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Why Colonialism is Wrong

Historically, colonial domination has involved subjecting innocent populations to atrocities such as murder, torture, and exploitation. But pointing at these wrongs is not enough to explain the distinctive way in which colonialism is wrong. After all, murder, torture and exploitation are wrong whether or not they occur in the context of colonial occupation. If all we can do to explain the nature of colonialism is point at the fact that it typically involves the perpetration of these crimes, we cannot vindicate the thought that there is something distinctively wrong with it. And yet, intuitively the victims of colonial domination have suffered a distinctive wrong over and above those associated with these crimes. How should we understand the nature of this wrong? I answer this question by arguing that colonial domination undermines the capacity of political communities to exercise their self-determining agency in a particular way.

The process of decolonization that has reshaped the face of the globe in the second half of the 20th Century is widely recognized as one of the success stories of the international legal order that has emerged in the aftermath of World War Two. And yet, philosophers have failed to pay sufficient attention to this process. Indeed, until recently, the very question of why colonialism is morally wrong has been surprisingly neglected in the philosophical discussion. Perhaps this is because the answer seems too obvious to need spelling out. Historically, colonial occupations have involved subjecting innocent populations to some of the worst imaginable atrocities, including murder, torture, exploitation, sexual violence, and enslavement. Is there really any need to add something to this list to explain why colonialism is wrong?

There is if we are interested in providing an account of the distinctive way in which colonialism is morally wrong. After all, murder, torture, exploitation, sexual violence, and enslavement are wrong whether or not they occur in the context of colonial occupation. Thus, if all we can do to explain the wrong of colonialism is point at the fact that it typically involves the perpetration of these crimes, we cannot vindicate the thought that there is something

distinctively wrong with it, a wrong that cannot be reduced to the systematic perpetration of these more familiar crimes. And yet, many seem to share this thought. Although colonialism does typically involve the systematic perpetration of these crimes, intuitively, the members of former colonies have suffered a distinctive wrong over and above those associated with murder, exploitation, enslavement etc.

One way to see the force of this intuition is to consider whether the objection to colonial domination would be fully met if the colonizers didn't commit these wrongs and realized instead the benign form of government described by the apologists of colonialism. Clearly that would not be the case. Intuitively, a colonial power could not plausibly neutralize the legitimate objection to its rule simply by refraining from engaging in murder, exploitation, enslavement etc.¹ Such hypothetical colonial power would be less bad than the actual ones, which extensively engaged in these practices, but it would be wrong nonetheless. Just like slavery is wrong, no matter how benevolent we imagine a particular master to be, so colonial domination is wrong, no matter how benign we imagine a particular colonial regime to be. The aim of this paper is to provide an account of this wrong.

I start by rejecting a view which explains the wrongfulness of colonialism by appealing to the idea that colonialism involves the subjection of the colonized to the authority of the colonial power against their will. I argue that this view cannot vindicate the intuition that colonialism is distinctively wrong because it is unable to distinguish between cases of colonialism and cases of forcible annexation, such as the one suffered by Crimea at the hands of Russia in 2014 (section 1). I then offer an alternative account, which appeals to the idea that colonial domination undermines the capacity of political communities to exercise their self-

¹ This is a reason to resist Laura Valentini's claim that the wrongfulness of colonialism is reducible to the wrongfulness of the crimes typically committed in colonial contexts (Laura Valentini, 'On the Distinctive Procedural Wrong of Colonialism' (2015) 43 *Philosophy & Public Affairs* 312).

determining agency in a particular way. When political communities are treated in this way, they suffer a distinctive wrong, independently of whether this treatment is accompanied by any of the other crimes listed above.

To make my case, I first introduce the notion of political self-determination, sketching an account of what it takes for a political community to exercise its self-determining agency (section 2). Then, I describe the distinctive way in which colonialism undermines the capacity of a political community to do so (sections 3 and 4). Finally, I illustrate the role that forced assimilation plays within this process (section 5).

1. Colonialism as Forced Association

In an influential paper, Lea Ypi has suggested that colonialism is distinctively wrong because it involves the unilateral imposition of a form of political association on the colonized, insofar as the latter are forced to join the political community of the colonizers without having consented to do so.² This account however, has been criticized as overinclusive. While Algerians did not consent to be part of the French political community, most French citizens did not consent to that either. Thus, the objection goes, Ypi's view seems incapable of distinguishing between cases of colonialism and standard cases of political authority.³

This objection has some force, but does not yet warrant abandoning the forced association model. For we can reformulate this model, while avoiding the objection at hand, if

² Lea Ypi, 'What's Wrong with Colonialism' (2013) 41 *Philosophy & Public Affairs* 158, 187. Ypi adds that the colonized often (though not always) lack an equal say in choosing the rules that are established within the colony (Ypi 2013, 178). I bracket this component of her analysis both because she concedes that it is not essential and because it has been convincingly criticized by others. (Andrew Altman and Christopher Heath Wellman, *A Liberal Theory of International Justice* (Oxford University Press 2011) 14–5; Valentini (n 1) 314.)

³ Valentini (n 1) 318.

instead of spelling out the idea of forced association in terms of *subjection to an authority without consent*, we do so in terms of *subjection to an authority against one's will*. True, neither the Algerians nor the French had a meaningful chance to consent to the French government, but while most Algerians rejected membership in the French political community, most French don't do that. They endorse their membership insofar as they support French political institutions by interacting with their fellow citizens in certain ways (more on this below). To the extent that they do, they can be said not to be subject to French rule against their will, even if they did not have chance to consent to it. Algerians, by contrast, had their membership imposed on them not only without having had an opportunity to consent, but also against their will.

So, a better way of spelling out the idea of forced association is to say that colonial domination involves imposing political relationships that are non-voluntary in the sense that they are against the will of those subject to them, and that therein lies the distinctive wrong of colonialism.⁴ Whether or not further atrocities are committed, imposing political relationships of this kind fails to realize the ideal that political association should be voluntary, even if not consensual.

This is the best formulation of the forced association account, as it successfully distinguishes between colonialism and standard membership in a political community. But even so reformulated, the account remains overinclusive, since it fails to distinguish between cases of colonialism and cases of forcible annexation.

Consider, for example, the Russian annexation of Crimea. Crimea was part of Ukraine until March of 2014, when it was annexed by Russia, becoming part of the Russian Federation.

⁴ Indeed, this is probably the best interpretation of Ypi's view. For although she repeatedly states that consent is required to avoid the institution of colonial political associations, at one point Ypi does clarify that consent is a proxy for tracking the will of those who give or withdraw consent Ypi (n 2) 180.

Russia claims to have fully integrated Crimea since 2015 and has been administering it as one of its federal subjects, enforcing Russian laws in it, even though most of the international community still regards it as part of Ukraine. This is a case of association that in addition to being non-consensual is also non-voluntary.⁵ Nonetheless, we would not call it an instance of colonialism. (None of the commentators writing about Crimea have referred to it as such). But the forced association account, even once reformulated along the lines I have suggested, cannot explain that, since the Russian annexation of Crimea perfectly fits the account.

