjects in the nineteenth century. The occurrence of liberal exclusion must be due to neither categorical necessity nor contingent consideration of implementation.

Where was the force that caused liberal exclusion? Metha argues that what made the early liberals believe their universal claims to be in harmony with some exclusion-oriented practices are “specific cultural and psychological conditions”. These conditions, which are also called “thick sets of social credentials,” constitute the real bases for what could be considered inclusive

⁹¹ Edmund Burke, *Reflections on the French Revolution*, Dutton Publishing, New York, 1971, 3.

and what not.⁹² These social credentials basically refer to those “semi-codified social, linguistic, spatial conventions which allow a society organizing the perception of the social world, and which are fixed and powerful and secure the logical conformity from each of its members.”⁹³ Social structure and conventions function below the threshold of consciousness and theoretical discourse. They are the forces, though not categorical imperatives, limiting, stabilizing, and legitimizing the universal referent of liberal foundational commitments. They exist in the dense social and cultural descriptors; they provide unstated public norms and identify what behaviours are acceptable, and what are repulsed. They shape particular circumstances, which, in Burke’s words, “give in reality to every political principle its distinguishing color and discriminating effect. They [also] configure the boundary between the politically included and those politically excluded.”⁹⁴

Exclusion of Women

The use of the term “rights of man” throughout the early modern era seems to have already foretold the fate of women’s rights in the early phases of liberalism. As Arblaster points out, “the male emphasis, on ‘man’, ‘mankind’, etc., has usually been more than a verbal habit. Women have until comparatively recently been generally regarded as not full ‘individuals’. This is one of the term’s many half-concealed difficulties.”⁹⁵ Before 1792, Hunt believes, there is virtually no awareness of and discussion about women’s rights. During the heyday of the French Revolution, although the liberal radicals could agree that the declaration of rights applied to “all men, without distinction of color,” only a handful could bring themselves to say that it also applied to women.

⁹² Metha, *Liberalism and Empire*, 49.

⁹³ *Ibid*, 57.

⁹⁴ Cited by Metha, *Liberalism and Empire*, 58.

⁹⁵ Arblaster, *The Rise and Decline of Western Liberalism*, 15.

The rights gained for women in the eighteenth century were no more than the right to equal inheritance with their brothers, and the right to divorce. Other than that, women's universal exclusion from political rights lasted for the most part of human history, and women did not gain the right to vote in national elections anywhere in the world before the end of the nineteenth century. Women eventually obtained the rights claimed in liberal universal principles only in the twentieth century: the voting right in Australia in 1902, in the United States in 1920, in Great Britain in 1928, and in France in 1944.

Condorcet explained why so many women and men had accepted in unquestioning fashion the unjustifiable subordination of women. "Habit can familiarize men with the violation of their natural rights to the point that among those who have lost them no one dreams of reclaiming them or believes that he has suffered an injustice."⁹⁶ Traditional bias on biological differences between men and women seems present among early liberals as well. It was broadly and deeply believed that women were less reasonable than men; their sensitivity and weaker physical strength destined them to the private, domestic life, and made them entirely unsuitable for politics, business, or the professions. In some European colonies, white women were discouraged to come because that would undermine the powerful masculine image of the European conqueror in the eye of the colonized.⁹⁷ Most eighteenth-century people, like almost everyone in human history before them, viewed women as dependents defined by their family status and thus by definition not fully capable of political autonomy. They could stand for self-determination only as a private, moral virtue without establishing a link to political rights. Both American and French liberals in the eighteenth century seemed to adopt this convention without thinking seriously whether their universal claim would be incommensurable with it. They viewed women,

⁹⁶ Quoted by Lynn Hunt, in *Inventing Human Rights*, 170.

⁹⁷ Nicholas Dirks (ed.), *Colonialism and Culture*, The University of Michigan Press, Ann Arbor, 1992. 5.

along with children, foreigners, and those who paid no taxes, as “passive” citizens only. Across the Atlantic, the thirteen American colonies denied the vote to women (as well as African-Americans, Native Americans, and those without property). In Delaware, for example, the suffrage was limited to males only (in addition to other qualifications such as being white, adult, and owning a minimum fifty acres of land.)⁹⁸

Two specific cases show how the early liberals of the eighteenth century adopted the traditional bias on women. In 1791, a French antislavery playwright, Olympe de Gouges, turned the ‘Declaration of the Rights of Man and Citizen’ inside out. Her ‘Declaration of the Rights of *Woman*’ insisted that “Woman is born free and remains equal to man in rights”, and “All citizenesses and citizens, being equal in its [the law’s] eyes, should be equally admissible to all public dignities, offices, and employments, according to their ability, and with no other distinction than that of their virtues and talents.”⁹⁹ In England, Mary Wollstonecraft published *Vindication of the Rights of Woman* in 1792. She wrote at great length and with searing passion about the ways education and tradition had stunted women’s minds. She linked the emancipation of women to the destruction of all forms of hierarchy in society. Like de Gouges, Wollstonecraft suffered public vilification for her boldness. De Gouges’s fate was sealed on a guillotine, and she was condemned by the French Revolutionary government as an “impudent” counterrevolutionary and unnatural being: a “woman-man”.¹⁰⁰

As to the position of the liberals before the eighteenth century on women’s rights, Carol Pateman has argued that Locke’s naturalistic and uncritical conception of the “conjugal bond”

⁹⁸ Lynn Hunt, *Inventing Human Rights*, 148.

⁹⁹ Quoted by Lynn Hunt, *Inventing Human Rights*, 171.

¹⁰⁰ Lynn Hunt, 171.

serves effectively to eliminate women from Locke's understanding of the term "human individual".¹⁰¹ Even the idea that the role of women belongs to the private sphere of domestic, instead of the public sphere of political and commercial life, certainly eluded Locke's critical eye. For Pateman, Locke implicitly relies on the historical inequality between men and women, an inequality that is embodied in the traditional understanding of the conjugal bond.¹⁰²

From the French revolutionaries' perspective, it is, arguably, not self-contradictory to exclude women from their considerations of those who are entitled to rights because they had called upon largely traditional arguments for women's difference as the basis for exclusion. When they punished De Gouges for her feminist expression and forbade women to meet in political clubs in 1793, it showed their deepest conviction that "women are not capable of elevated thoughts and serious meditations," as represented in the proclamation of the government spokesman.¹⁰³ We can also see how the early liberals gained confidence about their exclusion of women from natural science: medical men in France worked hard to supply a biological basis for the impropriety of offering women political rights. As Hunt illustrates, the leading French physiologist of the 1790s and early 1800s, Pierre Abanis, argues that women had weaker muscular fibres and more delicate cerebral matter, thus making them unfit for public careers, but their consequent volatile sensibility suited them for the roles of wife, mother, and nurse. Such thinking, Hunt believes, "helped establish a new tradition in which women seemed preordained to fulfil themselves within the confines of domesticity or a separate female sphere."¹⁰⁴

¹⁰¹ Carol Pateman, *The Sexual Contract*, Stanford University Press, Stanford, 1988, 52-55.

¹⁰² *Ibid*, 52-55.

¹⁰³ Quoted by Lynn Hunt, *Inventing Human Rights*, 188.

¹⁰⁴ Lynn Hunt, *Inventing Human Rights*, 188.

This tradition lasted until the middle of the nineteenth century when the exclusion of women seems eventually to be challenged by some liberal thinkers. In his influential tract, *The Subjection of Women* (1869), J.S. Mill questioned the very existence of these biological differences. He insisted that we cannot know how men and women differ in nature because we only see them in their current social roles. “What is now called the nature of women,” he argued, “is an eminently artificial thing.” Mill linked the reform of women’s status to overall social and economic progress. The legal subordination of women, he asserted, “is wrong itself” and “ought to be replaced by a principle of perfect equality, admitting no power or privilege on the one side, nor disability on the other.”

However, there are two points to be made in order to show that Mill’s defence of women’s rights was not based on an inference from an abstract liberal principle. Rather, they show precisely the subjective nature of liberal universality in Mill’s own understanding. First, Mill’s personal background—the strong intellectual influence from his father (including a sympathy towards women) and his own relationship with Harriet Taylor, the coauthor of *The Subjection of Women*—certainly exerted power on his idea of women’s rights. Second, Mill’s justification of women’s rights is not based on women *per se*, as the women identified to have rights and enjoy equality are limited to Europeans, not native women in Asian, African, or the Americas. So, while Mill did more than any other liberal of his time to justify social equality for average men and women, the rich and the poor, he did this by means of deprecating the natural capacity and dignity of men and women in other cultures and races.¹⁰⁵

Exclusion of the Propertyless

The propertyless, the poor, the wage labourer, the working-class: from the seventeenth century to the nineteenth century, each era offered its preferred title to the same type of people who make

¹⁰⁵ We will discuss Mill’s political exclusion in the following section.

a living by means of their own labour, whose struggle for subsistence deprives them of any chance of obtaining leisure, education, and sometimes even political rights. Prior to the eighteenth century, the idea of property, and thus of a property owner, had a broader and more natural connotation. Since Locke, the idea of property and ownership has been sanctified and viewed as a part of the law of nature, order, divine providence, rationality, and self. For Locke, “Man by being Master of himself, and proprietor of his own Person, and the actions or Labour of it had still in himself the great foundation of Property.”¹⁰⁶ To possess material property is really the expression in concrete terms of that ownership which we already have of ourselves, our actions and industry, and even the man who owns no material property still “owns” his body, skills and labour.

In such a broad category of property, it is rare for a person not to be a property owner—after all, he at least owns himself. But gradually, ‘property owner’ acquired a narrowed character and only referred to a person with material wealth, able to pay tax, or who was in general “successful” in business. In contrast, the people called the propertyless were limited to those who lacked some considerable amount of wealth, were unable to pay taxes, or were reliant on either an employer or charity for subsistence. The property of this division between property owners and the propertyless, or more frankly speaking, between the rich and the poor, is widely held by most political thinkers in the early modern era in their contemplation of governmental role and economic policy.

As Laski points out, as early as the end of the seventeenth century, the philosophy of liberalism has unmistakably linked itself with a property-owning class. Liberalism’s ideal social order is the peace and security of those who are or who have justifiably made their way to the top of

¹⁰⁶ John Locke, *Two Treatises of Government*, Peter Laslett (ed.), Cambridge University Press, Cambridge, 1988, 2nd Treatise, chap. V, 44.

society; liberal economic order is to discourage any type of state intervention but is in favour of the right of the propertied to do what it will with its own. The permeating opinion of that time is that, “the good citizen is the man who has achieved, or is achieving, prosperity;” Laski writes, “the law is to be the law he conceives himself to need. The freedoms sought for are the freedoms he requires. The dangers against which precautions are to be taken are those which threaten his security.”¹⁰⁷

Amid this praise and hymn on property and property owning is the dissonance of sympathy, worry, fear, contempt, and hostility towards the poor. Most prominent liberal thinkers in the eighteenth and nineteenth century expressed their complicated moral sentiments on the propertyless. With Adam Smith’s belief being widely held, namely, “every man is by nature first and principally recommended to his own care”, it cannot be more natural than to infer the conclusion that “the poor are not the victims of misfortune, but of their own idle, irregular, and wicked courses.”¹⁰⁸ The poor were perceived as necessitous persons, uninterested in the state. Labourers, tradesman, and tenants were believed to have no stake in the country, to have no more than the interest of breathing. Laski writes, “they were like aliens who settled in the country, had rights to live and work there. But they must, like aliens, also, leave the making of the laws to those whose property gave them a real interest in their content.”¹⁰⁹ Adam Smith, again, wrote that the main function of justice is the protection of property. “The affluence of the rich”, he said, “excites the indignation of the poor, who are often both driven by want and prompted by envy to invade their possession. It is only under the shelter of the civil magistrate

¹⁰⁷ Harold Laski, *The Rise of European Liberalism*, 102.

¹⁰⁸ Quoted by Laski, *The Rise of European Liberalism*, 102.

¹⁰⁹ Laski, *The Rise of European Liberalism*, 198.

that the owner of that valuable property, acquired by the labour of many years, or perhaps many successive generations, can sleep a single night in security.”¹¹⁰ Here, Burke’s sharp words are perhaps more honestly indicative of what his liberal contemporaries want to express. The mass of the people, for Burke, had no place in the state. They were the “swinish multitude” or “miserable sheep”. The poor will do themselves no good by antagonism against the rich. The latter are the “trustee for those who labour”; their “hoards are the banking-house” of the poor. What should be recommended to them are “patience, labour, sobriety, frugality and religion”; to urge any other course upon them is “downright fraud.”¹¹¹

French liberals in the eighteenth century held a similar view about the propertyless. “It is inevitable”, Voltaire wrote in his *Philosophical Dictionary*, “that mankind should be divided into two classes with many sub-divisions—the oppressors and the oppressed.” “The labourer and the artisan,” Voltaire wrote in another passage, “must be cut down to necessities, if they are to work: this is human nature. It is inevitable that the majority should be poor; it is only not necessary that it should be wretched.”¹¹² As Laski points out, French liberalism of the eighteenth century is permeated by a similar temper. “Its exponents were demanding in effect the emancipation of the whole nation,” Laski writes, “but when they applied themselves to the details of their programme their imagination limited its range to the freedoms sought by men of property. Farther than this they were not prepared to go.”¹¹³

Throughout the eighteenth and the nineteenth century, early liberals mainly showed their fear and distrust of the working class. They feared its ignorance and savagery; they distrusted its

¹¹⁰ Quoted by Laski, 198-9.

¹¹¹ Quoted by Laski, 199, 200, 201.

¹¹² Quoted by Laski, 222.

¹¹³ *Ibid*, 222.

ability to make a contribution of value to the state. What they feared the most was that the working class, by its sheer greater number, would control the state by invoking liberal universalistic principles of freedom and equality. In this vein, Voltaire was afraid of the social consequences of popular enlightenment; “when the people meddle with argument”, he wrote, “everything is lost.”¹¹⁴ The same element of liberal fear can also be felt in Mill and Tocqueville. The tyranny of the majority, without any historical context, sounds like a very rational and logical possibility of democracy; the protection of the minority, then—to guarantee its freedom of expression and weight in policy making – seems to be a noble and needed supplemental design. But the reality of mid-nineteenth century England is ubiquitous and inexorable: a class edifice that can only be shifted at one’s peril. Mill’s passionate defence of the minority in *On Liberty* seems to have its concrete purpose and direct beneficiary in consideration: since the universal rights of man allow the propertyless to become law-makers, it puts the security of the property owner’s interests under risk—after all, the rich always have been a minority; it is therefore necessary to have a mechanism available to protect this minority group. Mill, again, demonstrates his liberal universality to be subjective.

