Ypi on Colonialism and Neocolonialism

Does the moral rejection of colonialism presented by Ypi justify the indictment of neocolonialism and similar ills presented at the end of her essay?

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Introduction

In her essay “What's Wrong with Colonialism” Lea Ypi presents an argument against colonialism that eschews the traditional anti-colonial justifications of either nationalism or territorial integrity, to instead present an argument from the perspective of a lack of equal political consideration. It is an argument heavily rooted in Kantian philosophy, specifically drawing upon his notion of “cosmopolitan rights” in the interactions between two groups of people who are not under the authority of the same state, to justify why colonialism is bad.

Whilst the essay has significant merit, it makes significant claims in its final sections about practices that involve relations between modern states, specifically colonial remnants like francafrique and neocolonialism, that I argue are not supported by the rationale presented in the text and are very hard to indicte morally using the Kantian framework that the essay implicitly supposes. In this essay I will firstly provide an explanation of Ypi’s arguments, with a focus to showing their reliance on a Kantian framework, and then demonstrate how using said arguments and a general Kantian viewpoint neocolonialism is morally permissible. It is important to note that this essay is not an apology or defence for neocolonialism, but rather an examination of how permissible it is using the arguments put forward by Ypi and the underlying Kantian ideas.

Ypi’s Argument

In her essay Ypi primarily seeks to first dismantle the argument against colonialism from the perspective of a territorial right, and then an argument against colonialism as an objectional political relation, using Kant’s ideas as a basis.

Firstly, it is worth reiterating the bounds and definitions of Ypi’s arguments, that I will generally adhere to in this argument. The aim of the argumentation is to present a normative critique of colonialism as an institution, in terms of what makes it inherently bad. It goes without saying that a great many acts of violence and sadism have been done in the process of colonialism which are all morally abhorrent in their own regards, but the aim of Ypi’s arguments is not to simply demonstrate that some colonisers do immoral things, rather that the very fundamentals of

colonialism are immoral. Secondly Ypi's argumentation covers all forms of colonialism, specifically including commercial colonialism and civilising colonialism.

I will not spend overly long on Ypi's arguments against territorial rights, as they are not particularly relevant to my main arguments, but as a brief summary is that many of the arguments have significant holes in them, and can (and often were) be used to justify colonialism rather than disparage it. To build a cohesive argument against colonialism using territorial frameworks requires self-referential arguments where a right to the land is used to justify why others cannot have a right to the land, or else you leave open significant areas where colonialism can be justified.

Instead, to remedy this, Ypi turns to what she calls "A Cosmopolitan Critique" of colonialism, which seeks to view colonialism as an unjust relationship between two parties. The critique directly draws upon Kant's idea of "Cosmopolitan rights" which are rights that are granted to all people, not those within a state and under the same jurisdiction, such as the right to be offered basic hospitality, the right to offer treaties or to offer trade, and similar requirements needed for a functional international system.

Under such a framework we can view colonialism as unjust not because the colonisers were violating some inherent right to the land that indigenous peoples met, but because they refused to engage with them as equals and establish a political association that treated both parties fairly. Under Kant's view that would require the creation of political institutions that govern the actions of both parties and ensure that they are seen to and treated equally, which is something that did not occur under colonialism. This argument also does not just admonish violence on behalf of colonisers, but also the myriad deceptive and unfair treaties and practices created to give a veneer of legitimacy by colonial institutions, but which actually allowed them to unilaterally impose their will, or at least grant them an unfair advantage at the negotiation table.

As a final point summating Ypi's work, in section X she discusses colonialism in the present and future, giving relatively minimally argued or supported examples of where she believes this framework could continue to apply, the two cases which are important for this essay are that of: francafrique or other similar remnants of colonialism, where independent former colonies retain a very close relationship with their former overlord that grants their former overlord significant influence over them due to economic and political capital; and neocolonialism, where major powers are able to use their economic or political capital to exploit less developed nations for economic gain or to gain political capital. The purpose of this essay is to argue against these fairly cursory claims, and demonstrate why the idea of Kantian Cosmopolitan rights do not make such practices morally impermissible.

Argument

The basis of fair agreement

Firstly, it is important to establish what makes a permissible relationship under the framework Ypi put forward. If we are to take the notion of Kantian political philosophy at face value then it is perhaps possible to argue that there exist no modern international institutions which satisfy Kantian requirements, as Kant himself was a proponent of an international union that had coercive power, which is not an entity which exists as we know it even today. It is necessary therefore to establish levels of acceptability, between this idealised Kantian international federation and the state of inequality under colonialism.

Given the massive range of possible relationships that can exist between polities (be they formal states or loose tribal affiliations) it is fairly hard to establish an all-encompassing set of criteria that cover all requirements of a fair relationship. We can at minimum say that any agreement must have uncoerced consent of both parties, which does provide us with some basic criteria: for consent to be given both parties must understand the matter at hand, relying on the naivete of one party as to what is being offered or asked is not allowed, and must be truthful, deception or translation “error” is not permissible. For it to be uncoerced the threat of violence must not be present, nor the understanding that not accepting the offer would cause further harm to one party. We can also assert that any agreement requires the institutional ability to adjudicate, administrate, and enforce the terms of any agreement, else it is simply empty words.