This shows that the forced association model should be abandoned. If there is a distinctive wrong of colonialism, it has to be different from the wrong of forced association, since the latter also covers cases of non-colonial acquisition, such as forcible annexation. A theory of colonialism will either have to preserve this difference or give up the claim that colonialism is distinctively wrong. The first option, if feasible, is clearly preferable to the second, since the belief that colonialism is distinctively wrong is widely shared, and thus we should be reluctant to revise it, unless necessary.⁶ Luckily, this will not be necessary, or so I will argue.

⁵ The Russian government has repeatedly denied this, citing a referendum in which, according to official results, a staggering 96.77 percent of voters were in favour of rejoining Russia. But the consensus is that these results are unreliable, both because of procedural irregularities and because the referendum itself took place only after Russian troops had secured control of the peninsula. (Carol Morello, Pamela Constable, and Anthony Faiola. “Crimeans Vote in Referendum on Whether to Break Away from Ukraine, Join Russia” *The Washington Post* 16/3/2014.)

⁶ The belief is so common that its prima facie force is recognized even by some of its critics, including Valentini, who does acknowledge that the “claim that colonialism always instantiates a distinctive procedural wrong is intuitively plausible” (Valentini (n 1) 312, 326). The reason Valentini ultimately rejects this claim is that she believes a convincing philosophical account of the alleged distinctive wrongfulness of colonialism is not available.

I will defend the view that the distinctive wrong of colonial domination consists in undermining the capacity of a political community to exercise its political self-determination in a particular way. When this happens, the political community in question is prevented from shaping its own future in light of choices autonomously made. This is a serious wrong, whether or not it is accompanied by further atrocities.

I should stress however, that it is not my intention to provide a set of necessary and sufficient conditions for the distinctive wrong of colonialism. Rather, my aim here is to offer an account of the central features of this wrong, and then articulate the differences between these features and those associated with other forms of wrongful interference with political self-determination (particularly annexation). Given the complex and diverse nature manifested by the many historical instances of colonial occupation, the project of coming up with a set of necessary and jointly sufficient conditions that can be used to neatly classify such cases surely is hopeless. A better strategy is to identify what can be plausibly regarded as the central features of this wrong. We can then look at the messy historical cases and do our best to assess to what extent they share these features. No doubt there will be (and there has been) ample room for disagreement about how many of these cases are best understood, and no doubt there will be genuine borderline cases. I lack both the space and the expertise to settle these disputes, which historians are best placed to tackle anyways.

2. Political Self-determination: the Interactional Account

To begin with, let me introduce the notion of political self-determination. This is the process through which political communities govern themselves by autonomously choosing how to act. Being able to engage in this process is crucially important not only because political communities have a claim to act as they wish (at least insofar as they stay within the boundaries of the morally permissible), but also because in autonomously deciding how to act, they shape

their own identity as a result of their choices. They “determine themselves” through the exercise of their own agency, similarly to how individuals shape their future and who they are as a result of their autonomous choices.

This suggests that there is a link between political self-determination and how political communities exercise their own agency, and it’s on this relationship that the most recent debate has focused, with a number of philosophers defending the view that a political community is self-determining when its members engage in certain forms of group agency. This insight has been articulated in different ways. Some have argued that for a political community to be self-determining, its members must develop “collective intentions,” whereby they adjust their conduct in response to each other’s mutual expectations so that these intentions are being collectively pursued. When these collective intentions guide the behavior of the members of the community, a “shared will” is formed, which cannot be reduced to the choices of any of the individuals forming the group; and it’s through the exercise of this will that the political community determines itself, autonomously deciding how to direct its own agency and shape its future.⁷

Others have suggested that members need not share an intention that the group acts in a certain way. Rather, what is required is some suitably constrained deliberative procedure, such as voting, that enables the agency of the individual members to be combined in such a way that the outcome of their collective deliberation can be properly regarded as the expression

⁷ Anna Stilz and Margaret Moore develop this view, relying on Michael Bratman’s work on shared agency; Anna Stilz, ‘The Value of Self-Determination’ in David Sobel, Peter Vallentyne and Steven Wall (eds), *Oxford Studies in Political Philosophy, Volume 2* (Oxford University Press 2016); Margaret Moore, *A Political Theory of Territory* (Oxford University Press 2015).

of the agency of the group.⁸ Indeed, as Christian List and Philip Pettit famously argue, there will be situations where, even if we operate with a simple procedure (such as the majoritarian rule), the group will end up acting in ways that do not align with the intentions of any of its members.⁹

Here we can remain agnostic as to which of these accounts is preferable. For the purposes of my argument, we need to focus on what they have in common, rather than on their differences.¹⁰ And what they have in common is the idea that political self-determination is grounded on a particular type of relationship between how a political community exercises its group agency and how its members exercise their personal agency. Political self-determination does not presuppose the existence of metaphysically suspicious collective entities, but it's also not reducible to whatever outcome results from the way the group members act. The members of the political community must exercise their personal agency in specific ways: they must support and reproduce the functioning of their political institutions as well as comply with their directives, while understanding that in so doing, they are taking part in a process of

⁸ Christian List and Mathias Koenig-Archibugi, 'Can There Be a Global Demos? An Agency-Based Approach' (2010) 38 *Philosophy and Public Affairs* 76; Allen Buchanan, 'Self-Determination, Revolution, and Intervention' (2015) 126 *Ethics* 447; Bas van der Vossen, 'Self-Determination and Moral Variation' in Fernando R Teson (ed), *The Theory of Self-Determination* (Cambridge University Press 2016) (building on Christian List and Philip Pettit, *Group Agency: The Possibility, Design, and Status of Corporate Agents* (Oxford University Press 2011)).

⁹ List and Pettit (n 8).

¹⁰ Indeed, further models of group agency could be employed to ground political self-determination. One is Carol Rovane's, which instead of relying on constrained aggregative methods (such as voting), requires members to engage in a form of actual deliberation aimed at forming a collective "rational point of view" (Carol Rovane, 'Group Agency and Individualism' (2014) 79 *Erkenntnis* 1663). (Rovane herself doubts that her account could be applied to very large groups, but some versions of Deliberative Democracy seem to appeal to this sort of model.)

“institutionalized political cooperation”.¹¹ When they interact in this way –by voting in suitably constrained deliberative procedures, by paying their taxes, by cooperating with public officials– they function as a group agent, and thus it makes sense to regard the outcome of their interaction as something that the political community *does*, rather than as the product of independent individual interactions randomly affecting each other.¹² Call this the “interactional account” of political self-determination.¹³

The account is best understood as grounded in our interest in making decisions together with the other members of our political community, which in turn is an instance of our broader interest in shaping our life as members of groups we value. As autonomous moral agents, we each have a vital interest in choosing how to shape our own life; and this interest encompasses both the interest in choosing how to shape our life by acting individually and the interest in choosing how to shape our life by acting together with others we are in a valuable relationship with. The former explains why it would be wrong for you to coercively prevent me from pursuing the career I have chosen for myself (at least when my choice is morally permissible); the latter explains why it would be wrong for you to coercively prevent my wife and I from raising our children as we have chosen (subject to the same caveat). It matters to me that my

¹¹ Stilz (n 7); Moore (n 7).