Let us question the origin of liberal exclusion in the seventeenth century, particularly, the possibility of exclusion implied in Locke’s theory. Many thinkers believe that Locke, as a founder of liberalism, is also the first person to condone a sort of subjective interpretation what liberal universality should entail. Consider, for example, this passage:

God gave the world to men in common; but since he gave it them for their benefit, and the greatest conveniences of life they were capable to draw from it, it cannot be supposed he meant it should always remain common and uncultivated. He gave it to the use of the industrious and rational, (and labour was to be his title to it;) not to the fancy or covetousness of the quarrelsome and contentious. He that had as good left for his improvement, as was already taken up, needed not complain, ought not to meddle with

¹¹⁴ Quoted by Laski, 215.

what was already improved by another's labour: if he did, it is plain he desired the benefit of another's pains, which he had no right to, and not the ground with God had given him in common with others to labour on.¹¹⁵

C.B. Macpherson claims that Locke "justifies, as natural, a *class* differential in rights and in rationality, and by doing so provides a moral basis for capitalist society."¹¹⁶ In Macpherson's view, Locke tends to argue that God gave the world to the "industrious and rational" (insinuating those with property), not to the "quarrelsome and contentious" (insinuating those without property and envying the rich). Hence, Macpherson alleges Locke associates the difference between the propertyless and the propertied with a natural difference in their rationality, and thus justifies the political exclusion of the former. In other words, Macpherson sees Locke's state of nature as a class war between the propertied and the propertyless, and Locke takes side with the property owners. Locke, in another passage, asks: Why do people leave a state of nature in which freedom and equality prevail? The answer provided by him is that the majority are "no strict observers of equity and justice," hence property rights are very unsafe and vulnerable. The consequence, argues Locke, is that a state of peace and harmony amongst the propertied whose interest is in the preservation of that property leads them to construct a state that safeguards their property.¹¹⁷

But even if we agree with Macpherson in regard to Locke's intention to exclude the propertyless, Locke's liberal exclusion is never as straight and conspicuous as that of liberal thinkers of the eighteenth century. There might be some more subtle and concrete considerations for Locke to incline to set aside the propertyless from his commonwealth. One alternative

¹¹⁵ John Locke, *Two Treatises of Government*, 34.

¹¹⁶ C.B. Macpherson, *The Political Theory of Possessive Individualism: Hobbes to Locke*, Oxford University Press: Oxford, 1962, 221.

¹¹⁷ John Locke, *The Two Treatises of Government*, 123.

interpretation may be drawn from a passage in Chapter XI of the Second Treatise: “Government cannot be supported without great charge, and it is fit everyone who enjoys his share of the protection, should pay out of his estate his proportion for the maintenance of it.”¹¹⁸ This passage may suggest that the reason for Locke’s exclusion of the propertyless is simply about taxation, a genuine historical concern in England of the seventeenth century, particularly during and after the Glorious Revolution 1688.

Metha indicates another possible interpretation: Since Locke’s commonwealth is established entirely upon the consent of human individuals who are supposed to be completely free, the commonwealth is never secure from the threat posed by the possibility that their authorizing consent will be withdrawn by anyone who thinks that the order is no longer just and therefore no longer binding. Given that Locke has assumed in the *Essay Concerning Human Understanding* that the human individual has no innate moral principle impressed upon his or her nature, the only possibility for an individual to stay in a social contract is his own self-discipline, which must be efficacious and adequate.¹¹⁹ But what group of people has demonstrated adequate and efficacious self-discipline? No doubt, the people with property, especially, those with land are more likely than the propertyless to keep their contract as the former have a higher stake in the order and harmony of society. Also, people who hold property must be successful in managing their own business, which demonstrates that they have sufficient efficacious self-discipline. All of these reasons, implicit but concrete, might make Locke favour property owners over the the propertyless for inclusion.

Reason and Violence

¹¹⁸ Ibid, 140.

¹¹⁹ Metha, *Liberalism and Empire*, 55.

It seems to be plainly true that any type of exclusion involves violence: for those being excluded, exclusion is not up to their own will; and their resistance against exclusion is almost ensured. The call from Olympe de Gouges and Mary Wollstonecraft for gender equality, and the struggle of Quaker, Leveller, and Fourth Estate for the social and economic equality of the propertyless, received a hostile response from early liberals, who accordingly suppressed the demands of the people being excluded. In doing so, however, these liberals must face the problem of how to justify their use of violence. For it is – and was – commonly believed that violence is contrary to reason.

Liberalism holds the use of reason dearly because reason is the foundation of liberalism's justification of universal rights. Reason is often associated with *persuasion* and contrasted with force, which is only different from violence in degree, but not in kind. It is claimed that the quintessential *liberal method* of going about things is to seek to persuade others, not by what are derogatorily termed 'emotional' appeals, but by rational arguments. Thus Paul Johnson, in a popular history of England, referred to "the great tripod of the liberal ethic" as being "the rejection of violence, the reaching of public decisions through free argument and voluntary compromise, and the slow evolution of moral principles tested by experience and stamped with the consensus."¹²⁰

As Arblaster points out, "liberals constantly hope, even believe, that people can be persuaded to sacrifice 'selfish' personal, group, or class interests for the sake of some seemingly nobler goal, or even in the name of enlightened self-interest. They are equally constantly surprised and disappointed when this does not happen."¹²¹ What happens when appeals to reason and attempts

¹²⁰ Quoted by Arblaster, in *The Rise and Decline of Western Liberalism*, 83.

¹²¹ *Ibid*, 83.

at persuasion fail? Very often we are not told. It can and has been argued that the liberal belief in reason and liberal respect for the rights and freedom of the individual point logically in the direction of pacificism. And although some liberals have been pacifists, they have been a minority. The dominant tradition of liberalism has never renounced either coercion or killing.

Arblaster writes,

Whether we think of liberals like Paine and Jefferson, Byron and Garibaldi, fighting in wars of national independence or liberation, or of rebels like the Russian Decembrists, or of the liberal imperialists, or of liberal opponents of fascism and South African racism, or of liberal supporters of the Vietnam War, the conclusion must be the same: most liberals have always been prepared to use force and fight wars when it seems to them the persuasion and argument were no longer effective. Even if the dubious liberal hypothesis of an antithesis between reason and force or violence is accepted, there is still a glaring contrast between the self-image and the reality of liberalism in this respect. Whatever qualms of conscience they may have, liberals generally do not renounce force in politics, and to that extent their own claims to be committed exclusively to the use of reason and persuasion are bogus. I cannot see what other conclusion is possible.¹²²

If the early liberal exclusion of women and the propertyless might possibly be understood in terms of the “thick sets” of social conventions, customs and manners, their exclusion of colonial subjects, along with their acceptance of brutality in colonial rule, needs some more particular effort of explanation. While Tocqueville believed violence was justifiable and J.S. Mill offered his complex liberal defence of the British colonial system, most post-colonial liberals do not even attempt to offer justifications, but rather acknowledge plainly the hypocritical and self-contradictory nature of early modern liberalism and its connection with imperialism and colonialism.

For hermeneutics, since to justify the past is not its purpose, it is possible to review what happened in history and to see how those events occurred as they did, and to offer hermeneutical understanding and interpretation. First, we should show that reason and violence are not

¹²² Ibid, 84.

intractably opposed to each other. Consequently, it is not glaringly self-contradictory for the early liberals to use violence to pursue the liberal universality in their perceived forms.

D.E. Milligan argues that liberals should stop reasoning and take the step to the use of violence if the following criteria are met: first, it must be shown that the method of reason will fail to settle the dispute or has failed to change the system so as to get rid of the injustice. Second, it is necessary to show that the unfairness is sufficiently clear and sufficiently great to justify some coercion or violence. Third, it is necessary to show that the degree of coercion to be used is the minimum required to effect the change.¹²³ Milligan's criteria are similar to what those used by the UN Security Council to decide when to initiate humanitarian intervention. But his criteria seem to still position violence against reason.

Roy Edgley, contrary to Milligan, argues that to believe in the antithesis between reason and violence is to miscomprehend the difference between reason and reasoning. It is safe to say that violence is antithetic to reasoning, but violence is neutral to reason. Reasoning means to employ logical argument to persuade people to accept a conclusion, with the proviso that the premises have been accepted. Reasoning, therefore, is mainly a sort of argumentative persuasion, which in nature is communication in a peaceful manner. Accordingly, "clubbing a victim to the ground is certainly not reasoning with him. Violence, a logician might say, is a contrary of reason in this sense."¹²⁴ Obviously, reasoning as a method has many problems. If the person to be persuaded is totally irrational and has no ear to hear how the conclusion is to be reached, reasoning is useless. Moreover, for a person who is an oppressor, occupying the favourable position in a dispute, his opponent's insistence on using verbal negotiation and argumentation, instead of violence, to

¹²³ Stephan Korner (ed.) *Practical Reason*, Basil Blackwell, Oxford, 1974, 166.

¹²⁴ *Ibid*, 124.

solve the conflict, will certainly be agreed to by him. He might even privately wish the procedure of reasoning go on indefinitely. In doing so, the method of reasoning allows injustice to be maintained and paid for by the victim. Finally, in some situations, it is *unreasonable* to use the method of reasoning. “A black who is attacked by a white thug and retaliates with violence is not, of course, reasoning with his assailant,” Edgley argues, “but he has good reason to stop the assault, with violence if necessary; and his violence is then itself, though not a piece of reasoning and not a conclusion drawn from premises, an exercise of reason, a literal example of reason in action.”¹²⁵

The case raised by Edgley is poignant. It shows that reason, in its normative sense, is not incompatible with the use of violence; sometimes they even work hand in hand to serve the purpose of the good. What makes Edgley’s words illuminating are the two following points: “For those who hate violence only when they are its victims, violence towards others may be perfectly reasonable.”¹²⁶ And, “Whatever is true of using violence, it is in situations of this sort that the continued demand for argument and dialogue is peculiarly *reactionary*, working the defence of privilege. It is a demand for reason that plays into the hands of the unreasonable.”¹²⁷ The first point seems to say that no winner hates violence; the second point seems to say that dialogue is sometimes unreasonable. The combination of these two points seems to create a logic wherein if one thinks it is reasonable to use violence, and one has a good chance to win, then one should not engage in dialogue, but go for violence.

¹²⁵ Ibid, 130.

¹²⁶ Ibid, 131.

¹²⁷ Ibid, 132.

This logic seems to be troubling. It is true that it deals with an “ideal” situation—might and right on the same side—in which the victory of fist and idea, of muscle and morality belongs to one. But “if reasoning is used (in a dispute), then there is (at least) an attempt by the disputants to come to an agreement about the right thing to do,” Milligan writes. “However, if coercion is allowed, then those who are more powerful have only to decide for themselves what is right and then impose their idea of what is right on those who are less powerful; and this idea is only too likely to be an expression of what they want, rather than what would independently be seen as right.”¹²⁸ It is fair to say that the early liberals were too enthusiastic over their perceived liberal universality to pay enough attention to this seemingly conspicuous logic. Their liberal endorsements of colonialism and imperialism show this logic wielding a profound influence in their determination to exclude colonial subjects.

Colonial Exclusion in Tocqueville’s Political Thought

In history, European colonialism and imperialism left its inerasable mark on human relations between peoples, cultures, and races. The European conquerors such as Britain and France brought defeat and humiliation to the peoples they encountered and conquered; meanwhile, they fostered a strong sense of superiority among ordinary Europeans over non-Europeans regarding their religion, culture, political institutions, and civilization in general.

In France and Britain, some of the most influential thinkers in the eighteenth century—such as Adam Smith, Ferguson, Diderot and Voltaire—not only criticized the violence of Europe’s imperial practices but also gave voice to a lively scepticism of Europe’s pretended superiority over other peoples. This critical posture, however, gave way after 1830 to a nearly universal acceptance of colonial rule as a justifiable fact of global politics, and to an assumption of

¹²⁸ Ibid, 163.

European superiority largely devoid of the earlier generation's respect for non-European or pre-commercial societies as reasonable forms of social and political organization.

The French Revolution gave birth to the idea that France was the “universal” nation, the nation that represented the future of civilization, and was charged with rescuing other peoples from tyranny and ignorance. Condorcet adhered to a version of this idea; while he criticized European imperial rule as it had been practised previously, he believed Europeans ought to undertake the civilization of less advanced societies through peaceful settlement. Jennifer Pitts argues that this national self-understanding underlay debates about France's place in the world throughout the nineteenth century; after mid-century, it gave issue to a well-developed ideology of France's *mission civilisatrice*.¹²⁹

This is the general social, political, and psychological outlook Alexis de Tocqueville inherited in his political career and political thinking. During the 1830s and 1840s, as French power in Algeria expanded and gained its domination, Tocqueville became one of the most influential advocates of French empire. When he first began writing about Algeria in 1837, Tocqueville was the newly celebrated author of *Democracy in America*; he would devote a considerable portion of his years as a prominent member of the Chamber of Deputies, from 1839 to 1851, to examining the French conquest of Algeria and the consolidation of rule there, and he became one of the Chamber's foremost experts on the subject.

Tocqueville, as a humanitarian and a defender of the principles of 1789, however, offered his strong support to the violent conquest and settlement of Algeria. In his defence of the infamous *razzias* (violent raids on villages) committed by General Bugeaud, who was in charge of France's conquest of Algeria in the 1830s, Tocqueville wrote, “I have often heard men in France

¹²⁹ Jennifer Pitts, *The Turn to Empire*, Princeton: Princeton University Press, 2005, 189.

whom I respect, but with whom I do not agree, find it wrong that we burn harvests, that we empty silos, and finally that we seize unarmed men, women, and children. These, in my view, are unfortunate necessities, but ones to which any people who want to wage war on the Arabs are obliged to submit.”¹³⁰ Tocqueville’s callous indifference to the welfare of the victims, in light of his enthusiasm for the universal value of human equality and democracy, is astounding. After his firsthand investigation of Algeria, he concluded that military domination without colonization was a futile strategy because the Arab population would be unrelentingly hostile to the expropriation of land necessary for widespread European settlement; consequently, the French would have to adopt uncompromising strategies for defeating the inevitable Arab resistance.

The tone in Tocqueville’s discussion of Algeria and Arabs in general is jingoistic and makes Tocqueville sound little different from an outright imperialist. It is very hard to see from his previous comments any connection between the liberal universal principle of equality advocated by him and his uncompromising commitment to the French colonization of Algeria. One may wonder how it is possible for Tocqueville to integrate these two seemingly incompatible beliefs into a harmonious one. Tocqueville never explicitly confronted his own ambivalence, or acknowledged the contradictions his commitment to the conquest of Algeria imposed on his thought. In his writings, there is always a tension between his sociological analysis and moral judgement. He believes American democracy might provide the only model that preserves the liberty without which democracy becomes tyranny, where democracy is more just than aristocracy and more appropriate in the modern world. Yet, he defended the conquest and rule of non-European societies. Even though he criticized colonial injustice, its violence and hypocrisy, he accepted the need for violence, and blamed the victims for their own tragedy.

¹³⁰ Cited by Pitts, in *A Turn to Empire*, 253-4.

From Tocqueville's perspective, there seem to be two kinds of hermeneutical interpretations in regard to his stand of liberal imperialism. On the one hand, Tocqueville adopted the general idea of human progress widely believed by his time, and applied it to his encounters with non-European peoples. Condorcet's theory of human progress subtly influences on Tocqueville in his concrete policies in international politics. For Condorcet, European civilization is located at the highest existing social stage of human development; its superior status even confers a duty to offer "benevolent tutelage" to backward peoples; since civilizing entails great improvement, even though some natives would necessarily disappear, we do not need to lament the disappearance of societies that are less free because freedom is the fundamental good. Indeed, Tocqueville did not "lament" the peoples under colonial domination. From America to Africa, Tocqueville offered complex accounts of Amerindians and Arabs on the basis of his empirical observation and systematic analysis. We can see a sort of consistency in his ideas regarding the perceived historical role played by those "uncivilized" peoples and their inevitable doom.