It is likely Kant would require of us a body capable of doing such things, but as mentioned earlier such an institution has never existed (at least in terms of true coercive power) and for the sake of making a reasonable argument it is hardly possible to make the claim no agreement has ever been fair. It is therefore necessary to make a concession that we must rely on the parties to act in good faith, that is to use their unilateral wills to support the agreement, and the establishment of whatever administrative mechanisms are needed to achieve the goals of a treaty, be it informal assignment to some functionary or an independent secretariat and governing body. However, if parties choose to act in bad faith and interpret such agreements unilaterally and in a way that benefits them we can reasonably say that such agreements are unfair and violate the other party’s cosmopolitan rights.

The modern international political system

With that out of the way, we can now use such a lens to view the modern international political system, and how permissible the relationships presented by Ypi are. The first, and perhaps biggest difference, between the modern international political system and the one presented by Ypi is that of consent, and the ability to give as such. In a post WW2 world there exist very few to no polities able to entreat on an international level and which do not understand the nature of modern politics or what is written on a treaty. That's not to say the imbalances of information do not exist, any two parties engaging in a negotiation will have an imbalance of what they know, but rather that there are not fundamental imbalances in either parties ability to understand the information being put forward. A Chinese company acquiring land for mining in an African country today is engaging with individuals who are aware of how resource rights work, how land ownership works, what mining and industry are, and many other basics that make them able to agree to such a treaty, in a way that an individual who comes from a society that lacks land ownership or industrial activity could not.

Additionally, in the modern world there exists significant infrastructure around how international trade and diplomacy is handled. Historically any treaties must be adjudicated by the relevant parties, or a neutral 3rd party state, which allowed for unfair practices by a powerful colonising force against a less powerful colonised people, even when signing treaties that are ostensibly fair on paper. In comparison the modern world has the United Nations with the International Court of Justice, the World Trade Organisation to handle trade disputes and many other minor and major bodies that handle disagreements and arbitration of international agreements. When two nations enter into a treaty today they are doing it with the apparatus of international governance as a structure for administration supporting it.

This removes many of the possible concerns we could have between two parties that engage in treaty with each other, leaving the only real concern to be violence, in both the coercion of treaties and the coercive force to maintain them. In the first instance, such coercion is mostly discouraged by the international status quo. Using violence to enforce your will upon another nation is generally going to make you an international pariah, as we have seen with the recent conflict between Ukraine and Russia, and so treaties tend to be agreed upon without threat of violence. This is not all treaties, and so it is not that colonialism does not exist, but it is not an accepted international norm. The second area, coercive force, is more complex. Because the United Nations lacks any organic military capabilities and relies on member states to enforce any directives, when a treaty is signed, even if adjudicated by the ICJ, a party can simply ignore the treaty being the more powerful party, and continue to act as if nothing happened. For the classic example, the US maintains Guantanamo Bay on the island of Cuba despite the many protests of Cuba because they simply cannot be forced to leave in any practical manner.

This grants us a very narrow window of what kind of practices could be considered colonialism under our current international political system, either treaties coerced through violence, or treaties where one party chooses to ignore their obligations due to an inability to coerce the other party. However neither of these apply to the examples given to us by Ypi seem to fit these

definitions. In both the case of francafrique and of neocolonialism the two parties are engaging in treaties that they mutually consent to, and which are not coerced by any kind of violence.

The inequality that Ypi refers to, in both cases, is one of an imbalance of power between the two parties, but an imbalance of power does not under our current Kantian framework make anything impermissible. To use the example of francafrique, France's significant economic, political and military power (in the sense of support, not coercion) are beneficial to the nations that remain in the bloc, at the cost of accepting some level of French influence and following French policy directions. This is a position France only was able to put itself in because of its colonial past and significant power disparity, but each of these nations is fully able to review the situation, weigh the cost and benefit of the arrangement and decide to agree or disagree with it. To claim that this situation is immoral would require an implication that any kind of power imbalance or advantage in negotiation a nation has is somehow coercive, which would make all treaty coercive and international diplomacy null and void.

The leap that Ypi implicitly makes that isn't substantiated or really defensible in this final section is equating the equality of structural treatment earlier, the same rights to engage in treaty as equals, with an equality of resources and power, an entirely different kind of equality. Kant is concerned with a system that treats individuals equally structurally, in their ability to use their wills freely, and not with the consequences of how their wills may actually play out in reality when they have access to different material resources. When we extend this to the idea of relations between colonisers and existing indigenous polities we can track this structural inequality in the way indigenous people were not given the right to engage in treaty with Europeans fairly and were treated as mere obstacles, but when we enter the sphere of modern international politics the frameworks of diplomacy and cooperation built up over the centuries largely washes that argument away.

Conclusion

In conclusion, I have shown in this essay how Ypi's assertions about extrapolating her arguments against colonialism to modern neocolonialism or colonial remnants does not hold due to the way the modern international political system works, and instead relies on a fundamentally different notion of equality than her original Kantian based ideas.

References

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