¹² The reason why there must be constraints on the relevant deliberative procedures is precisely to rule out methods of collective deliberation that merely rely on aggregating the inputs of individual members. Such methods are not rational processes that can generate the kind of intentional attitudes required for self-determining agency, for reasons discussed by List and Pettit (List and Pettit (n 8) 42–58).

¹³ I elaborate this account in Massimo Renzo, ‘Revolution and Intervention’ (2019) *Early View Nous* <<https://onlinelibrary.wiley.com/doi/abs/10.1111/nous.12272>>; Massimo Renzo, ‘Political Self-Determination and Wars of National Defense’ (2018) 15 *Journal of Moral Philosophy* 706. (In this section, I draw on that work.) Earlier formulations of this approach can be found in Daniel Philpott, ‘In Defense of Self-Determination’ (1995) 105 *Ethics* 352; Anna Stilz, ‘Decolonization and Self-Determination’ (2015) 32 *Social Philosophy and Policy* 1.

wife and I decide together how to raise our children, i.e. that the final decision is not simply my decision, but the decision of the family I'm part of. If you were coercively to interfere with our decision, you would wrong me because you would undermine this important interest. Importantly, you would do so even if my wife and I disagreed about how to raise our children and your intervention forced us to act in the way I personally favor. In this case, I would be wronged, even though your interference leads us to act in the way I prefer, because my interest in *deciding together with my wife* how to raise our children has been undermined.

A similar interest exists among the members of other groups beside the family, including the political community. If members of a political community are committed to making decisions together, they have a powerful interest in being able to choose for themselves how to shape their future. When this interest exists, it creates a demand for others to respect the autonomous decisions of the group (provided that the group is reasonably just). When this demand is violated, the members of the group are wronged, even if the decisions of the group inevitably do not align with those personally favored by every member.

The voluntaristic nature of my view is worth stressing. Although according to my model, consent is not required for membership in the political community, a commitment to making decisions together with the other members of the community is. As such, the view does not aim to vindicate the claim that, say, all French citizens are members of the French political community. Any French citizens who fail to interact in the relevant way with their fellow citizens because they lack the relevant commitment should not be considered members. They might have a duty not to interfere with the decisions of French political institutions, and perhaps even a duty to obey French laws, if they fulfill whatever conditions justify political obligation,¹⁴

¹⁴ For my views on this issue, see Massimo Renzo, 'State Legitimacy and Self-Defence' (2011) 30 *Law and Philosophy* 575; Massimo Renzo, 'Associative Responsibilities and Political Obligation' (2012) 62 *Philosophical*

but they have no special interest in preserving the existence of the French political community or its independence. As such, they would not suffer the distinctive wrong of colonial domination, should France be colonized, though they would obviously suffer all the wrongs typically associated with colonial domination, such as murder, enslavement etc.¹⁵

One of the advantages of the interactional account is that it provides an appealing explanation of why we should care about political self-determination. We should care about it because we care about personal autonomy. Respecting the self-determining agency of the political community I belong to is a way of respecting my individual interest in shaping my life as I please, since the former is ultimately a manifestation of the latter.¹⁶

Quarterly 106; Massimo Renzo, 'Fairness, Self-Deception and Political Obligation' (2014) 169 *Philosophical Studies* 467.

¹⁵ This raises difficult questions about the costs that these citizens can be asked to bear to preserve the independence of the French political community. I consider these issues at length in Renzo, 'Political Self-Determination and Wars of National Defense' (n 13).

¹⁶ Notice how adopting this view provides us with an answer to Valentini's question as to whether the wrong of colonialism is committed against the political community or its individual members (Valentini (n 1) 325). The answer is "both." It is because the individuals forming the political community have an interest in making decisions together as a group that the latter is wronged when its capacity to make such decisions is compromised. But just like the wrong suffered by my family when you interfere with our educational choices can be reduced to the wrong suffered by the family members, so can the wrong suffered by the political community be reduced to the wrong suffered by its members. Members of the political community will have different views as to how the community should act, but they share an interest in making these decisions together, and it's this interest that is violated by colonial domination. (An alternative argument for the view that Valentini sets up a false dilemma in asking us to choose between the claim that colonialism is a wrong perpetrated either against a collective or against its members, is offered by Han van Wietmarschen, 'The Colonized and the Wrong of Colonialism' (2018) 7 *Thought* 170.)

The interactional account is sometimes presented as an alternative to accounts that ground political self-determination in certain values (cultural or national), but this is a mistake. The account does leave room for recognizing the importance of shared values and traditions for self-determination, because the way in which the members of any political community will engage in the relevant forms of group agency will inevitably be shaped by them.¹⁷ For example, egalitarian societies are likely to rely primarily on some form of democratic deliberative procedures, whereas non-egalitarian societies might employ other forms of deliberation, that involve supporting a religious leader or a charismatic figure.¹⁸ And there are different ways in which the values of equality can be declined, leading to different models of democratic deliberative procedures adopted by different egalitarian societies.¹⁹ Moreover, once a certain deliberative procedure is in place, particular traditions and cultural values will inform how members will take part in the relevant deliberative processes. (Some communities will be secular, others will be religious; some will be rooted in nationalistic values, others in cosmopolitan ones, etc.). So, there are two ways in which values enter the picture: firstly, the relevant interaction takes place by appealing to certain values and traditions; secondly, the way in which the interaction is structured is itself the expression of particular values and traditions.²⁰

¹⁷ Moore (n 7). acknowledges this important point.

¹⁸ My view is that, subject to adequate constraints, this is a possibility, though one that I cannot explore here. Nothing I say however, hangs on that. The account of colonialism sketched below is compatible with the claim that some sort of democratic deliberative procedure is necessary for political self-determination.

¹⁹ David Held, *Models of Democracy* (3rd ed, Polity 2007).

²⁰ The values and the traditions in question need not be those of a particular culture Will Kymlicka, *Liberalism, Community and Culture* (Clarendon Press 1989) or “encompassing group” (Avishai Margalit and Joseph Raz, ‘National Self-Determination’ (1990) 87 *Journal of Philosophy* 439). The interactional account is compatible with the view that political communities are structured around values drawn from a plurality of cultures present in a

Here I will presuppose that something like the interactional model is roughly correct. My aim in this paper is not to defend it, but to articulate it in sufficient detail to be able to employ it in outlining my account of colonialism.²¹ To that end, a further remark is in order. The model, as I have described it thus far, is incomplete. Strictly speaking, it provides an account of what it takes for a political community to exercise its group agency, but not yet of what it takes for it to exercise its *self-determining* agency. When the right sort of institutionalized political cooperation is in place, we can regard what the community does as an exercise of group agency, rather than as a mere aggregation of individuals acting on their own, but that's not enough to conclude that the agency in question constitutes an instance of self-determining agency. A further condition is necessary for that.