Tocqueville's earliest and best-known treatment of relations between European and subject peoples occurred in the context of his voyage to America in 1831-32, as recounted in the long final chapter of the first volume of his *Democracy*, "Some Considerations on the Present and Probable Future Condition of the Three Races That Inhabit the Territory of the United States." Tocqueville famously claims in that chapter that American expansion, like slavery, is "American without being democratic". Tocqueville condemns Europeans as indifferent to the rights and lives of the indigenous people: the Spanish openly, the English and Americans hypocritically and with "egoistic" disdain for the lives of Native Americans. He explicitly charges the American

settlers with exterminating the indigenous peoples, dealing with them in bad faith, and refusing to recognize their rights or their status as nations.¹³¹

However, it seems that nothing is more dramatic than the turn made by Tocqueville in his explanation of why it happened. Tocqueville, after his righteous condemnation of European settlers' mistreatment of Amerindians, argues that Amerindians are childish, for they wait for danger to reach them before taking any action to prevent it. They could have protected themselves by becoming civilized before the arrival of the settlers, so that they could compete with them on a footing of greater equality and hope to survive as a people. The Amerindians are therefore partly responsible for their condition. He insists that the Amerindians suffer from structural disadvantages, rather than biological inferiority or even deeply rooted cultural defects; they have as much "natural genius" as Europeans, but lack the leisure necessary to develop the resources of civilized society.¹³²

For Tocqueville, the development of civilization implies the inevitability of such tragedy in the encounter between civilized conquerors and a "savage" conquered population, which implicates the Amerindians themselves in their fate. While he expresses moral revulsion at the settlers' treatment of the Amerindians, he also persuades himself that the peoples they displaced, like the slaves of the American South, cannot be assimilated into the political community. As Pitts points out, slaves and Amerindians, representing the extremes of servitude and liberty or license, figure symmetrically in Tocqueville's landscape of democracy, constituting its borders.¹³³ Both, in Tocqueville's view, have participated in their own exclusion from democratic politics. American

¹³¹ Alexis de Tocqueville, *Democracy in America*, Vintage Books, New York, 1954.

¹³² Quoted by Pitts, in *A Turn to Empire*, 239.

¹³³ *Ibid*, 239.

slaves had had the misfortune to grow accustomed to servitude and accept it; Amerindians, “savage nations” lying at the extreme edge of freedom, could have chosen civilization but disdained to do so, and their extreme love of liberty had facilitated the corruption of their society. The vices of both extremes, for Tocqueville, demonstrate by negative example the qualities needed to sustain democracy. Amerindian and slave, incapable of participating in a democratic order, are destined to remain excluded: expelled from the territory, killed off, degraded beneath notice, or shunted into a state of permanent enmity with American democracy.

The same callous indifference to the fate of Amerindians and slaves, and his bleak style of determinism, reappeared a few years later in Tocqueville’s treatment of the Algerians. While Algerian society, for Tocqueville, possessed indigenous legal and religious institutions and education; even though poor and nomadic, it was well ordered. Nevertheless, it is “barbarous” and constitutes its own the barrier on the way towards civilization; so it cannot complain but of itself for its fate of being conquered. Meanwhile, France, as an advanced “civilization,” has a responsibility to “take care of” backward people such as Algerians. As Savage points out, Tocqueville clearly believed that attaining a higher order of civilization was only possible through submission to France’s dominance in the case of Algeria. Civilization and the advent of freedom would be guided by the paternal authority of the French state.¹³⁴

Pitts offers another possible hermeneutical interpretation of Tocqueville’s compromise of liberalism with French imperialism. Pitts believes that Tocqueville often made the case of conquered Algeria an occasion to display the national pride and public virtue he believed France required. The ruthlessness Tocqueville often displayed toward the conquered peoples of Algeria

¹³⁴ John Savage, “From American Democracy to French Empire”, in *Postcolonialism and Political Theory*, ed., Nalini Persram, Rowman Littlefield Publishers, Toronto, 2007, 88.

seems to have stemmed, in part, precisely from his deep seated fear about the vulnerability of liberty in France.¹³⁵ Pitts believes Tocqueville's writings on Algeria suggest the development of a stable and liberal democratic regime might require the exploitation of non-European societies, and might legitimate suspending principles of human equality and self-determination abroad in order to secure stable liberty at home in France.¹³⁶ Tocqueville's lack of confidence in France's international competitiveness with Great Britain makes him especially sensitive to French national glory. Due to his double role as a liberal and a nationalist, Tocqueville condoned—and indeed advocated—the subjugation of the Algerian for the sake of French national consolidation. In his struggle to answer one of the key questions of nineteenth century politics, “How were European societies to make the transition from the old autocratic regimes to republics without succumbing to anarchy or state terror?” Tocqueville's prescription is *imperial expansion*. This uneasy answer, which would be indigestible for most of Tocqueville's liberal successors, seems very natural to French liberal nationalists who fail to see the connection between the selfishness of securing France's democratization at the expense of violent colonial domination and the betrayal of liberal universal humanitarianism. But Tocqueville is not the only liberal thinker in the nineteenth century to experience such a failure. His British counterpart, J.S. Mill, seems to go farther than him.

Mills' Colonial Exclusion

The significant long and stable period of British domination over India, and many other parts of Asia, as well as Africa, offered British thinkers a unique historical opportunity to articulate their efforts to understand and deal with foreign encounters from a European perspective. Similar to what happened in France, a confidence in European superiority in everything prevailed and

¹³⁵ Pitts, *A Turn to Empire*, 235.

¹³⁶ *Ibid*, 295.

dominated British minds throughout the nineteenth century. British liberal thinkers not only showed little resistance against the chauvinistic inclination of the public; they also tacitly adopted it as reality and used it to contribute to their defence of British colonial practice. Among many liberal thinkers, James Mill and his son, J.S. Mill, merit special attention in discussing the British exclusion of colonial subjects.

James Mill published his influential book, *History of British India*, in 1817, and was hired as Assistant Examiner of Correspondence at the India House in 1819. His ideas and comments on India, as well as other Orientals including the Chinese, perhaps ground and contribute to the prejudice against non-Europeans in British minds. Mill had never been to India, knew no Indian languages, and had relied on secondary sources to support his sweeping generalizations. But this speculative way of writing history, as he himself said, made his analysis “objective”. In James Mill’s one-dimensional understanding of India and China, both nations are to nearly an equal degree tainted with the vices of insincerity, dissembling, treachery, and mendacity, to an extent which surpasses even the unusual measure of uncultivated society. Both are disposed to excessive exaggeration with regard to everything related to themselves. Both are cowardly and unfeeling. Both are to the highest degree conceited, and full of affected contempt for others. Both are in a physical sense, disgustingly unclean in their persons and houses.¹³⁷

James Mill identified societies simply as barbarous or civilized and thus assimilated all “rude” peoples into a single category of moral and political inferiority. Thus, rather than attempting to ascertain China’s “stage of civilization” with any nuance, James Mill simply amassed evidence to illustrate the country’s backwardness. “Their government is a despotism in the very simplest and rudest form,” he wrote. “There is not one of the arts in China in a state which indicates a

¹³⁷ James Mill, *History of British India*, 4th ed., James Madden and Co., London, 1840, 2:135.

stage of civilization beyond the infancy of agricultural society.” He disputed every achievement commonly adduced as evidence for the sophistication of Chinese civilization: the perfection of their porcelain (he argued that their lack of refinement in glass-making, so similar to porcelain, only proved their incapacity to innovate); their exquisite gardens and architecturally advanced arches (many rude peoples were capable of these); and their printing presses (“what an abuse of terms! Because the Chinese cut out words on blocks of wood, and sometimes, for particular purposes, stamp them on paper”).¹³⁸

In short, James Mill’s discussion of non-European cultures followed a persistent pattern. As Pitts points out, he recognized no differentiation among these peoples, so that all non-Europeans, from the South Sea islanders to the peoples of the Chinese empire, were essentially “rude” or “barbarous,” whatever might be said about their particular means of subsistence, forms of government, or arts and practices. And he wrote as if every aspect of these cultures that might show them to be inferior to European civilization was telling, whereas anything that might suggest refinement was either trivial or misleading.¹³⁹

In James Mill’s writing, the term “national character” starts to bear a decisive significance in categorizing peoples. But, for James Mill, the national characters among hundreds of nations around the world seem strikingly simple and have only two types which always appear through a series of dichotomies—advanced-backward, active-passive, industrious-sensuous, sober-excitable. The former of each pair, of course, belongs to the English (and Germans), and the latter to the Irish, French, southern Europeans, and “Orientals” (with characters deteriorating as one moved south and east).

¹³⁸ Ibid, 2:136.

¹³⁹ Pitts, *A Turn to Empire*, 131.

For J.S. Mill, his disposition to ignore the complexities of non-European societies, and Indian society in particular, seems to have stemmed in part from an uncritical acceptance of his father's own judgments on these subjects. But, as Pitts suggests, this is at best a partial explanation, although it is fair to say that Mill continued throughout his life to trust his father's *History* as one of the most reliable accounts of Indian society.¹⁴⁰ Beyond filial respect for a work that occupied his father throughout Mill's childhood and contributed to his own education, Mill had theoretical reasons to ignore the particularity of cultures he deemed backward. As we have seen, Mill believed that all diversity in social practices and institutions could be ranged along a scale of progress, and that the challenge for political thinkers and actors was to draw backward societies toward the state of the most advanced society. For Mill, then, once a society was deemed backward, there was little more about it that one needed to know.

It is widely known that J.S. Mill's understanding of progress owed much to his reading of Auguste Comte; he particularly supported Comte's view that philosophical history should follow the course of progress by paying attention primarily to the society that was in the vanguard at a given moment. Like Hegel, whose philosophy of history followed the course of world-historical spirit as it moved from India to China to Europe, Comte was interested not so much in the dynamics of development in particular societies, but rather in the high point of human progress, which itself advanced over time. Mill wrote of Comte's "social dynamics" that it "look[s] only at the races and nations that led the van, and regarding as the successors of a people not their actual descendants, but those who took up the thread of progress after them. His object is to characterize truly, though generally, the successive states of society through which the advanced

¹⁴⁰ Ibid, 132.

guard of our species has passed, and the affiliation of these states on one another—how each grew out of the preceding and was the parent of the following state.”¹⁴¹

In this view, historical attention shifts away entirely from development within societies, from dynamics of development within institutions, practices, or social formations. Instead, like Hegel, Mill emphasizes social configurations as if frozen at particular moments. The progress he observes is like the passing of a baton from one vanguard society to the next: development within societies becomes a secondary consideration.

In light of the influence of his father and his own strong conviction in human progress, it is not too difficult to envisage Mill’s view of the European treatment of the “barbarous” other. Mill tended to regard colonial subjects as *objects* of administration rather than participants in a political process. Until backward peoples were deemed, presumably by European administrators, capable of participating in their own governance, Mill seemed content to rely on colonial administrators themselves for appropriate restraints on the exercise of power. The logic behind his perceived relation between European administrators and colonial subjects is Mill’s analogy between barbarians and children. Mill writes,

Those who are still in a state to require being taken care of by others, must be protected against their own actions as well as against external injury. For the same reason, we may leave out of consideration those backward states of society in which the race itself may be considered as in its infant age. The early difficulties in the way of spontaneous progress are so great, that there is seldom any choice of means of overcoming them and a ruler full of the spirit of improvement is warranted in the use of any expedients that will attain an end, perhaps otherwise unattainable.¹⁴²

In the same passage, Mill argues that “backward” peoples, like children, were so immature that they were incapable of being “guided to their improvement by conviction or persuasion”.

¹⁴¹ John Stuart Mill, *Collected Works*, ed., John M. Robson and R.F. McRae, University of Toronto Press, Toronto, 1963, 10:318.

¹⁴² *Ibid*, 18:224.

Therefore, the famous liberal tenet of minimal intervention in individual lives by the state is here not applicable. Moreover, the backwardness of “backward” peoples opens the door for advanced Europeans to offer their charity and generosity, which is mandatory for the backward people to accept. For Mill, European generosity towards non-European peoples cannot but be a kind of “despotism”, the respectful and reciprocal manners among “civilized” nations ought not to be applied to the barbarous because they would act like a poison to hinder the “growth” of the barbarous. Mill writes,

Nations which are still barbarous have not got beyond the period during which it is likely to be for their benefit that they should be conquered and held in subjection by foreigners. Independence and nationality, so essential to the due growth and development of a people further advanced in improvement, are generally impediments to theirs. The sacred duties which civilized nations owe to the independence and nationality of each other, are not binding towards those to whom nationality and independence are either a certain evil, or at best a questionable good. To characterize any conduct whatever towards a barbarous people as a violation of the law of nations, only shows that he who so speaks has never considered the subject. A violation of great principles of morality it may easily be; but barbarians have no rights as a *nation*, except a right to such treatment as may, at the earlier possible period, fit them for becoming one. The only moral laws for the relation between a civilized and a barbarous government, are the universal rules of morality between man and man.¹⁴³

Here, Mill seems to contradict himself by acknowledging that the relation between a civilized and a barbarous government follows the jungle rule, while previously stating clearly this relation should be like a parent and a child. The relation of the latter, however, does not necessarily entail brutality or despotism because what ties a parent and a child is love and care, which does not appear to be the case in Mill’s view of the relation between European administrators and colonial subjects.

As Pitts points out, “Mill’s determination to regard colonial administrations as *beneficial* led him to ignore the ways in which the colonial context engendered systematic oppression and

¹⁴³ Ibid, 21:119.

misgovernment on the part of colonial officials as well as European settlers.”¹⁴⁴ In less than twenty years, four uprisings occurred in British colonies around the world.¹⁴⁵ When the Sepoy Rebellion erupted in northern India in 1857, provoked in large part by misgovernment, Mill continued to defend the East Indian Company’s rule and to deny the British policy or behaviour as bearing responsibility for provoking the uprising. During a relatively brief and contained riot in 1865 in the Jamaican town of Morant Bay, a local justice of the peace had been killed, along with several other whites. Governor Eyre responded by imposing martial law on the region for thirty days. In the course of suppressing the uprising, colonial officials executed 439 black and mixed-race Jamaicans either without trial or after summary courts-martial of forgone conclusion; they flogged 600 others (including women); and they burned at least one thousand houses.¹⁴⁶ Other than his expressions of mistrust of the local legislature, including his harsh condemnation of Governor Eyre, Mill said little about how progress toward collective self-government in Jamaica might take place. He resorted, as in India, to the tidier and less political solution of administration checked by criminal courts.

We may now consider what makes Mill condone the glaring violations of liberal principles of equality in British colonial practice. Again, as happened in the exclusion of women, the propertyless, and Algerians, early liberals, including Mill, seem to uncritically accept the prevailing opinions and prejudices against the less powerful groups in their times. These exclusionary stands cannot be deduced from the liberal basic principle of freedom and equality. Rather, they are solely the contingent products of traditions, conventions, and realpolitick.