To see this, consider personal agency. Certain conditions must be in place for us to be able to exercise our personal agency. Roughly, we need to possess the sort of psychological make up required for engaging in intentional action.²² To count as an agent, I must exhibit the capacity to deliberate, make decisions and take action, as opposed to exhibiting mere behavior. If I lack the relevant psychological capacities –for example, because I am in a coma–, and thus cannot engage in the sort of practical deliberation required for intentional action, I lack the capacity for personal agency. (Call this the “agency condition”.)

But having these capacities is not sufficient for me to be self-determining if, say, you have hypnotized me. To exercise my self-determining agency, I must be able to exercise the relevant psychological capacities in such a way that my deliberation reflects what I have chosen to do, rather than reflecting what you order me to do under hypnosis. (Call this the “authorship

certain territory (Jeremy Waldron, ‘Two Conception of Self-Determination’ in Samantha Besson and John Tasioulas (eds), *The philosophy of international law* (Oxford University Press 2010)).

²¹ Defenses can be found in the texts mentioned on pp. ??? above.

²² Or whichever mental activity you think is associated with the exercise of personal agency.

condition”).) When I act under the spell of your hypnosis, I do exercise my agency, since I engage in intentional action (in a way in which I don’t when I’m in a coma). However, I do not exercise my self-determining agency, because your interference undermines my deliberation in such a way that I cannot be properly regarded as the author of my conduct. The outcome of my deliberative process in this case reflects your decisions rather than mine.

The same is true in the case of political, as opposed to personal, self-determination.²³ Political self-determination requires that the members of a political community exercise their group agency by interacting in the ways described by the interactional account. Only in that case does the community exhibit the capacity to make decisions and take action which is required to count as an agent, as opposed to being a mere collection of individuals acting independently. But this is not enough. The relevant interaction must be such that the authorship condition is also met. In the next section I will spell out what this entails exactly and why this condition is not met in cases of colonialism. Doing so will clear the way to providing an account of colonialism that can vindicate the difference between colonialism and forcible annexation.

3) The Distinctive Wrong of Colonialism

Colonial domination historically has taken two forms: “direct rule,” where the metropole directly administered the periphery by imposing its own laws, and “indirect rule”, where the

²³ Although I will often support my arguments by comparing political and personal self-determination, I do not intend to suggest that the two operate exactly in the same way. My assumption is simply that if it makes sense to regard collectives as autonomous agents, then whatever constraints are associated with the exercise of autonomous agency will have to apply to them. If certain conditions need to be in place for autonomous agency to be realized, those conditions will need to be fulfilled by any autonomous agent, whether a person or a group. Similarly, if certain treatments are incompatible with respecting autonomous agency, then any agent subject to them, whether a person or a group, will be prevented from acting autonomously.

metropole allowed some sort of decentralized provincial government to exist and perform some administrative functions. Often these local political institutions were run by officials sent by the metropole, but not always. Some were run by local authorities, who retained a significant degree of autonomy and initiative, despite being ultimately subordinates of the colonizers. For example, while British India was under the direct control of the British Government, through the Governor General of India, who was appointed by the sovereign on the advice of the government, the remaining parts of the British Empire in the Indian subcontinent (the so-called “princely states”) were ruled by hereditary kings.²⁴ Similarly, France resorted to direct rule in some parts of Senegal and indirect rule in others.

In cases of indirect rule, colonial domination takes the form of a hybrid exercise of political control, where the metropole and the colonies engage in a process of constant mediation and negotiation, rather than mere subordination to an external power. This process leads to the creation of local governments with varying degrees of autonomy, but here too the colonial power ultimately has an overwhelming capacity to control the political decisions made by the locals.²⁵

²⁴ Some African chiefs and Malaysian sultans retained the same power under the British Empire. Indirect rule can take different forms, including “protectoracy,” “suzerainty” and “paramountcy” (James R Crawford, *The Creation of States in International Law* (2 edition, Oxford 2007) ch 7), but for the purposes of this paper, we need not distinguish between them.

²⁵ Michael Crowder, ‘Indirect Rule: French and British Style’ (1964) 34 *Africa: Journal of the International African Institute* 197; Peter Burroughs, ‘Imperial Institutions and the Government of Empire’ in Andrew Porter (ed), Wm Roger Louis, *The Oxford History of the British Empire: Volume III: The Nineteenth Century* (Oxford University Press 1999); John W Cell, ‘Colonial Rule’ in Judith Brown and Wm Roger Louis (eds), Wm Roger Louis, *The Oxford History of the British Empire: Volume IV: The Twentieth Century* (Oxford University Press 1999); John Gerring and others, ‘An Institutional Theory of Direct and Indirect Rule’ (2011) 63 *World Politics* 377.

Whether it takes the form of direct or indirect rule, the distinguishing feature of colonial domination is that the colonized continue to exist as a distinct group agent, but they can no longer engage in the process of collective deliberation that is required for them to be able to autonomously shape the future of their political community. The colonized continue to exist as a distinct group agent, because insofar as they do take part in a process of institutionalized political cooperation, they do fulfil the agency condition. By doing things such as obeying the law, paying taxes and cooperating with public officials, they do maintain the political institutions they are subject to, though they do so willy-nilly ²⁶. However, the colonized do not fulfil the authorship condition because they cannot be properly regarded as authors of the institutions that govern them.

In cases of direct rule, the colonized are under the direct control of the colonizers, in the sense that they are subject to laws and decisions made by the colonizers. In cases of indirect rule, the colonized may retain some capacity to pass their own laws and make their own decisions through the functioning of their local political institutions, but here too they are ultimately subjected to the control of the colonizers. Although they can influence the laws they are subject to, the colonized cannot determine what these laws are, and thus cannot decide for themselves how the political community acts. While they do retain a say in how to rule themselves, an important input in the decision-making process comes from the colonizers, and thus the decisions of the community are no longer a reflection of how its members have exercised their personal agency.

Remember how we have described the process through which a political community exercises its self-determination. Political self-determination requires a particular kind of relationship between the agency of the community and the agency of its members to be in place.

²⁶ Lea Ypi, Robert E Goodin and Christian Barry, 'Associative Duties, Global Justice, and the Colonies' (2009) 37 *Philosophy & Public Affairs* 103, 118–21.

It makes sense to regard the decisions of a political community as an expression of its unified agency only insofar as it reflects how the members of the community have engaged in the relevant kinds of group agency (those described by the interactional account). This is why respecting the choices of the group is ultimately a way of respecting the autonomous agency of its members: the inputs that generate the conduct of the group are produced by its members *and only by its members*.

This is not the case in colonial contexts. In cases of direct colonial rule, we cannot regard the agency of a colonized group as an expression of the unified agency of its members, because instead of being produced by its members, the inputs that generate the conduct of the group are produced by outsiders, namely the colonizers. So, for example, when country V is subjected to A's direct rule, we cannot regard the way in which V acts as an expression of the unified agency of V's members, because any laws and policies enacted in V will in this case be an expression of A's decisions.