¹⁴⁴ Pitts, *A Turn to Empire*, 182.

¹⁴⁵ Ceylon in 1848; Sepoy, Indian province in 1857; Cephalonia in the Ionian Islands in 1859; Jamaican uprising in October 1865.

¹⁴⁶ Pitts, *A Turn to Empire*, 183-4.

From Mill's perspective, as Pitts points out, Mill had to contend with a jingoistic and racist British culture in the middle of the nineteenth century. As a liberal, but more as a politician, what Mill could do was perhaps no more than softly criticize colonial ill administration. The Sepoy Rebellion in India had chiefly resulted not in British efforts at reform of their own government (although the Crown did replace the Company as India's direct ruler, the structure of administration remained largely the same), but rather in a hardening of British antagonism toward Indians. Almost without realizing it, the British threw over the whole notion of Indian regeneration and consigned the Indian people to the status of permanent racial inferiority. In such a context, Pitts argues, "Mill's continued opposition to racist argument and his commitment to benevolent and improving colonial government was perhaps the most ambitious posture liberalism could muster."¹⁴⁷

But this interpretation seems too thin. A better interpretation of Mill's support for British colonial domination seems to be similar to that which we considered in the case of Tocqueville, namely, domestic politics. As we have seen, Mill is an enthusiastic advocate of universal suffrage in Britain; he insists that women and the working-class should have equal rights with propertied males in electing a representative government. In doing so, Mill appears to be a true liberal who sticks to the tenet of universal equality. But objection and hostility towards the rights of women and the poor were still well-entrenched in European society in the early nineteenth century. To appeal to the inferior status of non-European peoples appears to be a very useful strategy for two reasons. First, it does not conflict with the wide-spread racist-oriented mood of Europeans; accordingly, the risk of jeopardizing his own political project is relatively low. Second, it can make use of the European public's strong feeling of superiority by highlighting a

¹⁴⁷ Pitts, *A Turn to Empire*, 195.

potential contradiction: if Europeans are superior to non-Europeans, how is it possible for segments of the European people, such as women and the working class, to not have political rights? It is one thing to show that those types of people lack sufficient cognitive capacity, and are thus less civilized, and subject to despotic tutelage. But if this was the case, Europeans would be in no position to claim superiority over non-Europeans—after all, the barbarous Indians, Chinese and Arabs practise the same discrimination over women and the poor. This is unacceptable for confident, superior Europeans, however. Indeed, J.S. Mill’s struggle for the liberty of European women is at the price of the dignity and liberty of non-European ‘uncivilized’ cultures and individuals. He, along with other British reformers in the debate leading up to the 1867 Reform Act, intentionally links immaturity and childishness in non-European cultures with the case for extending the franchise at home. In doing so, Mill and other British liberals intend to demonstrate that the worthiness of the extension of political power to women and the working class is within the boundaries of the deserving, or appropriately ‘self-disciplined.’

Before concluding this chapter, it is worth noting that although those liberal thinkers under discussion were engaged in justifying political exclusions against a perceived inferior other, none of them is a racist. In comparison to David Hume, who claims that, in all of human history, “there never was a civilized nation of any other complexion than white, or even any individual eminent in action or speculation;” and who believes that blacks, by their very nature, are incapable of making any contribution to the arts, sciences or the world of commerce and industry,¹⁴⁸ both Mill and Tocqueville insisted that claims about *biological* differences or inequalities were unprovable and morally and politically malignant. As Pitts points out,

¹⁴⁸ David Hume, “Of Natural Characters” in *Philosophical Works*, ed. T.H. Green and T.H. Gross (London: 1882), vol. 3, 252.

Tocqueville argued heatedly against the racist theories of his friend and disciple Gobineau, calling them “false and pernicious”. Mill likewise criticized the nineteenth-century penchant for biological explanations of human difference—a tendency he tellingly compared to the tendency of “primitive peoples” to attribute to divine intervention whatever they cannot explain.¹⁴⁹ As for the thinkers of the eighteenth century, Smith, Burke, Bentham, and the French revolutionists shared their era’s presumption of human uniformity, and in their reflections on cultural difference, all of them always insisted on the equal rationality of all human beings.

But although Tocqueville and Mill are not racists, they tacitly agree with the prevailing idea of European superiority over non-Europeans. As Georgios Varoxakis has noted, although Mill explicitly rejected biological determinism and racial explanations, his “tacit assumptions and his use of language” often suggest a relation between physical or biological factors and human character.¹⁵⁰ Many of his statements about “national” character betray both an uncritical and blunt categorization of human groups and a suggestion of physical determinism: “The most envious of all mankind are the Orientals... Next to Orientals in envy, as in activity, are some of the Southern Europeans—With the French, who are essentially a southern people...”¹⁵¹

Mill said in a classic passage, “it is better to be a human being dissatisfied than a pig satisfied; better to be a Socrates dissatisfied than a fool satisfied.”¹⁵² Given his clear distinction between the national character of a civilized people and the barbarous features of uncivilized people, it is fair to believe that Mill would also agree that it is better to be a Briton dissatisfied than an Indian satisfied. Salman Rushdie, a twentieth century writer, seems to reveal the essential difference

¹⁴⁹ Pitts, *A Turn to Empire*, 36-7.

¹⁵⁰ Georgios Varoxakis, “John Stuart Mill on Race”, *Utilitas* 10, no. 1 (1998): 2.

¹⁵¹ John Stuart Mill, *quoted by Varoxakis*, “*John Stuart Mill on Race*”, 2.

¹⁵² John Stuart Mill, *Utilitarianism*, Everyman’s Library, London, 1948, 7.

between a liberal and a non-liberal in regard to race: “You talk about the Race problem, the Immigration problem, all sorts of problems. If you are liberal, you say that black people have problems. If you aren’t, you say that they are the problem.”¹⁵³

In conclusion, from viewing the exclusion of women, the propertyless, and the colonial subjects in the British and French empires, we observe strenuous continuity in liberal political thought in adopting some particular social conventions, customs, and urgent political goals into the connotation of the liberal principle of universality of rights. Those perceived inferior others were ubiquitously less powerful than those who stigmatized them, and were first humbled by might—man’s masculine power, the merchants’ monetary power, the colonizers’ gun power— then deprived of natural and political rights. What our current generation finds particularly puzzling and nagging is that those exclusions were not only perceived and conducted by traditional oppressors or the open enemy of liberal society, but also by the very people who are commonly conceived as prominent liberal thinkers. To explain this phenomenon, we are easily inclined to simply mark them as hypocritical and insincere. But this view seems to be too radical to be true and comprehensive. Instead of doubting the early liberals’ motives and integrity, we might find some other interpretation which is more congenial to the difficult situations early liberals faced and therefore more sympathetic to their historical limitedness reflected in their ideas of the exclusion of others.

We found that the influence from particular social conventions, customs, and social manners over the early liberals of the seventeenth and eighteenth century seems to contribute to their naïve beliefs regarding the inferiority of women and the poor. Locke, Adam Smith, Voltaire, Diderot, and many unknown French liberal revolutionists were not acutely aware of their

¹⁵³ Bernard Glassman, *Protean Prejudice: Anti-Semitism in England’s Age of Reason*, 111.

subjugation to the public prejudice well-entrenched in the society they lived in. When it came to the nineteenth century, European liberals could not resist the temptation from a distorted self-confidence, which was partly derived from European advancement in art and science, partly from colonizing many non-European cultures and civilizations. The boosted self-identity with the strong and the conqueror, which was widely held by a chauvinist European public, was infectious to liberal thinkers of that time as well. Thus, instead of critically thinking about whether their confidence in European superiority was compatible with their liberal convictions, they, including J.S. Mill and Tocqueville, took the inequality between European people and non-European peoples for granted, and, based on this unquestioned presumption, constructed their views on what an ideal liberal and democratic society and government ought to be. Accordingly, their vision of liberal universality was imbued in their subjective considerations.

[W]hen we happen upon something true, something that possesses an immediate certitude, though it cannot be methodically certified, then we already belong to and participate in the *Geschehen der Wahrheit*, the happening of truth. We belong to history.

Joel C. Weinsheimer *Gadamer's*

Hermeneutics

From 1789 to 1948, the changes in the world system and the public understanding of the universality of liberal rights appear to be much more profound than are reflected in the seemingly minor verbal changes that distinguish the Declaration of Human Rights of 1948 from its versions coined in 1776 or 1789. While some philosophers, e.g., Charles Taylor, insist that the *present* Western moral outlook, including the demand for freedom, universal justice, equality, and a high priority on the avoidance of death and suffering, develops from the Victorian age, whose pedigree can be dated back to the Enlightenment movement,¹⁵⁴ it is widely believed that it is the historical events of two world wars and the Holocaust that fundamentally reshape the meaning of and consolidate the significance of human rights in the minds of Westerners, as well as global others.

In light of the historical exclusions of various alienated others—the flagrant violation of liberal universal principles by the very people who advocated those principles, it is not surprising for many to hold a sort of conspiracy theory in which human rights rhetoric is perceived “rife with hollow hypocrisy, infected by self-serving cynicism and by self-deception,”¹⁵⁵ as if the early liberals were merely playing sleight of hand, or mere like Machiavellian princes whose deeds aims at nothing but gaining profit and power. In this thesis, I have rejected this type of conspiracy theory because of its specious presuppositions. From our contemporary (21st century) perspective, the early liberals may be viewed as violating liberal universal principles. Only when

¹⁵⁴ Charles Taylor, *Sources of the Self: The Making of the Modern Identity*, Harvard University Press, Cambridge, 1989, 495.

¹⁵⁵ Joseph Raz, “Human Rights Without Foundations,” 322-337, *The Philosophy of International Law*, eds. Samantha Besson & John Tasioulas, Oxford University Press, Oxford, 2010, 323.

we take this *contemporary* perspective as a premise, along with the historical fact of political exclusion of the other as another premise, can we draw the conclusion that the early liberals were insincere and did not whole-heartedly believe what they advocated. But hermeneutics has revealed that human existential experiences are constrained by their historicity and positionality. It is therefore ahistorical and unfair to demand liberals in the early modern era to hold the same understanding of liberal universality as we do today. Consequently, we cannot use our perspective as a premise in an argument against early liberalism.

Rather, historical contingency seems to be powerful in explaining the lapses from liberal universality. While volumes of current literature in international relationship, political theory, and economics have stressed the significance of the two world wars in shaping the moral outlook of present society, it is not unreasonable to believe that the discourse of contemporary liberalism after the Second World War has been profoundly separated from its previous conceptualization and practices in the early modern era. In a historian's view, World War II set a new benchmark of barbarity with its almost incomprehensible 60 million deaths. More importantly, the majority of those killed this time were civilians, and 6 million of them were killed only because they were Jews. As the war ended, revelations about the scale of the horrors deliberately perpetrated by the Germans shocked the public. As Lynn Hunt points out, photographs taken at the liberation of the Nazi death camps showed the appalling consequences of anti-Semitism that had been justified by talk of Aryan racial supremacy and nationalist purification. The Nuremberg Trials of 1945-46 not only brought such atrocities to wide public attention but also established the precedent that rulers, officials and military personnel could be punished for crimes "against humanity."¹⁵⁶ It is also not difficult for Westerners, as well as peoples everywhere, in light of the unambiguous

¹⁵⁶ Hunt, *Inventing Human Rights*, 201.

observation of the Nazis' crime against European peoples, to imagine and consequently condemn the atrocities (such as NanJing Massacre) committed by Japanese fascists in the East. Thus it is the first time in human history that arguably all peoples, from the East to the West, established a consensus on recognizing the dignity of human beings *as such* and the essential features of humanity, such as freedom and equality.

To illustrate the implication of World War II at length is to show that, for present liberals and ordinary peoples, the conviction of universal human rights has a sound psychological and historical, if not philosophical, basis. This basis fosters the public spirit, as what happened prior to the French Revolution, to hold the idea of human rights as a truth so dearly that they genuinely believe that it is *self-evident*. It seems to be the case that the Holocaust played the same role as natural science in earlier centuries to entrench liberals' confidence in believing their principles to be objectively and universally true. This self-confidence is crucially important for securing the trustworthiness of a belief where a philosophical justification is either absent or difficult to establish.¹⁵⁷ As what Wittgenstein calls "a passionate commitment to a system of reference", the persuasiveness of an argument or belief lies not merely in its being absolutely objective, which is the case in natural science, but also and more often in a specific system with a specific audience who is ready to accept it.

The new system in which the conviction of universal human rights obtained its powerful present justification centers on the United Nations, and the new audience for the argument of universality is the community constituted by the fifty six nations of the UN. On December 10, 1948, the General Assembly approved the Universal Declaration of Human Rights. Forty-eight

¹⁵⁷ As Joseph Raz has argued, whatever argument, e.g., natural law, essences of humanity, or human nature, held to justify the notion of human rights, it is always imperfect and could be questioned in some hypothetical circumstances. See details in "Human Rights without Foundations".

countries voted in favour, eight abstained, and none opposed.¹⁵⁸ The Universal Declaration explained in a preamble why such a formal statement had become necessary. “Disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind,” it asserted.¹⁵⁹ Notice that little justification other than a historical fact was offered in explaining why a formal claim is needed. The Declaration does not prove that human rights exist (against the wish of many enthusiasts who expect them to be as real as the existence of the Newtonian Law of Gravitation), but simply *claims* their existence with its trustworthiness taken for granted. Indeed, universal human rights are often believed to lack philosophical justification, but are nevertheless widely persuasive.

What do the new system and the new audience for liberal universality entail? They entail the rejection of alienating, excluding, and persecuting the other under whatever façade. Others such as women, the poor, or the colonized, who were previously excluded in the old versions of liberalism and by early liberals are entitled to equal rights and dignity with those for men, the rich, and the former colonizers. They also entail respect for the diversity of individuals, cultures, and civilizations. They acknowledge the plural nature of human societies. Most importantly, they entail that it is possible for peoples to live in a plural world with mosaic beliefs but nevertheless to agree with some fundamental ideas such as respect for human rights and dignity.

Given the fact that contemporary liberalism develops its theories in the context of the post-World War Two understanding of liberal universality, which is solidly situated in a globalized but plural international society, we can safely disregard the so-called “parochialism objection”, which refers to the idea that what are called *human* rights are not really universal but instead are

¹⁵⁸ Cited from, Lynn Hunt, *Inventing Human Rights*, 203.

¹⁵⁹ Universal Declaration of Human Rights, 1948, Preamble.

simply reflections of one particular cultural point of view such as that of the West.¹⁶⁰ According to this idea, the claim of human rights is a part of the project operated by the West (in particular within Anglo-Saxon culture) to generalize Judaeo-Christian traditions into a global morality with the purpose of directing the ordinary peoples to take it as the common sense of moral justice in the international community. As a result, the Western moral code would be free from the requirement of philosophical or epistemological justification, and becomes a normatively superior authority which other moral traditions must follow. Meanwhile, as Danilo Zolo argues, “the specific interests of the British and North American world have been mistaken for the general interests of humanity, unconsciously yet systematically.”¹⁶¹ The corollary of this parochialism objection is that we should reject the notion of liberal universality as a whole.