But we cannot regard the way in which V acts as an expression of the unified agency of its members in cases of indirect rule either, because although here V's members do have some input in deciding how the political community should act (i.e. which laws and policies V should pass), A also has a significant input in determining that. When this is the case, the way in which V acts no longer reflects what the local political community has autonomously decided, because the process of collective deliberation is now shaped to a significant extent by the will of A.²⁷

²⁷ Needless to say, often the members of colonies subject to indirect rule in fact retained very little capacity to contribute, even indirectly, to deciding how their political community should be governed. This is because often the local political authorities ended up being primarily responsible -de facto, if not de jure- to the colonial power that appointed them, rather than to the members of local political community (Gerring and others (n 25)). The reason why in the text I do not focus on these cases is that my aim is to show that indirect colonialism is

To see this better, consider two possible ways in which the exercise of personal, as opposed to political, self-determination can be undermined. Certainly, your self-determining agency is undermined if I completely brainwash you so that you have no control whatsoever over your decision-making process. However, your self-determining agency is also undermined if I hypnotize you so that you do retain some control over your decision-making process, but that process is now also determined to a significant extent by my inputs.²⁸ The capacity to exercise your personal self-determination is undermined in this second case too, because your decisions are no longer produced exclusively by how you've exercised your deliberative faculties. You can no longer be said to be the sole author of your decisions. Rather, the decisions in question are authored by you and me together. And it is the fact that I have displaced you as the sole author of your decisions that makes whatever conduct you engage in an instance of heteronomous agency. Depending on how pervasive my interference is, it will make sense to consider your conduct more or less heteronomous; but to the extent that I do exercise significant control over your deliberative process through hypnosis, your conduct cannot be considered autonomous.

distinctively wrong, even when the colonizers do retain some control over the government of their community. When in 1926 Donald Cameron, the Governor of Tanganyika (now Tanzania), passed the Native Authority Ordinance to create a system of local authorities, his declared goal was to “provide a form of local government, close to the people, which the people themselves understood, using traditional leaders of the people as administrators, and second, to initiate participation by the indigenous people in the Government of the country.” Whether sincere or not, this hope turned out to be unrealistic (John Iliffe, *A Modern History of Tanganyika* (Cambridge University Press 1979)). But to show that colonialism is wrong in itself (and distinctively so), we need to show why Tanganyikians would have been wronged, even if colonial indirect rule could succeed in functioning as Cameron was hoping. Failing that, we would have to conclude that there is at least one form of non-wrongful colonialism, namely indirect colonial rule that conforms to Cameron's hope.

²⁸ David Blumenfeld, 'Freedom and Mind Control' (1988) 25 *American Philosophical Quarterly* 215.

The same holds for political self-determination. Although in cases of indirect rule the colonized do retain some capacity to influence the decision-making process of their political community, their choices cannot be considered an exercise of self-determining agency, insofar as they are determined to a significant extent by inputs that reflect the will of the colonizers, instead of reflecting exclusively the will of the colonized. For example, if a certain law is passed at least in part because of how administrators sent by the metropole have exercised their legal power, the law in question cannot be said to be product of the self-determining agency of the colonized because that law reflects, at least in part, the will of the colonizers.

That this interference takes place through the exercise of legal powers is important. After all, A could take control of V's deliberation in other ways. For example, A could systematically interfere with V's decisions by bribing or blackmailing its president or the members of the government. A might also be able to regularly decide the results of V's elections and referenda by tampering with the ballots or the e-voting machines. If A's interference through these means is sufficiently pervasive to significantly influence which laws and policies V adopts, then V's will is subjected to A's in the sense specified above. Yet, this would not constitute an instance of colonial domination. Colonial domination requires something more: A must have the authority to subject V's will to its own will and it must be through the exercise of this authority that A controls V's deliberation.

We have colonial domination when in addition to having the power to control V's collective deliberation, A has the right to do so because A has authority over V.²⁹ When both conditions are fulfilled, a distinctive wrong is being perpetrated, because in addition to depriving V of the capacity to exercise its self-determining agency in the way described above, A deprives V of the right to demand that such capacity be respected. If V is one of A's colonies,

²⁹ Either directly or via delegation, as was the case with the British, French and Dutch trading companies in the early stages of their activities in India.

and thus is under A's political authority, V is owed neither an apology nor compensation for the fact that its self-determining agency is regularly undermined. Moreover, when A has the right to control V's processes of collective deliberation, as opposed to merely being able to do so without having the right, V loses the moral power to control what duties other states and other international actors owe V. For example, V lacks the moral power to sign treaties or enter into international agreements, since these prerogatives are under A's control. But having the right to exercise these prerogatives is a central component of V's self-determining agency.³⁰

In the rest of the paper, I will use the expression "subverting the capacity for self-determination" to refer to this treatment. The notion of subverting the capacity for self-determination is thus a stipulative one, which I introduce to refer to a specific way in which V's self-determining agency can be undermined. V's capacity for self-determination is "subverted" when:

- a) V's processes of collective deliberation are controlled by another political community, insofar as the inputs of V's members have no weight, or at most limited weight, in V's deliberative process;
- b) V lacks a right against being treated in this way.

³⁰ Arthur Ripstein's account of colonialism is sensitive to this aspect of the problem (Arthur Ripstein, 'Kant's Juridical Theory of Colonialism' in Lea Ypi and Katrin Flikschuh (eds), *Kant and Colonialism* (Oxford University Press 2014) 161). On the idea that autonomous agents have powerful interests in being able to change their normative relationships with other agents, see David Owens, *Shaping the Normative Landscape* (Oxford University Press 2012); Victor Tadros, *Wrongs and Crimes* (Oxford University Press 2016) 201–222. (Thanks to Victor Tadros and Adam Slavny for a helpful discussion of this issue.)

The distinctive wrong of colonialism consists, I submit, in subverting V's capacity for self-determination in this way.³¹

4) Colonialism and Annexation

I have suggested that the distinctive wrong of colonialism consists in undermining the capacity of a political community to exercise its political self-determination in the way described above. The capacity to exercise political self-determination is also undermined in cases of forcible annexation, but there is an important difference between the two: When V is forcibly annexed by A, the reason why V's political community lacks the capacity to shape its own future as an autonomous agent is that either V no longer exists as an independent political community or,

³¹ Readers inclined to reject legal positivism might object that since colonial domination is wrong, A cannot possibly acquire authority over V through the exercise of colonial power, and thus A cannot acquire the right to control V's collective deliberations. According to this view, although British colonies were treated as subject to British authority, in fact Britain never had such authority. If this position is correct, the notion of "subverting one's capacity for self-determination" should be reformulated as follows: V's capacity for self-determining agency is "subverted" when:

- a) V's processes of collective deliberation are controlled by another political community, insofar as the inputs of V's members have no weight, or at most limited weight, in V's deliberative process;
- b) V is treated as lacking a right against being treated in this way, despite in fact retaining that right.

According to this reformulation, the wrong suffered by V consists in being treated as if V did not have a claim to exercise its self-determining agency, as opposed to being actually deprived of that claim. Notice that even so reformulated, the view does justice to the intuition that there is a distinctive wrong suffered by V when it's colonized, which is absent when A takes controls of V's collective deliberation by blackmailing its politicians or tampering with its elections. Thus, my account does not depend on accepting some version of legal positivism. (Thanks to George Letsas for pressing me on this point.)

if V was itself part of a wider political community V*,³² V's members are no longer allowed to take part in V*'s process of political self-determination. Rather, V's members become part of a different political community A, which absorbs them.

A might treat V's members in different ways: subject them to unspeakable atrocities, as Indonesia did in East Timor, or treat them as regular citizens, as Russia does in Crimea. Either way, the distinctive feature of annexation is that V's members are prevented from engaging in the sort of group agency required for them to be able to realize their own process of political self-determination. They no longer have their own political institutions, which they can use to engage in forms of collective decision-making, nor can they form collective intentions about how they should act together as members of V or support some leader who can be said to make decisions on behalf of V's political community. Rather, V's members start doing all these things, if they can do them at all, as members of A: By voting in A's elections and referenda or by engaging in processes of collective deliberation, possibly by forming the relevant collective intentions, together with the members of A. Thus, there is no longer a community V, whose will can be subjected to A's will. The former members of V have simply become members of A (or perhaps of a new political community formed by the merging of A and V). Here V fails to fulfil not only the authorship conditions, but also the agency condition. V no longer exists as an agent because the conditions of what it takes for V to be able to function as a group agent are lacking.

This is not what happens in cases of colonialism, as we have seen. When V is colonized by A, V persists as a distinct political community (the periphery), whose members keep interacting in the way described above, but the will of V is now subjected to the will of A (the metropole). The distinctive wrong perpetrated by A in this case consists not in destroying V's

³² As it was the case with Crimea, which despite constituting an "autonomous republic" with its own constitution, was an "inseparable constituent part of Ukraine" (Constitution of Ukraine, art. 134).

capacity to have a will, but in subverting V's capacity to exercise its self-determining agency, thereby subjecting V's will to A's. In this case, the authorship condition is unfulfilled, but the agency condition isn't.

To illustrate the difference between forcible annexation and colonialism, compare what happens to you if I put you in a permanent coma and if I hypnotize you. In the first case, your will is destroyed, and with it, your capacity to act as a self-determining agent. In the second case, you do retain that capacity, insofar as your will persists, but your will is now subjected, at least in part, to mine. Your capacity to exercise your self-determination is undermined in either case, but in very different ways. The distinctive wrong I commit when I hypnotize you consists in taking control of your deliberative process in a way that bypasses your capacity for rational reflection and deliberation.³³ When I interfere with your agency in this way, by hijacking your deliberative process, I usurp your decision-making power in a way that prevents you from being the author of your conduct.

This is the central component of the distinctive wrong perpetrated against a political community when it is colonized: When V is colonized by A, V is unable to fulfil the authorship condition because, insofar as A usurps V's decision-making power, the laws and the policies adopted in V can no longer be attributed to V's political community. Rather, those laws and policies are to be attributed, wholly or at least partly, to A (depending on whether it's a case of direct or indirect colonial domination). Moreover, and this is the second component of the distinctive wrong of colonialism, V has no claim against being displaced as the author of its own laws and policies, insofar as A's interference is enacted through A's exercise of its authority over V.

³³ For the notion of "bypassing", as I use it in this context, see Alfred R Mele, *Autonomous Agents: From Self-Control to Autonomy* (Oxford University Press 1995) 165–173; Blumenfeld (n 28).

This clarifies the difference between colonialism and further forms of wrongful interference with the autonomous agency of political communities, besides forcible annexation. Suppose, for example, that A coerces V to sell certain goods to A, or to adopt certain trade agreements or to pass laws that are in A's interest. A might do that by threatening V (either militarily, in the tradition of "gunboat diplomacy", or by using embargoes and other economic sanctions); alternatively, A might make a coercive offer to V (for example, by offering a loan that V desperately needs to cover its financial needs and avoid sovereign default). Either way, V's self-determining agency is undermined if V is put under an extraordinary amount of pressure to do something V wishes not to do.³⁴ But whether or not V acts as A demands, there is an important sense in which whatever V chooses to do is an expression of its self-determining agency. Even if V decides to give in and comply with A's demands, V's choice is an expression of its self-determining agency, insofar as it correctly reflects the way in which its members have interacted to determine what V should do. Whether they voted in a referendum, or the leader they support has decided on their behalf, or they followed some other deliberative procedure, what matters is that the inputs that generate the decision of V's political community are produced by its members and only by its members.

Obviously, in collectively deliberating about how to respond to the threat, V's members will have to take into consideration the negative consequences attached to non-compliance, but taking into consideration the negative consequences of our decisions is something that any responsible agent has to do when deliberating. While in this case V's choice is certainly coerced, it is V's choice nonetheless.³⁵ Not so, when V's capacity to exercise its self-

³⁴ Some deny that self-determining agency is undermined by coercive offers. If this is your view, consider the argument to follow as applying exclusively to threats.

³⁵ For a discussion of the notion of non-autonomous agency I employ here, see Sarah Buss, 'Autonomy Reconsidered' (1994) 19 *Midwest Studies In Philosophy* 95, particularly pp. 104-7.

determining agency is subverted. In that case, the way in which V decides to act cannot be properly described as V's choice, because the inputs that generated V's decisions do not come from the members of V, or at least not exclusively from them. Those inputs come, at least in part, from A and thus are, at least partially, an expression of A's will.

Once again, a parallel with exercises of personal agency should help: Contrast the case in which I force you to open the safe in your workplace by threatening to kill your children (or by offering you a life-saving drug that your children desperately need), with a case in which I get you to open the safe by taking control of your deliberation through the use of hypnosis. In the former case, the decision to open the safe is yours in an important sense. Whether it is best described as a course of action for which you have a justification or an excuse (philosophers disagree about this), the decision to open the safe can be properly attributed to you in the sense that it constitutes an expression of your autonomous agency. After all, in issuing my threat (or my coercive offer), I engage your rational agency.³⁶ While I shape the world so as to make it rational for you to act as I want, I leave it to you to decide how to respond to what I do, in light of the goals and the projects you set for yourself. This is confirmed by the fact that if you decide not to open the safe and, as a consequence, I kill your children, others could justifiably blame your decisions (in addition, of course, to blaming mine). Blaming you would be apt in this case, though mitigating circumstances might affect how much blame is warranted, because the choice to open the safe can be properly attributed to you.

The same would not be true in the case where I get you to open the safe by hypnotizing you. In this case, I take control of your internal mental processes in a way that bypasses your capacity to engage in practical deliberation and decide what to do in light of your projects and the goals you set for yourself. This kind of interference with your deliberative powers

³⁶ Thomas Schelling, *The Strategy of Conflict* (New Ed, Harvard University Press 1990).

undermines the attribution to you of the decision to open the safe. Blame or praise would not be apt here because the choice to open the safe cannot be plausibly understood as an expression of your self-determining agency. While in the previous case, you make your choice, although under duress, in this case the choice is no longer yours (or at least not fully yours, if my control over your deliberative process is only partial). Here too, the authorship condition is not satisfied. When I interfere with your agency in this way, hijacking your deliberative process, I usurp your decision-making power in a way that prevents you from being the author of your conduct.