The parochialism objection is illegitimate because *any* member of a plural society has right to demonstrate its understanding of the existing texts and ideas such as liberal universality. A member’s particular understanding is certainly *subjective*—no one is able to transcend his own historicity and positionality in the world of experience. It is, nevertheless, legitimate for every member of the global society to be able to benefit from recognizing the universal validity of human rights. The Western culture is certainly *one* of sources, though an important one, for enriching the content of the universal principle of human rights; but there are also contributions by the Chinese, Indian, Islamic, and African cultures. After all, under the general framework of human rights recognition, any culture is permitted to interpret the meaning of human rights on the basis of its particular tradition, and accordingly offer a *localized* version of liberal universality. In doing so, liberal universality transforms itself from a theoretical claim to a wide

¹⁶⁰ Allen Buchanan, “The Legitimacy of International Law,” 79-96, *The Philosophy of International Law*, eds., 95.

¹⁶¹ Danilo Zolo, “Humanitarian Militarism?,” 549-68, *The Philosophy of International Law*, eds., 553.

range of concrete practices that could benefit concrete human individuals. But Zolo's criticism is, in part, also legitimate. Insofar as liberal universality is practiced globally and fitted into each tradition's particular background, the general interests of humanity should subsume various particular and localized interests, including those of the West, but not the opposite. That is to say, the West's particular interests do not represent the general interests of humanity in international society, even though it is possible that the former remains an important input for the latter.

Localizing Liberal Universality

Hermeneutics stresses the importance of tradition in relation to human self-identity. The members of each tradition identify and evaluate themselves with and are inspired by the moral values of their own intellectual resources according to standards internal to that tradition. It is therefore not surprising for, say, Indians to believe that the action of a virtuous person should be in accordance with *dharma* (a harmonious cosmic order or moral law), while, for Chinese with *ren* (humaneness to all related and relevant aspects of one's context), for Muslims with Koranic exegesis, and for the Westerners with Aristotelian ethics. From Indian thoughts to Chinese, Islamic, and Western thoughts, each civilization is geographically and culturally distinct entity displaying a unique theoretical tradition. Each should be seen and respected as the source of important influence on the texts, thinkers and practices that characterizes the relationship among its constituent elements, and their impact on members of that tradition.

Similarly, in dealing with the actualization of liberal universality, a tribalist appeal to each of our own tradition is perhaps a solid basis for achieving the goal. The scarcity of concrete and practical instructions offered by the general principle of liberal universality is in sharp contrast with the abundance of colourful contents in each tradition. To emphasize the local color in our visions for humanity and human rights, which may grow up from the rich soil of each one's own

tradition appears to be an appropriate way of allowing liberal universality to benefit the most ordinary individual who is situated in his or her own tradition.

To localize liberal universality relies on creative reinterpretation of the liberal universal principle in response to the concerns of different interpreters and communities. Notwithstanding the current dominance of the Western interpretation, the meaning of a text such as the Declaration of Human Rights of 1948 should not be monolithic and static. It is true that the idea of universal human rights originates in the history of the West, and its current form and implication are largely influenced by Western culture. Nonetheless, once it has been firmly accepted by the international society in the form of a legal document, it is no longer the property of a particular being, e.g. the West, but always reaches beyond what the author, namely, early Western liberals, intended. The notion of universal human rights is thus seen as inexhaustible in meaning; and its reading by thinkers who transcend their boundedness, no matter what their local interpretations, can be a source of conceptual enrichment.

As Farah Godrej points out, it is not uncommon in history for a tradition whose thoughts and systematic doctrines have traveled across boundaries to find themselves transplanted in new social and cultural contexts that are utterly unlike those of its origin. Martin Luther King's civil disobedience movement was an application of Gandhi's *satyagraha* in a different cultural context. The theory and practice of *yoga*, despite having originated in a specific context—the North Indian Vedic, one of Brahminical texts and ideas—has taken on a life of its own by traveling to the West, embraced by many Westerners without slightest familiarity with Sanskrit or the Vedic tradition.¹⁶² These local applications of foreign ideas rarely travel in a way that preserves the integrity of an idea or set of texts in the precise form that they took in their original

¹⁶² Farah Godrej, *Cosmopolitan Political Thought: Method, Practice, Discipline*, Oxford University Press, Oxford, 2011, 79.

context. Rather, “these ideas often end up mutating in a piecemeal manner, maintaining certain characteristics that connect them to their original context and acquiring new forms in connection with their new context.”¹⁶³

Those transformative elements, argues Godrej, will most likely result in hybrid, synthetic models of thought and action that are the pure result of neither one context nor another. The original *epistemic* and *existential* context of a transformative idea is stripped off, and the idea develops a new epistemic and existential outlook in a new context. Similarly, the idea of liberal human rights has left its Western origin and spread into Asia and Africa. Wherever it is landed and merged into local cultures, different kinds of fruits are borne. The right to water, for example, might be believed by an African country to be the most fundamental human right of its citizens simply because of the scarcity of water in this country. The right to land, in contrast, might be believed by a Southeast Asian country as a fundamental human right due to the rising sea level encroaching inhabitants’ land. Likewise, the right to subsistence might be crucial to the human rights situation in countries that are starving; but the right to organic food might be the top priority in the consideration of human rights in some affluent countries. Diverse new demands for human rights interpretation can also come from within the West, such as the right to marriage for homosexuals, the right to work for the unemployed, and the right to be publicly naked for the naturalists.

Certainly, it is not difficult to find that those diverse interpretations of universal human rights are not only compatible with its text and spirit but also cover the various concerns of different interpreters and communities. But one thing noticeable is that a right that is cardinal to one community is not necessarily cardinal to another. The right to marriage, for example, is

¹⁶³ Ibid., 79.

considered crucially important by homosexuals in defining their human rights, but not even slightly concerned by the heterosexuals. The right to have a representative government, which is important for Westerners, may appear to be much less important to an African nation whose communal tradition has its own tradition of democratic political structure. Thus, a question naturally arises, “Is there a specific set of rights other than the rights to life and liberty that is mandatory under any interpretations of universal human rights?”

It is often claimed by the West that some rights, in addition to the right to life and liberty, are indeed mandatory. Such rights include, for example, the right to property, the right to free speech, the right to conscience, the right to representative government, and the new popular right of humanitarian intervention. First of all, these rights are crucially important in the Western interpretation of liberal universality, which reflects the particularity of Western tradition and culture. It is therefore a legitimate interpretation. Secondly, we also notice that those so-called mandatory rights are, at least in some hypothetical situations, not considered to be essential to other nation-states whose traditions are different. The right to freedom of conscience, for example, appears not to be very meaningful to a non-Western culture in which heterodox religious practices are always harmonious. Similarly, the right to free speech is not as important as the right to water in a country that remains in a pre-agricultural stage and has no history of hierarchical oppression, but desperately needs water resources. All of these hypothetical situations could make the idea of setting some rights as mandatory questionable.

However, the demand for a mandatory set of human rights can be defended by arguing that rights might appear to be redundant when their possession is untroubled; but become necessary when they are violated. In the case of violation, rights belong to a mandatory set would appear to take priority over other rights. For example, without the right to free speech it may be impossible

for people to communicate their shortage of food or water; therefore, their right to water or subsistence is violated. Undoubtedly, specific rights unique to the Western tradition are even easier to justify by subsuming them wholesale under the rights to life and liberty. Indeed, for human beings insofar as they are social beings, communication is essential to life; to impose restriction over this basic human action cannot be said not to violate the human right to liberty. But on the other hand, if we limit the connotation of the right to free speech to the political field only, namely, the right to express one's own ideas on political issues, government, and laws, then the right to free speech appears not to be mandatory to some non-Western cultures. In Chinese tradition, for instance, people's opinions, advice, and criticism of public policies, governmental structure, or the corruption of local administration are routinely collected by a specific type of official whose responsibility is to convey the public voice to the ruler by means of *Jian*, namely, warning and exhorting the top authority to care about the welfare of its subjects. In doing so, the well-being of the masses has an institutional channel of expression without relying on the claimed right to free speech.

In brief, the central concern in questioning the existence of a mandatory set of rights other than the rights to life and liberty is that those specific rights the West expects to be included in a mandatory set leave other interpretations of liberal universality by non-Western traditions no option but to accept them. The problem is that this demand for rights with a specific Western orientation is arbitrary and fails to give the option for *alternatives* that may grow up in non-Western local traditions and are congenial to the particular backgrounds of indigenous peoples.

The West-centric Interpretation of Liberal Universality

The main threat to the contemporary realization of liberal universality, which arose after the Second World War, is the West-centric interpretation of liberal universality. More specifically,

the danger comes from the conflation of liberal universality with *one* of its local interpretations, based on the tradition of the West. It is worth noting that, in the contemporary highly contentious debate on the issue of human rights, neither the “left wing” thinkers who oppose Western domination nor the “right wing” thinkers who support the use of Western criteria in judging what human rights ought to be, raise public attention to the distinction between liberal universality and one of its particular and subjective interpretations. Rather, both groups take the conflation of the two conceptions for granted. In this section, I will argue that the West-centric interpretation of liberal universality must be de-centered and localized in order to find more promising alternatives for actualizing liberal universality.

The West-centric interpretation of liberal universality refers to the idea that the Western interpretation of liberal values is *authoritative* and superior to any other interpretations offered by various non-Western traditions. Thus, the rights in a mandatory set previously mentioned, which are the unique products of the Western history and tradition, are perceived as universally desirable and needed. However, a West-centric system cannot be separated from the West’s inimitable historical hegemony. Since the fifteenth century, Western powers have made use of their predominant advantages in the development of science, economy, and military to conquer, convert, and belittle non-Western cultures and peoples. The psychological disposition that has produced myriad West-centric notions is a presumed European (or later Euro-American) supremacy. It is a disposition held dear by a wide public in the modern history of the West, including some prominent liberal thinkers, such as Tocqueville, and J.S. Mill. It was fostered during the early modern era in Europe by the discovery of the American Continent, by encountering and defeating “barbarous” peoples, by the rapid advancement of natural science and technology, and by the widely shared belief of humanity progressing in stages, with

European civilization located at the most advanced level. In normative theories, the West gains its self-claimed moral supremacy by advocating its central Enlightenment heritage, namely, universal rationality and morality. Given the fact that the very idea of liberal universality itself is the product of this Western heritage, it is not surprising that many, both Westerners and non-Westerners, believe that the notion of liberal universality is nothing but a mirror reflecting the reality of Western supremacy and West-centrism.

However, the distinction between liberal universality and its Western interpretation is profound. Liberal universality in its contemporary form is born after the World War Two. It is based on a genuine consensus by the most of nations on this planet in the 1940s. It has therefore possessed a global and cross-cultural authority since its birth. Most importantly, since it recognizes the true freedom and equality of every human individual, it does not accommodate, unlike what the early liberals did, any practice of stigmatizing and excluding the other that may exist in many traditions, including the Western tradition. It therefore becomes a truly universal idea, and in fact receives universal acceptance. Hermeneutically speaking, it is a subjective idea, as it is *not* a transcendental idea (neither independent of time and space, nor scientifically objective), but reflects the historicity and positionality of *our twenty-first century* generation. Its universality is therefore to be understood contextually and is subjective. In contrast, the West-centric interpretation of liberal universality is a part of a historical Western hegemony, which is subjective but not necessarily universal. It is unable to be cleanly disconnected from its own morally repugnant modern history. Colonization, imperialist domination, political exclusion of alienated other, and violation of the tenets of freedom and equality all constitute a “sin-laden” history of West-centrism. Accordingly, such Western notions lack the moral strength to persuade

others to accept them. This unfavourable position prevents the content and practices of liberal universality from being enriched by a genuine and localized Western tradition.

The contemporary West-centric interpretation of liberal universality appears to have two characteristics: monolithically viewing humanity on the basis of the Enlightenment idea of universal reason, and morality and advocating humanitarian intervention with preference for the use of force. Ironically, these two features are often hymned as the corollary of the general principle of liberal universality. Certainly, we should acknowledge in the first place the great emancipatory powers implicated in these notions. Indeed, in their focus on the antagonism between human individual and the community in which he or she dwells, customs, conventions, and social norms that make a community what it is are normally perceived as external oppressive powers to its member's personhood. Accordingly, a member of a community, insofar as she or he is a human individual, must be respected and therefore liberated from his or her own despotic community. Undoubtedly, from a theoretical perspective, these notions are not incompatible with the idea of universal human rights. However, I intend to argue that what makes these notions problematic is that they are grossly overemphasized, normally by Western liberals, to such a degree that they are believed to allow no *alternative* interpretations of the idea of liberal universality.

First of all, contemporary Western assumptions give predominant consideration to the universalizability of human actions in judging them to be right or wrong. For example, it is often argued that an individual should be internally committed to assert only those interests and values which can be universalized. Such ideas are more or less a central theme in the moral philosophy of important Western thinkers such as Kant and Habermas. Its criticism here is *not* to judge it is right or wrong, but concerns only the *way* it is projected. From a hermeneutical point of view, it

is an abstract, ahistorical, and transcendental notion, which neglects the important aspect of *praxis* in the world of experience. Phenomenologically speaking, there are only concrete traditions, customs, and social norms that undergird human practices. To stress the universalizability of human actions is to impose a very narrow, abstract notion on rich and colourful human practices. Moreover, to claim the supremacy of human actions that fit this narrow idea is to *exclude* and degrade the legitimacy of other myriad types of human practice. In doing so, a new type of alienated other is arbitrarily produced and excluded.

Ironically, the very reason for liberal thinkers in the early modern era to exclude various others, such as women, the propertyless, the colonized subjects, is their *neglect* of the influence from their own traditions, customs, and contingent political urgencies. Their abstract claims of universality did not make them reject their comfortable and privileged position in their tradition, as men over women, rich over poor, or European over non-European. When it comes to the contemporary era—I refer it to the period after the Second World War to the present, Western liberals make a complete turnabout in their arguments by moving to another extreme, namely, overemphasizing the applicability of universal reason and denigrating the significance of traditions protecting the human rights of concrete individuals who are situated in their particular traditions, especially non-Western traditions.

To illustrate how the contemporary Western interpretation of liberal universality exaggerates the universalizability of human actions as the only criterion to evaluate human rights, we may consider the practice of wearing a veil by Islamic women as an example.