One way to challenge this account is to point out that historically, colonial domination has often (though not always) been imposed on political communities whose members were already prevented from exercising their right to political self-determination by tyrants and local elites. Since these members already lacked the capacity to have any control over the local laws and the policies they were subject to, we might argue, how can the wrong of colonialism consist in depriving them of the capacity to exercise such control?³⁷

But the mere fact that this right was already being violated by local tyrants does not mean that it could not be also violated by the colonizers. Suppose that I take control of your process of personal self-determination by hypnotizing you. A second, more powerful, hypnotist then comes along and subjects you to his control, rather than mine. Even if at the time of his intervention you were unable to exercise your self-determining agency, clearly the second hypnotist violates your right to personal self-determination. Insofar as you do retain an interest in acting as a self-determining agent, as well as the capacity to do so, the second hypnotist wrongs you by taking control of your deliberation. Similarly, insofar V's members retain an interest in making decision together, as well as the capacity to interact as required by the

³⁷ I am grateful to Dan Jacobson and Leif Wenar for raising this objection.

interactional account (they haven't been exterminated or disbanded), they are wronged by A, if A prevents them from doing so. They are wronged even if at the time of A's intervention, local tyrants had already interfered with the capacity of V's members to fulfill the authorship condition.

A second, more serious, objection follows. We might now be tempted to think that there is no difference between the wrong that V's members suffer at the hands of a colonial power and the one they suffer at the hands of local tyrants. Either way, they are prevented from exercising their self-determining agency. If so, shouldn't we conclude that this wrong, while serious, is not distinctive of colonialism?

This would be too quick. While in both cases, V's members are unable to fulfil the authorship condition, they fail to do so in different ways. In one case, V's will is subjected to the will of another political community. V's process of political deliberation is hijacked from the outside, with another collective agent taking control of it. In the other case, what we have instead is a sort of internal malfunctioning, whereby some members of V (the tyrant and the ruling elite) have gained an excessive capacity to influence V's process of collective deliberation at the expenses of the other members of V. In the former case, V's decisions cannot be properly attributed to V, since they are to be attributed, at least to a significant extent, to A. In the latter, they are to be attributed to V.³⁸ Although most members of V have had their capacity to influence V's process of collective self-determination curtailed (while others have

³⁸ Provided that the regime is not so brutal as to preclude the minimal level of interaction required to trigger the agency condition. If it is, V will be unable to exercise its self-determining agency, though its members might retain a right to constitute a self-determining community. Elsewhere, I consider this sort of scenario and discuss the conditions under which humanitarian intervention to restore the conditions for political self-determination in V might be permissible (Renzo, 'Revolution and Intervention' (n 15) and Massimo Renzo, 'Helping the Rebels' (2018) 13 *Journal of Ethics and Social Philosophy* 222).

had the same capacity enormously increased), that process has not been hijacked by a different political community.

Of course, in some respect the two wrongs are similar, in that they both target the capacity of (most of) V's members to engage in a process of collective self-determination. But this shouldn't lead us to lose sight of the differences between the two. In one case, the wrong consists in violating the moral principle that gives political communities "the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development";³⁹ in the other case, the wrong consists in violating the moral principle that gives every individual the "right to take part in the government of his country, directly or through freely chosen representatives".⁴⁰ The former principle concerns the standing of peoples vis-à-vis the other members of the international community; the latter concerns the standing of individuals vis-à-vis the other members of the political community. Both wrongs are serious, but they are importantly different.⁴¹ Only one of them involves the subjection of the will of a political community to the will of a different one, which is the distinctive wrong that an adequate account of colonialism should capture.

³⁹ As per article 1 of the *Declaration on Principles of International Law Concerning Friendly Relations and Co-operation among States in Accordance with the Charter of the United Nations*.

⁴⁰ As per article 21 of the *Universal Declaration of Human Rights*.

⁴¹ It is not part of my claim here that this difference will be necessarily perceived as significant by the victims. Perhaps disenfranchised citizens will not care much whether their condition is the product of colonialism or domestic oppression. (Thanks to Laura Valentini for pressing this point.) This however, in no way undermines the significance of the moral distinction discussed in the text. Similarly, I might not care much whether I lack the capacity to act as an autonomous agent because I have been hypnotized by you or because I have accidentally intoxicated myself. Since either way, I will lack the capacity to autonomously choose how to act, I might be indifferent as to how this capacity is undermined. Still, the difference between these two cases is clearly morally significant.

5) Colonialism and Assimilation

The distinctive wrong of colonial domination consists in subjecting the will of a political community to the will of another one. When V is subject to A's colonial domination, V's capacity to exercise its self-determining agency is subverted because instead of being the expression of how V's members have exercised their own personal agency, V's decisions are determined, at least to some extent, by A. The main way to bring about this result, as we have seen, is to ensure that the decisions made by V do not reflect the inputs of its members, in virtue of the fact that those inputs have no weight –or possibly only limited weight– in V's deliberative process. Insofar as A's inputs concur to determine the outcome of the deliberative process, this outcome will reflect, at least to some extent, A's will.

A second strategy, used to reinforce this process, consists in ensuring that when V's members are allowed to have a say in V's deliberative process, their input is manipulated by A. This is what happens when colonial powers resort to forced assimilation of the colonized. For example, at the end of the 19th Century, full citizenship rights were extended by France to those members of its African colonies who converted to Christianity and adopted French values and customs. The creation of this class of “assimilé” was pursued in a number of ways, including forced conversion as well as the imposition of new social customs and new forms of education which involved, among other things, pressuring native chiefs to send their sons to France where they would be trained to become “valuable auxiliaries for French policy in Africa”. Ultimately however, it was mental and physical abuse that were used to realize the project of French assimilation. In the words of Arthur Girault, the author of the manual which was used to train colonial administrators:

If it is hoped to be able to inculcate [the natives] with our ideas and our customs, then one works zealously to make them into Frenchmen: they are educated, they are granted the right of suffrage, they are dressed in the European mode, our laws are substituted for their customs, and in a word, native assimilation is pursued. But if one despairs of arriving at this result, if they show themselves refractory toward our civilization, then, to prevent them from injecting a discordant note in the midst of the general uniformity, they are exterminated or pushed.⁴²

Girault's goal of "making the natives into Frenchmen" was meticulously pursued and ultimately realized to an impressive degree. In describing the policy of assimilation in 19th Century Senegal, historian Oludare Idowu presents the figure of the assimilé as follows:

He was like typical French citizen governed not by native law and custom but by the French codes. He was not a polygamist. Literate in French, he was expected to have contributed in his own way to the success of the mission civilisatrice in the colony. Thinking in French, living French, more at home in French society than elsewhere, he was expected to be in everything except in the color of his skin, a Frenchman⁴³.

⁴² The quote is from the English translation in Martin Deming Lewis, 'One Hundred Million Frenchmen: The "Assimilation" Theory in French Colonial Policy' (1962) 4 *Comparative Studies in Society and History* 129, 133. Similar strategies were pursued in other colonial contexts, such as the American colonization of the Sioux and the Russian colonization of the Kazakhs in the 19th century (Steven Sabol, *The Touch of Civilization': Comparing American and Russian Internal Colonization* (University Press of Colorado 2017)).