As Godrej points out, the very politicization of veiling, historically speaking, came about as a result of Western colonial discourse: the nineteenth century British imperialists viewed the veil as the ultimate symbol of Eastern backwardness, and it was used by the civilized West in the

rhetoric of colonialism to render morally justifiable the project of undermining or eradicating the cultures of colonized people.¹⁶⁴

But, notwithstanding this obviously unjustified belief, Western criticism of veiling does have its legitimate ground—historically ubiquitous oppression of men over women could be subverted by emphasizing on the universal liberal idea of equality between men and women. This perception is held dearly by many contemporary Western liberals and feminists. For them, veiling is simply another device of a patriarchal imposition that seeks to degrade the value of woman, to mark woman as invisible, to control their sexuality, to limit their agency and autonomy. A Western trained feminist scholar, Fatima Mernissi, argues that “the veil can be interpreted as a symbol revealing a collective fantasy of the Muslim community; to make women disappear, to eliminate them from communal life, to relegate them to an easily controllable terrain, the home, to prevent them from moving about, and to highlight their illegal position on male territory by means of a mask.”¹⁶⁵

Interestingly, a response to this criticism offered by Islamic scholars is that veiling does not have to be a compulsory practice, but a voluntary one. But Western liberals and feminists tend to assume that Islamic women who want to veil themselves *voluntarily* possess a sort of “false consciousness.” For them, that the practice of veiling violates the basic liberal principle of freedom and equality is not subject to doubt. As Chandra Mohanty notes, “the explanatory potential of gender difference as the origin of oppression gains an unquestioned privilege position, and all revolutionary struggles are locked into binary structures of power and powerless,

¹⁶⁴ Godrej, *Cosmopolitan Political Thought*, 133.

¹⁶⁵ Fatima Mernissi, “Virginity and Patriarchy,” in Azizah al-Hibri, ed., *Women and Islam* (New York: Pergamon Press, 1982), 189.

exploiters and victims.”¹⁶⁶ Thus, the debate over the legitimacy of veiling is meaningful *only* when it concerns about how far multicultural liberal societies should go in order to accommodate “non-liberal” practices such as veiling.

Moreover, this typical contemporary Western liberal understanding of a non-Western practice might be based on some unstated Western presumptions. Mohanty has argued that, behind most Western feminist writing, there is an artificially constructed image of “Third World Woman”, which often relies on the assumption of woman as an already constituted, homogeneous group with identical interests and desires, bound together by the “sameness” of their “oppression”. Hence, Third World women, for Western liberals and feminists, cannot be otherwise but “powerless, exploited, sexually constrained, tradition bound, and therefore victimized.”¹⁶⁷

Again, the criticism of this Western view is not to say it is wrong—it indeed has strong explanatory power in many cases. What make this view problematic, however, is that it does not accept any non-Western views or interpretations of veiling. Hermeneutic liberals, for example, may allow a *contextual* understanding of veiling through the lens of the experiences and practices of particular groups of veiled women in particular contexts. Godrej has made an interesting list of possible *alternative* interpretations from which we can see that the purposes and motivations behind voluntary veiling are highly pluralized and can scarcely be reduced to any singular explanation: making one’s pride and membership in a community of faith visible; symbolizing resistance to Westernization, and the purported return to an “authentic” practice of Islam free of Western influences, a form of revolutionary or political protest; honouring custom; marking one’s social status; gaining access to employment in the public sphere; protecting

¹⁶⁶ Chandra Talpade Mohanty, “Under Western Eyes: Feminist Scholarship and Colonial Discourse,” *Boundary 2*, 12(3), 1988, 340.

¹⁶⁷ *Ibid*, 334-5.

oneself from sexual harassment in the public sphere by symbolically declaring oneself pure or modest.¹⁶⁸

There are some features in these alternative interpretations worth noting. For example, as Godrej notes, voluntary veiling may be considered to “serve as a statement that the wearer is intent on preserving herself as separate from others, emotionally and psychologically as well as physically; it is [therefore] a tangible marker of separateness and independence.”¹⁶⁹ This interpretation is clearly in harmony with liberal individualism—a separate individual who endorses his or her own autonomy and private space. In a context where autonomy is defined by the ability to transcend desire, the veil actually signifies independence and the rightful demand for private space.

Another possible interpretation of veiling provided in Godrej’s survey is that “veiling is seen also as a protest against and as a solution to the sexualisation and objectification of women, whether Western or Islamic.”¹⁷⁰ This interpretation can be viewed as a contribution from Islamic tradition to the protection of the rights of women as a whole. In a comment from an Islamic educational institution in regards to veiling, it is argued that men and women should be evaluated for their intelligence and skills instead of their looks and sexual attractiveness. From Islamic women’s perspective, “we want to stop men from treating us like sex objects, as they have always done. We want them to ignore our appearance and to be attentive to our personalities and

¹⁶⁸ Godrej, *Cosmopolitan Political Thought*, 135.

¹⁶⁹ *Ibid.*, 135-6.

¹⁷⁰ *Ibid.*, 136.

mind. We want them to take us seriously and treat us as equals and not just chase us around for our bodies and physical looks.”¹⁷¹

In many contexts of gender imbalance, as Godrej points out, veiling emphasizes the belief that the expression of sexuality can be an impediment to the full recognition of personhood. Many veiled women express a desire for freedom as freedom *from* the male, public sexualized gaze, rather than the freedom *to* express their personhood or sexual agency through autonomy of dress more commonly found in Western thought. Thus, it may be argued that in certain contexts the potential for sexualized interaction must deliberately be minimized in order for people to see, recognize and interact with one another as equal human beings.¹⁷² This is a very different understanding of the liberal tenet of freedom and equality, but nevertheless a legitimate understanding. Instead of adopting capitalism’s emphasis on the body and materiality, along with its objectification and commodification of bodies, veiling allows women to control their public self-presentation and visibility. As a result, rather than the dehumanization or invisibility of the “non-person” that Western liberal critics claim is the result of the veil, many veiled women claim that they feel *more* humanized when veiled.

Secondly, the West-centric interpretation of human rights has a strong preference for humanitarian military intervention in cases of massive domestic conflict and killing. Our criticism against this West-centric notion, from the hermeneutic perspective, is again, instead of judging it right or wrong, rather to focus on its exclusivity, namely, not offering other alternatives in dealing with massive human tragedies.

¹⁷¹ “The Question of Hijab: Suppression or Liberation?” *Institute of Islamic Information and Education* (III&E), <http://www.usc.edu/dept/MSA/humanrelations/womeninislam/whatishijab.html>. Quoted by Godrej, *Cosmopolitan Political Thought*, 136.

¹⁷² Godrej, *Cosmopolitan Political Thought*, 137.

E. C. Stowell, in his 1921 essay, defines humanitarian intervention as the “reliance upon *force* for the justifiable purpose of protecting the inhabitants of another state from treatment which is so arbitrary and persistently abusive as to exceed the limits of the authority within which the sovereign is presumed to act with reason and justice.”¹⁷³ This definition is used as a starting point by many contemporary scholars in their discussion of humanitarian intervention. But it is widely held that this definition leaves much unexplained, e.g., *who* decides when a government’s treatment of those within its territorial jurisdiction is so “arbitrary and persistently abusive” as to deny it the benefit of the normal right of non-intervention (the core interpretation of the term “freedom”)? *What* do the terms “arbitrary and persistently abusive” mean? *How much* of the self-interest of an intervening power is allowed to mix into its motive to provide humanitarian intervention? *Why* does it have to be force or military, and do we have any non-violent alternatives? These ambiguities in Stowell’s classic definition of humanitarian intervention, along with its highly contentious practice in reality, generate three central concerns about the legitimacy of humanitarian intervention: the moral acceptability of the self-regarding concerns of a intervening power; the eligibility of decision-makers and their criteria for intervention; and non-violence as a possibility in intervention.

A West-centric position clearly distinguishes itself from non-Western positions in all of those three concerns. The general outlook of a West-centric position is pragmatic and consequentialist: the motivation of intervening powers ought not to be considered a defining test for the humanitarian credentials of an intervention; the crime against humanity should be judged by some international institutions (but not necessarily the United Nations or the Security Council which has official authority to make this decision), based on the existing international standard

¹⁷³ E.C., Stowell, *Intervention in International Law*, repr. in L.B. Sohn, and T. Burergenthal, (eds.), *International Protection of Human Rights* (Indianapolis: Bobbs Merrill, 1973).

and international morality, which in reality are dominated by the Western standard and Western morality; and given that the US is the only remaining superpower after the Cold War, it should deal with crimes against humanity through preventative military action geared to pro-democratic regime change.

In terms of the moral acceptability of an intervening party's self-regarding concern, Michael Ignatieff argues, "if good results had to wait for good intentions, we would have to wait forever."¹⁷⁴ Similarly, Michael Walzer argues that "a pure moral will does not exist in political life, and it should not be necessary to pretend to that kind of purity."¹⁷⁵ Walzer goes further to argue that the leaders of intervening states have an obligation to consider the interests of their own people, even when they are acting to help other people; more importantly, given the pressing urgency of saving as many people's lives as possible in an on-going massacre, "the victims of massacre or ethnic cleansing," argues Walzer, "are very lucky if a neighbouring state, or a coalition of states, has more than one reason to rescue them."¹⁷⁶

Notwithstanding Ignatieff and Walzer's genuine concern about the welfare of the victims, and their realistic solutions, their accommodation of the self-interest of the intervening party in humanitarian intervention has been revealed to be absurd by historical facts: Slaver-traders and fascists have no hesitation to use "humanitarian intervention" as a veneer to fulfil their greedy self-interest in profit and political dominance. In order to justify the British slave trade, which was a very lucrative commercial practice in the eighteenth century, for instance, a writer in the *Scots Magazine* for June, 1772 argues that putting Blacks in chains *saves* their own people in

¹⁷⁴ Michael Ignatieff, "The Way We Live Now: The Year of Living Dangerously", *New York Times Magazine*, March 14, 2004.

¹⁷⁵ Michael Walzer, *Thinking Politically*, ed. David Miller, Yale University Press, New Haven, 2007, 243.

¹⁷⁶ *Ibid.*, 244.

Africa because they would otherwise kill each other in relentless wars among tribes. Thus, they are actually redeemed by the European traders, who sell them in the English colonies, where “their lives, estates, and properties are safe under the protection of the laws of each country.”¹⁷⁷ Those black slaves, according to this article, are being fed and clothed at a great expense to their masters. They are also allowed to raise livestock and maintain their own gardens from which they make a considerable profit. In regard to what we today would call job security or medical and retirement benefits, it is argued that their lot is better than that of the common labourers in England.¹⁷⁸ Thomas Franck points out another instance: the Japanese fascists, in 1931, invaded Manchuria (the north-eastern part of current China) in the name of humanitarian reasons; Adolf Hitler wrote to British Prime Minister Chamberlain, just before launching his takeover of the Sudetenland, about the ethnic Germans in Czechoslovakia who “have been maltreated in the unworthiest manner, tortured, economically destroyed and, above all, prevented from realizing for themselves also the right of nations to self-determination.” The message asserted that Czech ‘madness’ had caused 120,000 refugees to flee, and that the security of more than 3 million ethnic Germans was at stake.¹⁷⁹

But it might be argued that these examples are misleading and unfair to Western liberals for three reasons. First, the examples are all from the period prior to the end of the Second World War; therefore, they are not representative of our contemporary practice of humanitarian intervention. Second, Western liberals would oppose these bogus humanitarian interventions too. Even though they allow the intervening power to carry over its own interests; nevertheless, there

¹⁷⁷ Quoted by Glassman, in *Protean Prejudice: Anti-Semitism in the England's Age of Reason*, 104.

¹⁷⁸ *Ibid*, 104.

¹⁷⁹ Thomas M. Franck, “Humanitarian Intervention”, 531-548, *The Philosophy of International Law*, eds. Samantha Besson and John Tasioulas, Oxford: Oxford University Press, 2010, 537.

are limits to this self-regard. Third, there are indeed some *legitimate* situations for using humanitarian intervention, e.g., Rwanda, where there were about 800,000 innocent people already killed before the massacre was stopped by intervening forces.

Indeed, left-wing thinkers frequently employ the idea that humanitarian intervention may be misused as a cover for the pursuit of meaner objectives by an unprincipled intervener to justify their denial of the perceived “West-centric” notion of humanitarian intervention, while being blind to the genuine demand for humanitarian intervention. But the examples of bad people taking advantage of humanitarian intervention for bad purposes lead to neither a sweeping conclusion that it is illegitimate, nor that it is problematically “West-centric”. Similarly, some other reasons held by left-wing thinkers to refute humanitarian intervention are also problematic. For example, Daniel Luban argues that a foreign intervener’s conclusion that a government’s behaviour is “uncivilized” and therefore subject to intervention may merely reflect “a distinction based on social sentiment” by the intervening state “rather than universal reason.” Thus, applying standards of “civilized” behaviour to specific instances, to some degree, is likely to reflect culturally specific values.¹⁸⁰ A rebuttal of this argument is that, even if it is true that the intervener may impose its own moral values upon the intervened, it is, nevertheless, possible that the intervener’s values, technically speaking, are more reasonable and comprehensive than those of the intervened. We should not forbid the practice of cross-cultural borrowing if it is good for the human flourishing of the intervened. A. Rougier argues that barbarous acts are committed by the thousands everyday in some corner of the globe which no state dreams of stopping because

¹⁸⁰ D. Luban, “Intervention and Civilization: Some Unhappy Lessons of the Kosovo War”, in P. DeGrieff and C. Cronin, (eds.), *Global Justice and Transnational Politics: Essays on the Moral and Political Challenge of Globalization*, Cambridge, Mass.: MIT Press, 2002), 79-80.

no state has an interest in stopping them.¹⁸¹ This argument implies that it is morally reprehensible to stop only those barbarous acts to which some interveners' self-interests are tied. A rebuttal would be that to be unable to help all does not mean to be biased: police can only stop some speeding cars but not all; it does not entail, however, that the police have a self-interested consideration when stopping some cars but not others.

Having said how left-wing thinkers reject, but unsuccessfully, the idea of humanitarian intervention, reasons held by right-wing thinker to support *Western* style humanitarian intervention look equally unpromising. John Tasioulas lists three common reasons held by contemporary Western liberals to justify the *right* to humanitarian intervention. First, he argues that the legitimacy of human rights claims is secured by “enhancing conformity with *objective* reasons; and it is the “genetic fallacy” to believe the idea of human right does not contain *objective* truth simply because it originates from the West; and it is analogous to the case in which the European origin of the “theory of relativity” does not render non-Europeans to reject rationally its claim to truth.”¹⁸² This argument is a response to the “parochialism objection” previously mentioned. We too have argued that it is illegitimate to disregard an idea simply on the basis of its origin. Thus the idea of human rights cannot be dismissed simply because of its Western origin. What makes Tasioulas's argument problematic, however, is that he fails to question the subjective nature of the idea of human rights. Instead, he directly calls the idea of human rights an “objective truth”, and employs natural science's theory of relativity to buttress the objectiveness of the idea of human rights. We have discussed the Gadamerian distinction between natural science and human science, and the influence of natural science over the

¹⁸¹ Quoted by Franck, in “Humanitarian Intervention”, 533.

¹⁸² John Tasioulas, “The Legitimacy of International Law,” 97-118, *The Philosophy of International Law*, Oxford University Press, Oxford, 2010, 105.

development of early modern liberalism in chapter two. Tasioulas in his argument clearly entraps himself by conflating natural science and human science. Basically, the objectivity enshrined in a natural science such as physics does not entail that human science, which fundamentally deals with the existential world of experience, enjoys the same feature. It is because objectivity entails spatio-temporal independence and cultural impartiality, as well as imperiousness to the researcher's historicity and locality. But the idea of human rights is historically situated, its inventors, namely, the early liberals, and its interpreters at different ages, are inevitably marked and constrained by their own historical position. While early liberals consistently imitated natural science in their pursuit of the desirable objectivity, Tasioulas's analogy between the idea of human rights and the theory of relativity shows exactly this psychological influence of the historical tradition of Western liberalism over contemporary Western liberals.

Tasioulas's second apology for the Western conception of humanitarian intervention is to claim that there is a type of universal moral responsibility to stop human suffering. "Can anyone credibly deny that a right to be free from torture is possessed by all humans and should be respected by all societies?"¹⁸³ Tasioulas challenges those who are suspicious or opposed to the right of humanitarian intervention advocated by the West. For him, if anyone does not agree with the West that foreign countries with stronger military powers have a right to intervene in a country where crimes against humanity such as torture, genocide, imprisonment without charge, or forced labour are occurring, this person's rationality is subject to doubt. However, a response to Tasioulas's challenge must highlight the abstract and ambiguous nature of the term "torture". That is to say, prior to the discussion of torture, certain contextual information must be provided such as who defines the meaning of 'torture' according to whose criteria. In fact, there are good

¹⁸³ Ibid., 110.

reasons for those who disagree with Tasioulas in the belief that all human beings have a right to be free from torture. Buddhist monks, for example, accept torture quite well and treat it as an important way of purifying their spirits. Also, it is not uncommon for many athletes to intentionally torture themselves by isolating and brutally training in order to gain medals in Olympic game. An objection to these reasons must arise immediately: the meaning of torture implied in Tasioulas's challenge refers specifically to causing unbearable pain and possible injuries in a person against his own will. But if this is the content of the term "torture", then the police who use violence against protesters should be considered as using torture too. Objections may arise again: the police using violence and causing injury cannot be considered as torture because causing physical pain is for a righteous purpose. Only if the police use violence to an unreasonable degree against protesters can they be considered to be committing torture. However, this means that the conception of torture must have more detailed presuppositions such as the identity of the agent, the motive, the consequences, and the scale of violence. Without clarifying details of the term "torture", it is *not* self-evident, as Tasioulas assumes, that all humans have a right to be free from torture. Tasioulas relies on an unstated commonsense belief about what torture means to the West. But this unstated presupposition in the argument of opposing torture, is precisely the part that particularly belongs to Western culture and is not shared by non-Western cultures, given there is no dialogue or consensus between the two cultures.

Tasioulas's third defence of the Western conception of humanitarian intervention highlights the West's preference for the use of military force. In his discussion of the impotence of the UN Security Council—the only current legitimate international institution that can authorise humanitarian military intervention operations— Tasioulas argues that the US should use its unequalled military, economic and political capabilities to stop crimes and convert those victim

governments into democratic regimes. To achieve this goal, Tasioulas argues, “it would not best conform with the *reasons* that apply to it if it were fettered by public international law on the use of force and intervention.”¹⁸⁴ The core idea in Tasioulas’s argument is that if the use of force is appropriate, then its rejection would be against reason. This idea is exactly the same idea held by Roy Edgley mentioned in the last chapter.

Tasioulas would agree with Edgley that violence is not incompatible with reason, but only contrary to reasoning—a type of argumentative persuasion. If the use of violence is “appropriate”, it would be unreasonable and even “reactionary” to use only argumentative persuasion. However, Milligan’s response to Edgley is equally applicable to Tasioulas: “if coercion is allowed, then those who are more powerful have only to decide for themselves what is right and then impose their idea of what is right on those who are less powerful; and this idea is only too likely to be an expression of what they want, rather than what would independently be seen as right.”¹⁸⁵

As for humanitarian intervention being abused by those who find convenient cover in the ‘right’ to intervene for bogus ‘humanitarian’ purposes, it is no surprise for Carl Schmitt to express a radical scepticism about self-interest-laden humanitarian military intervention: “Those who seek to clothe a military attack in humanitarian clothing are in fact imposters: look to consecrate their own war as a ‘just war’ and to morally denigrate their adversaries by isolating them as enemies of humanity and being hostile to them to the extent of extreme inhumanity.”¹⁸⁶ While it is unfair to charge the Western conception of humanitarian intervention with insincerity,

¹⁸⁴ Ibid., 104.

¹⁸⁵ Stephan Korner (ed.) *Practical Reason*, Basil Blackwell, Oxford, 1974, 163.

¹⁸⁶ Quoted by Franck, in “Humanitarian Intervention”, 550.

hypocrisy, or deception, the two elements, namely, to permit self-interested concerns and to prefer the use of military force, which constitute Schmitt's pessimistic image of humanitarian militarism, are also *central* to the contemporary Western approach to humanitarian intervention. Western liberals therefore have to carry the burden of proof, and show the international society the justification of their military interventions.

Let's not forget Edgley's other comment: "for those who hate violence only when they are its victims, violence towards others may be perfectly reasonable."¹⁸⁷ If we put Tasioulas's argument in support of a military intervention into our contemporary political context, his stand may look specious: the Euro-American West possesses the predominant military power that equips it well to engage in humanitarian intervention. More importantly, the victim countries are predominantly Third World countries, while the intervening powers almost always come from the powerful West. It remains to be seen whether Tasioulas would still support the idea of military intervention if the West was *weaker* than other countries.

Those criticizing humanitarian military intervention most harshly are African countries. In voting for whether India has right to intervene in Pakistan in order to spare East Pakistan (now Bangladesh) millions of refugees, the response of Ghana's Ambassador Akwei, senior spokesman for the newly-independent nations of Africa reflects why some issues should be considered first before obtaining agreement to any acceptance of the general principle of humanitarian intervention:

It is not for us to dictate to Pakistan what it should or should not do. We can offer advice; we can offer friendly intimations and hints, but we have to respect the sovereignty and territorial integrity of every state member of this organization... once intervention in the affairs of a member state is permitted, once one permits oneself *the higher wisdom of*

¹⁸⁷ Ibid., 131.

telling another member state what it should do with regard to arranging its own political affairs, one opens a Pandora's box.¹⁸⁸

The fear of African countries is legitimate, because a Pandora's box has been opened for them before: by 1914, the whole African continent was completely occupied and appropriated by mostly Euro-American colonial powers. The fresh memory of being slaved, dominated, and repressed by white colonizers constitutes a core barrier for African countries, as well as Asian countries with similar experience, to accept the call for freeing the restrictions around humanitarian intervention, which is, coincidentally, advocated actively by the former colonial powers who have been casting chilling shadows over African and Asian nations' sovereignty and territorial integrity since the past till now.

But does it mean African and Asian countries are indifferent to the well-being of victims in any on-going crime against humanity? If that were true, Tasioulas would be right in believing that those people who disagree with his idea of freedom are irrational or immoral. As Thomas Franck has pointed out, however, the concern of the Third World countries lies not in the "primary-order" question, "Does anyone believe torture is right?" Rather, they are concerned about the "second-order" question, "Who decides according to whose criteria?" As soon as the second-order question is addressed first, the Third World can move quickly toward agreeing with humanitarian intervention. In 2004, when the Security Council determined that events within a state constitute 'genocide acts or other atrocities', and authorized an intervention, the states of the African Union accepted that there is a right to intervene regionally, in situations where a government is found to be engaged in war crimes, genocide, or crimes against humanity. There are two noticeable limitations in African countries' acceptance of humanitarian intervention: it is allowed only in the circumstances, such as war crimes and genocide, which are relatively well

¹⁸⁸ Ambassador Akwei (Ghana), U.N. Doc. A/PV.2002, 7 Dec. 1971, 31.

defined by the law of nations; and the decision as to whether those circumstances have actually arisen should be given by a *trusted* institution that does not merely reflect the self-interest of a powerful state such as a Western country.¹⁸⁹

Let's not forget Milligan's illuminating idea, "if *reasoning* is used (in a dispute), then there is (at least) an attempt by the disputants to come to an agreement about the right thing to do."¹⁹⁰

We should therefore ask why it has to be the use of force in humanitarian intervention. Why is it not possible to use some non-violent approach, e.g., dialogue, to intervene? Danilo Zolo argues that if the objectives of international operation are peace and security, then humanitarian militarism fails to reach these goals. "The use of military force by the great powers cannot obliterate the underlying causes that throughout the world—the Palestinian, Iraqi, and Chechen situations are cases in point;" Zolo argues. "It not only fails to resolve conflicts but very often leads to their aggravation, adding atrocity to atrocity, suffering to suffering, hatred to hatred, as has been seen in Kosovo but also in Somalia, Afghanistan, and, most strikingly, in Iraq."¹⁹¹

If the respect for human rights and the subordination of power to democratic rules are, as Zolo argues, "delicate goods that only the development of civil institutions, the acquisition of a minimum level of economic well-being, and above all a commitment to cultural debate and to political struggle can produce locally,"¹⁹² then military intervention, which single-mindedly focuses on stopping an individual tragic event as if it was an isolated occurrence, perhaps does not make its victims better off. The West-centric approach to humanitarian intervention is addicted to the superstition of the "persuasive" power of military muscle, while neglecting to

¹⁸⁹ Thomas Franck, "Humanitarian Intervention," 542.

¹⁹⁰ Stephan Korner (ed.) *Practical Reason*, 163.

¹⁹¹ Danilo Zolo, "Humanitarian Militarism," 565.

¹⁹² *Ibid.*, 565.

fully understand the victim nation's customs and culture. This arbitrariness and rudeness contradict the essential objective of humanitarian intervention—to respect human beings' life and liberty.

In brief, the central argument in this section is that the West-centric interpretation of human rights appears to have two strong preferences: it insists that liberal universality can only be grounded on a single standard—a specific Enlightenment idea, universal reason and morality; and it insists that humanitarian military intervention is, practically speaking, the most effective way of stopping an on-going crime against humanity. The problem is that it narrows down the options to interpret and actualize liberal universality, and possible non-Western solutions are filtered out by the Western lens. As a result, a new type of the other, such as Third World Women, an “authoritarian” regime, a “terrorist” country, or a “totalitarian” culture are arbitrarily produced and then excluded from being considered as a source enriching the understanding of human rights. In doing so, the Western interpretation of human rights has transformed a genuine human desire for protecting humanity into the tyranny of one faction against the rest. In light of the West's acceptance of self-regarding concerns in motivating the intervening power and the reality of the West's hegemonic power, the West-centric preference for military intervention chauvenizes human rights operations, and greatly undermines the trust of non-Western nation-states. Therefore, the current dominance of the Western interpretation of human rights has left the conceptualization and practice of liberal universality problematic. It is the view from the hermeneutical perspective that opens our eyes to seeing the rich and non-violent alternatives for interpreting and practising human rights.

Hermeneutic Approach to Treating the Other

To respect humanity and human rights cannot be separated from the general methodology of treating the other with respect. Arrogance, self-complacency, and fear are often the main barriers for us to mutually respect each other. The central question that must be answered by every person who is genuinely concerned with human conditions is that, “what is a reasonable way to treat the other who is strange to us and/or whose idea we do not like?” As always, reasoning and the use of force are the two basic options available to us. While hermeneutics does not deny one option in favour of another, hermeneutics challenges the belief that the use of force is better than reasoning in fitting the liberal ideas of freedom and equality. More importantly, hermeneutics focuses on the *understanding* of the other, instead of proving the other inferior. Maurice Merleau-Ponty once said, “[T]rue liberty takes others as they are, tries to understand even those doctrines which are its negation, and never allows itself to judge before understanding. We must fulfill our freedom of thought in the freedom of understanding.”¹⁹³ Merleau-Ponty said this when he courageously maintained the importance of “understanding” in dealing with the other and the need to avoid being dragged into the propaganda war, or to fanatically demonize the other, even in the face of the horrors of Stalinism—committed by the Soviet Union, the symbol of a hostile other from the East .

To be impatient to understand, but quick to challenge, condemn, threaten, and attack the other, seems to be the common character of liberals reaction to the other in history. When early liberals endorsed the use of force in dealing with the alienated other, such as women (think of Mary Wollstonecraft and Olympe de Gouges), the propertyless (the fourth estate, Quaker), and the colonial subjects (British Indians and French Algerians), or when contemporary liberals endorsed the use of force against “authoritarian” non-Western countries such as Iraq, the effort to

¹⁹³ Maurice Merleau-Ponty, *Humanism and Terror*, trans. John O’Neill, Beacon Press, Boston, 1960.xxiv-xxv.

understand the otherness in the other failed badly, and the liberal spirit of freedom and equality was tarnished. It seems to be true that whoever endorses the use of force to resolve a disagreement with the other has some form of double psychological disposition: “I can win because I am stronger”, and “I am right, you are wrong.” This disposition reflects the desire for the possession of both *might and right*, even though it rarely happens. To win by the use of force is different from convincing by persuasion. To force the other to agree with one has no moral worth. One’s moral standard will not become superior to that of the other simply by greater might. On the other hand, the conviction that one’s own belief is a truth is perhaps merely illusion. As a historical being, everyone is situated in his or her own locality, and any one person’s grasp of knowledge about the moral world is necessarily incomplete. The totality of truth remains, for the most part, elusive to any individual person or set of people. Violence in politics (for whatever reason) is thus unjustified, as Gandhi claims, “because man is not capable of knowing the absolute truth and is therefore not competent to punish.”¹⁹⁴

Thus I argue that a hermeneutic approach to treating the other is essentially non-violent. In such approaches, e.g., conversation or dialogue, the liberal spirit of freedom and equality is enshrined by the “I-Thou” relation, a reciprocal humble attitude to each other, and the desire to obtain knowledge through discussion. A genuine conversation is an art of communication and deliberation in which the boundaries of what can be articulated are never predetermined or firmly established *prior to* the conversation. Its contingent nature lies in the interlocutor *presenting* himself during the conversation with the self-identity of his partner being exposed to possible influence from him. The conversation is a medium of communication in which new and unfamiliar information gets transmitted and understanding is engendered. But beyond that, and

¹⁹⁴ Quoted by Farah Godrej, in *Cosmopolitan Political Thought*, 80.

more importantly, there is a constant and unsuppressible negotiation of the boundaries of the selves who are partners, and literally *participate* in the conversation. As Gadamer points out, the courageous *openness* of the interlocutor to his partner is a virtue in a conversation because the interlocutors run the risk of having their own self-identities exposed to the unfamiliar other. “To reach an understanding in a dialogue is not merely a matter of putting oneself forward and successfully asserting one’s own point of view, but being transformed in a communion in which we do not remain what we were.”¹⁹⁵

Certainly, not all conversations are genuine or embody the hermeneutic spirit of understanding. An artificially contrived conversation, such as a philosophical dialogue, may often be merely an invisible form of the use of force. Walzer believes that the whole purpose of such artificial conversation is to “produce desired endings, finished arguments, agreed-upon propositions and conclusions whose truth value or moral rightness the interlocutor will be obliged to acknowledge.”¹⁹⁶ A paradigmatic case is Plato’s dialogues, in which Socrates’s power of persuasion derives in part from the designed flow of conversation, which allows Socrates’s conversational partner no chance to disagree with Socrates’s arguments. Walzer offers an interesting summary of Glaucon’s response to Socrates’s questions in the *Republic*: “Certainly”, “Of Course”, “Inevitably”, “Yes, that is bound to be so”, “It must”, “I entirely agree.”¹⁹⁷ We can see that the philosopher, Socrates, in his successful argumentation is like a hero who triumphs over his opponents by reducing them to helpless agreement (the philosophical equivalent of surrender and captivity in time of war).