⁴³ H Oludare Idowu, 'Assimilation in 19th Century Senegal' (1969) 9 *Cahiers d'Études Africaines* 194, 205.

Thus, the condition on which the colonized were given the right to have a say in governing the political community, was that they started to think and act like Frenchmen. Instead of interacting with the members of their political community as they had done before becoming a French colony, they had to do so while behaving “like typical French citizen,” and they had to do so in order to contribute to the realization of the colonial project itself. This constitutes a further way of subjecting the will of colonized to the will of the colonizers. For even if the assimilé had a say in determining how their political community should rule itself, their input in this decision was not an expression of their autonomous agency, insofar as it had been manipulated by the French oppressors.

We have seen that the value of political self-determination is grounded in the value of personal self-determination: I have an interest in shaping the life of my political community by interacting with my fellow citizens so that the way in which the community acts reflects the way in which I have exercised my autonomous agency in collaboration with them. And we have seen that the values distinctive of the political community to which I belong play an important role in this process, because it is by appealing to these values that I can take part in the relevant deliberative process. (The interaction will be shaped differently, depending on whether the community I belong to is primarily egalitarian or inegalitarian, religious or secular, culturally homogenous or cosmopolitan, etc.) This process is corrupted if the values that I am forced to appeal to in exercising my self-determining agency are those that have been coercively imposed on me by the oppressors, so that I am forced to interact in ways that do not reflect who I am, but rather who my oppressors want me to be.

Here it is important to notice that although the policy of assimilation was realized via coercion, the assimilé were not simply acting under duress. If they had, we might still be tempted to regard the way in which they took part in the process of collective self-determination as an expression of their personal agency because, as we have seen, coercion reduces our

freedom, but does not prevent us from acting as self-determining agents. But the sort of violence employed in the process of French assimilation was more pervasive, in that it aimed at forcibly changing the identity of the natives into one that would align as closely as possible to the identity of their oppressors. Frantz Fanon, who examines some of these techniques in detail in the context of his influential discussion of the colonization of Algeria, describes them as “brainwashing techniques,” and offers the following example:

In centers such as that at Berrouaghia, subjectivity is not taken as the starting point for modifying the attitude of the individual. On the contrary, the body is dealt with: it is broken in the hope that national consciousness will thus be demolished. It is a thorough breaking-in. "Rewards" are taken to mean the absence of torture or the possibility of getting food to eat.

a) You must declare that you do not belong to the FLN.⁴⁴ You must shout this out in groups. You must repeat it for hours on end.

b) After that, you must recognize that you were once in the FLN and that you have come to realize that it was a bad thing. Thus, down with the FLN.

After this stage, we come to another: the future of Algeria is French; it can be nothing other than French. Without France, Algeria will go back to the Middle Ages. Finally, you are French. Long live France ⁴⁵.

Clearly, successfully undergoing a process of manipulation of this sort is incompatible with being able to autonomously participate in the kind of interaction required for political self-determination to be realized. Thus, far from being a way of enabling political self-

⁴⁴ The Front de Libération Nationale (FLN) was the main nationalist movement during the Algerian War.

⁴⁵ Frantz Fanon, *The Wretched of the Earth* (Constance Farrington tr, New Ed edition, Penguin 2001) 233.

determination, granting voting rights to those who undergo a process of this sort is a way to strengthen the subjection of the colonized to the will of the colonizers.⁴⁶

6) Conclusion

I have offered an account of the nature of colonialism capable of vindicating the intuition that colonialism is distinctively wrong. This is not meant to be an exhaustive account of why colonialism is wrong. Colonialism is also wrong to the extent that it typically involves the perpetration of crimes such as murder, exploitation, sexual violence or enslavement.⁴⁷ But a view that focuses only on these crimes would miss the central feature of the wrongfulness of colonial domination: The institution of an objectionable form of subordination of the colonized to the colonizers.

Philosophers have struggled to articulate the nature of this form of subordination. A prominent attempt to do so appeals to the notion of forced association, but I have suggested that this view should be rejected. The distinctive wrong of colonialism cannot simply be that it involves coercively subjecting the colonized to the authority of the colonizers, because this sort

⁴⁶ It is sometimes argued that the infliction of arbitrary violence should be acknowledged as a central component of the distinctive wrong of colonialism (Vittorio Bufacchi, 'Colonialism, Injustice, and Arbitrariness' (2017) 48 *Journal of Social Philosophy* 197). The arguments of this section show that this is true with respect to the violence employed by the colonizers to take control of the will of the colonized. Contra Bufacchi, this is not true with respect to arbitrary violence per se. Arbitrary violence is indeed often employed as a tool of domination, but not exclusively as a tool of colonial domination. (Domestic oppressors also resort to arbitrary violence to maintain their power.) Moreover, violence aimed at taking control of the will of the colonized could be deployed according to rules and procedures known to them, and thus not be arbitrary in Bufacchi's sense (ibid 206–7).

⁴⁷ In cases of settler colonialism, the taking of territory is a prominent further wrong associated with colonial domination. For a detailed discussion of this aspect of colonialism, see Margaret Moore, 'The Taking of Territory and the Wrongs of Colonialism' (2019) 27 *Journal of Political Philosophy* 87.

of treatment is also present in cases of forcible annexation. Rather, the distinctive wrong of colonialism is that it undermines the capacity of the colonized to exercise their self-determining agency as a political community in a particular way: The colonized are prevented from engaging in the sort of group agency required for them to be able to shape the future of their community in light of choices autonomously made. Instead, the laws and the decisions of their community are to a significant extent, possibly entirely, an expression of the will of the colonizers, who control the local process of collective deliberation through the exercise of their political authority. It is in this objectionable kind of relationship between the will of colonized and the will of the colonizers that the wrongfulness of colonialism ultimately lies.⁴⁸

⁴⁸ Earlier versions of this paper were presented at the University of Warwick's *Centre for Ethics, Law and Philosophy*; the University of Leeds' *Centre for Ethics and Metaethics*; the University of Surrey's *Centre for Law and Philosophy*; the National University of Singapore's *Centre for Legal Theory*; a conference on *The Public Uses of Coercion and Force* at the University of Amsterdam; the 2017 Annual Conference of the *Society for Applied Philosophy* at the University of Copenhagen; and as a *Current Legal Problems* lecture at UCL. It was also discussed at a delightfully noisy workshop in New Orleans. I learnt a great amount from all these audiences, as well as from further conversations with John Gardner, Gerald Lang, George Letsas, Dana Nelkin, David Owens, John Quong, Arthur Ripstein, Andrea Sangiovanni, Tommie Shelby, Andrew Simester, Adam Slavny, Victor Tadros, Patrick Taylor-Smith, Rosa Terlazzo, Pekka Väyrynen, Steve Wall, Leif Wenar and Lorenzo Zucca. I owe a special debt to Sarah Buss, Dan Jacobson, Holly Lawford-Smith, Simon Cabulea May, Kieran Oberman, and Laura Valentini, all of whom sent me detailed written comments, as well as to Kevin Toh and Lea Ypi who acted as reviewers for this journal. Finally, thanks to Olivia Pattison for excellent research assistance.