¹⁹⁵ Gadamer, *Truth and Method*, 379.

¹⁹⁶ Michael Walzer, *Thinking Politically*, 22.

¹⁹⁷ *Ibid.*, 23.

In this type of constructed conversation, the end of the conversation depends on its beginnings, namely, its hypothesis, the unstated assumptions, and presuppositions which are in place *before* we enter the conversation. The conclusion has been fixed, independently of the interlocutor's input and his contingent art of presentation. Down to the end, these types of conversation have hardly any dialogical qualities; "they are monologues interrupted by the affirmations of a one-man chorus."¹⁹⁸ The negative implication of such a contrived conversation is obvious: it pretends to discuss and exchange ideas with the conversational partner, while the partner's input actually contributes so little to the quality of the argument as to be negligible. Consequently, the conversation remains insincere and superficial. The purpose is not to understand the position of the other and seek a compromise or real knowledge, but merely to seek the victory of one's own argument in the form of the other's agreement.

To pre-design conversation seems not uncommon for believers of Western liberalism. To participate in a hopeless conversation is at least instrumentally important: to show that the use of force is not their preferred choice. Rather they are pushed to employ military force *after* all efforts of non-violent methods have been exhausted and proved to be ineffective. The problem is that these liberals are either ready to use force and have no trust in dialogue from the outset, or are ready to discontinue the conversation if they cannot get the result they want. In either case, the conclusion of the conversation has been predetermined. The appearance of entering into a conversation is nothing but a façade for the interlocutor to move to the next step, which is more often than not the use of force.

In contrast, a hermeneutic conversation is a genuine one, which is close to conversation as we know it in our daily life. In a real conversation, while it is natural for the partners to provide their

¹⁹⁸ *Ibid.*, 22.

best arguments, which could be persuasive, nevertheless persuasion itself is not the aim in a real conversation. The interlocutors simply exchange their opinions, information the other side might not have known. Both sides must always be ready to face the situation where their conversation bears no concrete result (let alone for one side to be persuaded) or where one interlocutor withdraws from the conversation. In a real dialogue, there is no design; the dialogue is unstable and restless. It may reach reasons and arguments that none of its participants anticipated. It is always inconclusive and has no authoritative moments. More often than not, as Walzer believes, “agreement in actual conversations is no more definitive, no more foundational, than disagreement.”¹⁹⁹

In Gadamer’s philosophy, to reach an understanding in conversation presupposes that the partners allow for the validity of what is alien and contrary to themselves. If this happens on a reciprocal basis, and each of the partners holds his or her own ground while simultaneously weighting the counter-arguments, “they are very likely to ultimately achieve a common judgment in an imperceptible and non-arbitrary transfer of viewpoints,”²⁰⁰ even though they cannot predict or presume such common judgment could be reached.

Moreover, the condition for what amounts to a genuine conversation that allows communication effectively cross boundaries of strangeness is really the *attitude* of the interlocutors. This attitude is a combination of imaginative humility and non-complacency. As Descartes said famously, since there is nothing that lies wholly within our power save our thoughts, it is better to try to alter my own desires rather than the course of the world.²⁰¹ Isaac

¹⁹⁹ Ibid., 35.

²⁰⁰ Georgia Warnke, *Gadamer: Hermeneutics, Tradition, and Reason*, Stanford University Press, Stanford, 1987, 101.

²⁰¹ Quoted by Arblaster in *The Rise and Decline of Western Liberalism*, 127.

Berlin wrote in similar vein that what the age calls for is less Messianic ardour, more enlightened scepticism, more toleration of idiosyncrasies.²⁰² We should ask the question, “What made the British liberals at the early modern era strongly believe that colonialism is an “unselfish” idea, and what made Mills think it was right, even obligatory, to seek to “complete” what was incomplete, namely, those static, backward, or regnant Oriental countries, by means of conquest and imperial domination? Certainly, the early British liberals’ self-glorification might come from the very old but deeply seated belief held by the English public that there is a special alliance between God and England, and the established church provided the solid religious foundations for the country’s “fair and beautiful” constitution: that allowed the English people to enjoy the “finest government under heaven.”²⁰³ But it is more likely, as argued in the chapter two, that the early British liberals’ confidence and conviction came from their observation and judgement that they, as well as other Europeans, possess a superior knowledge, a more credible science, a more civilized moral code, and a more just and free politics than that of non-Europeans.

While it was historically important that early liberals strongly held to the truth of their belief in universal rights otherwise they would not be able to advance it. The same confidence can easily change into arrogance, complacency, and contempt for the other, mainly non-European peoples and traditions. Indeed, a system that gives support to people’s self-certainty may easily also provide justification for the demonization of the other.

However, that is not to say that if one feels self-confident, one cannot avoid being haughty, or conversely, if one is humble to others, one’s self-identity is doomed to collapse. Rather, there is room in between the two extreme attitudes for us to pursue a reasonable attitude towards the

²⁰² Ibid., 300.

²⁰³ Quoted by Glassman in *Protean Prejudice: Anti-Semitism in England’s Age of Reason*, 4-5.

other. Descartes, the person who is widely believed to be one of the founding fathers of liberalism, offers his insight into the right attitude, at once humble *and* confident, that enshrines the hermeneutic spirit. He states,

[T]he diversity of our opinions does not arise because some of us are more reasonable than others but solely because we direct our thoughts along different paths and do not attend to the same things. For it is not enough to have a good mind; the main thing is to apply it well... I consider myself very fortunate to have happened upon certain paths in my youth which led me to considerations and maxims from which I formed a method whereby, it seems to me, I can increase my knowledge gradually and raise it little by little to the highest point allowed by the mediocrity of my mind and the short duration of my life.²⁰⁴

Descartes here seems merely to illustrate the path of his own intellectual growth. However, he describes the appropriate attitude for a person to hold if he wants to be successful in a *pluralistic* society. His confidence about his own philosophy does not make him condescend toward others. Rather, he believes,

My present aim, then, is not to teach the method which everyone must follow in order to direct his reason correctly, but only to reveal how I have tried to direct my own. One who presumes to give precepts must think himself more skilful than those to whom he gives them; and if he makes the slightest mistake, he may be blamed. But I am presenting this work only as a story or, if you prefer, a fable in which, among certain examples worthy of imitation, you will perhaps also find many others that it would be right not to follow; and so I hope it will be useful for some without being harmful to any, and that everyone will be grateful to me for my frankness.²⁰⁵

There are a number of points in this passage worth noting. First, Descartes does *not* claim that his philosophy is a *universal* truth. Rather it is only the philosophy he tried for himself. Second, Descartes takes his philosophical work such as the *Meditation* as a “story” or a “fable”, not something like Holy Bible, which is “worthy of imitation”, something we are commanded to learn. Third, Descartes acknowledges that others have right not to follow his philosophy,

²⁰⁴ Rene Descartes, *The Philosophical Writings of Descartes*, ed. and trans., John Cottingham, Robert Stoothoff, and Dugald Murdoch, Cambridge University Press, 1984-1985. I, 111-2. The references below are listed by volume number and page number.

²⁰⁵ *Ibid.*, I, 112.

however right it might be. Fourth, Descartes hopes his philosophy is useful to some “without being harmful to any.” All four points are exemplary liberal and hermeneutical approaches. After all, tolerance, humbleness, free choice, and no harm sit at the core of the liberal spirit, which is also shared by the hermeneutical spirit. The historical value of Descartes’ philosophy is no less significant than the historical value of contemporary Western liberal ideas. But liberals, such as Tasioulas and Ignatieff who hold a West-centric belief that Western principles are superior to the wisdom of other traditions and cultures, and consequently that non-Western others must follow them, must be embarrassed by Descartes’ humble attitude in dealing with the other even when he is well aware that his new philosophical method has advantages over the old scholastic way.

The humble attitude that is required for hermeneutic non-violence also requires serious self-scrutiny and the rejection of selfishness. As Farah Godrej points out, one should present a philosophical view publically, only after subjecting it to great scrutiny and acknowledging the potential fallibility of one’s own grasp of the truth. It also requires considering the possibility that an adversary may have a better grasp of the truth. To give serious consideration to the viewpoints of adversaries demonstrates respect for the adversary as a fellow human being engaged in the search for truth, to whose position one owes at least some presumptive respect until proven otherwise.²⁰⁶ Moreover, in opposition to the position of Western liberals, an interlocutor who sincerely wants to engage in conversation with his partner does not struggle for political advantage or victory in arguments, and accordingly does not allow his self-interest to come into play and to orient the conversation. The overriding concern for self-interest goads the interlocutor to gear the conversation in favour of his own interests. In doing so, humility loses its authenticity immediately, and deteriorates into a mere cloak for private advantage.

²⁰⁶ Godrej, *Cosmopolitan Political Thought*, 84.

Once a humble attitude is warranted, the hermeneutical non-violent approach is able to move to its next step. Since conversation is the single most important aspect of this approach, how to engage in conversation has to be inquired into seriously. To discuss with the other is a spiritual experience. A hermeneutical approach is fundamentally an existential method that requires one not see oneself as separate from the other. Accordingly, the interlocutor cannot gaze at his conversational partner from a distance, attempting to achieve a scholarly objectivity in his understanding of his partner. To gain an understanding of the other in a conversation, one needs to immerse into the tradition and culture of the other with a hope to *become* the other. This immersion into the otherness of the other for the sake of understanding is called “self-dislocation” by Godrej. The conception of self-dislocation suggests the importance of subjectively *experiencing* the other in order to understand the other: one temporarily forgets his own tradition; he seeks neither the same kind of methods, resources and questions of his tradition, nor the confirmation of one’s own standards and expectations.²⁰⁷ The rationale behind the spiritual experience of self-dislocation is that a radically different culture may best be understood by penetrating the consciousness and lived experience of those who live by the ideas expressed in that culture. Such immersion requires the interlocutor to produce a description of the other’s culture in terms of its own language, practices and ideas. By bravely encountering and immersing into the otherness of the other, Godrej argues, “the capacity for imagination, reflection and judgement is cultivated not by reading to affirm what one knows but by exposure to what disturbs, provokes, and dislocates.”²⁰⁸

²⁰⁷ Ibid., 27-8.

²⁰⁸ Ibid., 59.

But for some, e.g., Tasioulas, who deeply believes in the West-centric approaches such as military intervention of defending human rights, while a humble attitude might work sometimes, there is always a possibility that it may fail to persuade a villain to abstain from a crime against humanity. We must therefore always ask, What if non-violent ways do not work, what should we do? While in the West-centric approach, there is always an option of “last resort” to use force, there is *no* such last resort available to a hermeneutic approach. The first resort is also the last resort, namely, conversation. If conversation fails, then try again. The understanding behind this hermeneutic approach is that the use of force is not necessary, even worse, it is sometimes metaphysically impossible. In Gadamerian hermeneutics, an important instance of the other is *tradition*. How is it possible for one who dislikes his own or other’s tradition to use force against something rooted in the past? Certainly, it is not uncommon for some radicals to wishfully use force against their perceived traditions by ruining, forbidding, vandalizing, say, architecture, music, literature, poetry or anything that carries traditional values. But in doing so, they merely disconnect themselves from their tradition, or more ironically, give their own miserable interpretation and understanding of that tradition. Moreover, part of historical value of liberalism arises exactly from its compromise with, instead of its radical departure from, the tradition it tends to subvert. “Use thy reason”, indeed, but reason does not have to be always on the revolutionary side. The tragic Cultural Revolution in China from 1960s to 1970s failed in its objective—to discard traditional Confucianism as an irremediable disease of ancient feudal society, and became instead a travesty of misunderstanding and disrespecting Chinese tradition.

Before concluding this chapter, it has to be said that, in our contemporary understanding of the idea of liberal universality, its West-centric interpretation is the main barrier anyone who advocates hermeneutic alterity has to face and resist. The West-centric interpretation, however, is

legitimate in at least two ways. First, as the tradition of the West that exerts its meaningful influence over the Westerners, the centrality of the West-centric interpretation is not only natural but also indisputable *within* its locality. Just as Confucian thought is central to Chinese, or Vedic tradition to Indians, there is nothing wrong with a particular individual or people recognizing a particular tradition in which he or his group is imbibed as the central one. The centrality of each tradition is situated in its own locality. But it is no one's responsibility to take another tradition as the center of his own. That is to say, Westerners have no responsibility to take, say, Confucian thought to be the centre of their tradition, or conversely, Chinese or Indians to adopt Western tradition as their own central source of inspiration, however central it is to the Westerners. Similarly, in the understanding and interpretation of the idea of liberal universality, it is perfectly legitimate for the West-centric tradition to employ the Enlightenment idea of universal reason and morality, while for Confucian-centric traditions to employ, say, the idea of *ren*, and for Vedic-centric traditions to employ the idea of *dharma*. Second, it is legitimate for some of the ideas in the West-centric tradition to cross cultural boundaries and lend their influence to other traditions. The idea of universal reason and morality is certainly a very appealing doctrine that inspires other traditions to reflect on their own moral principles. So does the idea of humanitarian intervention, which may allow those traditions dogmatically believing in non-intervention to rethink their stand. But it does not mean that Western ideas have to be (or ought to be) accepted wholesale by other traditions. At least, ideas such as military intervention (for whatever reason), or the accommodation of self-interest in putatively philanthropic activity can be legitimately rejected by those traditions that believes in hermeneutic approaches.

What prevents people from understanding this limited legitimacy of the West-centric tradition is two-fold: first, it is due to the reality that the West has enjoyed hegemonic status for centuries.

The Western ideology is *de facto* the dominant ideology of international society. Second, it is also due to the fact that some Western liberals do believe that their beliefs are universal, authoritative, and superior to beliefs originating in other traditions. Consequently they represent their own particular beliefs as universal principles others ought to follow. In this regard, hermeneutics is particularly illuminating for revealing and dispelling the illusion created by those two facts.

In conclusion, from localizing the practice of liberal universality, to resisting the West-centric interpretation of the idea of human rights, and finally to choosing the hermeneutical non-violent approach, contemporary practice stands to benefit from liberal universality, however subjective the basis of that universality may be. As always, the subjective nature of liberal universality allows liberals to interpret and reinterpret human rights on the basis of their own historicity and position. In history, this subjectivity worked negatively to select and exclude some groups. But in light of our contemporary understanding of what is truly free and equal, this subjectivity can function positively to assure respect for the other and avoid producing new types of alienated other. As Joel Weinsheimer points out, “when we happen upon something true, something that possesses an immediate certitude, though it cannot be methodically certified, then we already belong to and participate in the *Geschehen der Wahrheit*, the happening of truth. We belong to history.”²⁰⁹ The contemporary understanding of the idea of human rights is the *truth* of our twenty-first century generation. We hold this truth dearly even though we well realize that this truth may only reflect the historicity and positionality of us and our system.

²⁰⁹ Joel C. Weinsheimer, *Gadamer's Hermeneutics: A Reading of Truth and Method*, Yale University Press, New Haven and London, 1985, 15.

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