

The Incoherence of Empire. Or, the Pitfalls of Ignoring Sovereignty

Andrew Dilley, University of Aberdeen

Jon Wilson, King's College London

Abstract

Dominant conceptions of the history of the British Empire assert that empire was a coherent phenomenon and maintain the coherence of their subject matter by treating empire as a metaphor for broader conceptions of power. Influential histories of empire since the 1950s do not present empire as a phenomenon in its own right, and collapse into other totalising meta-concepts such as global capitalism or western cultural dominance. Challenging such approaches, this article argues for the return of an essentially political definition of empire with sovereignty at its core, which recognises that British assertions of sovereignty were incoherent, multiple, and mutually incompatible with one another. Tracing the history of conflict between different idioms of sovereign authority, it shows how the British empire was defined by a series of mutually self-contradictory ideas about what it was. It suggests that a recognition of the incoherence of imperial sovereignty offers new, more nuanced, readings of central concerns in the literature such as imperial violence and the economics of empire.

As the British empire was an historic growth, corresponding to *no* principle, the application of any principle whatever to it would at once torpedo it.

Israel Zangwill, *Principle of Nationalities*, 1917, 34

I

The sun has risen once again on the British empire. Empire is intractably entangled with present-day concerns. Topics as seemingly diverse as the waxing and waning of American hyper-power, global poverty, gender and racial inequality, the politics of terrorism, the constitutional integrity of the United Kingdom, Brexit, even the architecture of Oxford

University are connected to and connected by readings of the history of empire.¹

Undergirding the apparent contemporary relevance of empire, from the political right to left, Niall Ferguson to Seamus Milne, is the premise that the British empire was a coherent phenomenon: a singular structure that extended throughout the globe and endured through time with after-effects which last until now. In practice imagining empire as a unified phenomenon is only possible by turning the concept into a metaphor, a synonym for something else such as modernity, globalisation, capitalism or the cultural dominance of Europeans. Empire has lost any sense of being a phenomenon in its own right. It ends up being collapsed into some other totalising meta-concept, become a diffuse term for global economic or cultural power. The price we pay for empire's artificial coherence is an idea that floats freely from any kind of empirical specificity, which has little analytical rigour, and has content and borders that are impossible to delineate. The presumption of empire's unity is bad history. It leads to misleading parallels in the present and obstructs contemporary understandings of the causes of poverty, inequality and violence.

In place of abstract unverifiable meta-histories, this article argues for return to the language which contemporaries used to understand empire. 'Empire', we argue, was a political concept: it described, and should be used by scholars to describe, the ways first Englishmen then Britons asserted sovereign authority throughout the world. To study empire is, unavoidably, to study this global assertion of sovereignty, not global meta-power.

This emphasis on political power and authority forces us to recognise the incoherent, multiple, and often contradictory forms imperial sovereignty assumed and their attendant consequences. English and then British idioms of sovereignty were varied and different; there was no single British way of claiming territory. The 'British empire' was a hodgepodge of different lands and societies, all ruled through different forms of government with differing claims to political power, with no single set of interests or ideology. The crown provided the only possible symbol for the undefinable unity of the empire. But the monarchy simply

¹ For a useful overview, see P. Murphy, *The Empire's New Clothes: The Myth of the Commonwealth* (London, 2018), chapters 5 and 8. For Empire and Brexit, see Dorling, D. A. and S. A. Tomlinson, *Rule Britannia: Brexit and the End of Empire* (London, 2019). See also, Kennedy, D., 'The Imperial History Wars', *Journal of British Studies*, 54 (2015), pp. 5-22.

provided an undefined standard around which different claims to sovereignty could muster.² The plural life of imperial sovereignty meant ‘the empire’ could never be a single power, space, or set of networks; it was not even a single ‘project’.³

The plurality of claims to sovereignty made within the British empire were not merely a by-product of the *ad hoc* process of acquisition or a marker of the diversity of the peoples British rule was extended over. They defined the very essence of Britain’s empire, as different idioms (anatomised below) emerged in contrast and opposition to one another. Specific to only one time and place, each one of the multiple idioms of imperial sovereignty nonetheless purported to speak about empire as if it was a single entity, claiming that their logic was the sole justification for any kind of imperial power. More than anything else, the British empire was defined by a series of mutually self-contradictory ideas about what it was.

In order to function, Britain’s empire relied on the demarcation of different rules and different political philosophies for different spaces. But permanent separation was impossible. Tension between different forms of political authority occurred within the same territories from the start. Large-scale crises, especially global wars in the eighteenth and twentieth centuries, forced different regions into contact and therefore conflict. Contests over sovereignty, inherent in the plural nature of the empire, defined the empire as a political field and a historical entity. The history of the British empire ought to involve tracing the outworking of the empire’s inherent incoherence, an incoherence never more prominent than at the empire’s end.

II

Few areas of historical enquiry struggle more with their own conceptualisation than British imperial history.⁴ Since the 1950s the field has struggled between a centrifugal tendency to

² Something never more apparent than at empire’s end. See P. A. Murphy, *Monarchy and the End of Empire: The House of Windsor, the British Government, and the Post-War Commonwealth* (Oxford, 2013).

³ J. Darwin, *The Empire Project: The Rise and Fall of the British World-System, 1830-1970* (Cambridge, 2009).

⁴ C. A. Bayly, *The Birth of the Modern World, 1780-1914: Global Connections and Comparisons* (Oxford, 2004), p. Get PP to discussion of theorisation of empire.

split into distinct seemingly unconnected parts, a tendency generally treated with concern by ‘imperial historians’ (and to which we return below), and a countervailing search for a means to define a stable and coherent object of study, and hence to still present ‘the British empire’ as a single unified force in the world.⁵ This concern with the coherence of empire has often been coupled with an interest in the contemporary relevance of imperial history. To preserve the unity and relevance of its study, empire is associated with some far more vague and abstract category which is seen to endure into the present day, whether capitalism (in different varieties), globalization, modernity or western civilization. Most importantly, the history of political institutions has been neglected, because focusing on it would offer too much plurality for a holistic form of analysis. Yet with no stable referent, the result is a debate in which, at times, moralising replaces rigorous empirical enquiry.

The apotheosis of imperial history’s search for both unity and relevance over the last few decades was Niall Ferguson’s television documentary and popular book, *Empire: How Britain Made the Modern World*, broadcast and published in 2003.⁶ Ostensibly, with its concern to draw parallels between the violent assertion of US power and the British empire, Ferguson’s account is an effort to put political power at the centre of analysis. But *Empire* (as also Ferguson’s later work) re-iterated arguments taken from cold-war modernisation theory that offered an account of the unidirectional creation of free markets and bureaucratic institutions on a civilizational scale, in which the place of political power is hard to pin down.⁷

⁵ G. Martin, 'Was There a British Empire?', *Historical Journal*, 15 (1972), pp. 562-569; D. K. Fieldhouse, 'Can Humpty-Dumpty Be out Back Together Again? Imperial History in the 1980s', *Journal of Imperial and Commonwealth History*, 12 (1984), pp. 9-23; A. Thompson, 'Is Humpty Dumpty Together Again? Imperial History and the Oxford History of the British Empire', *Twentieth Century British History*, 12 (2001), pp. 511-527. The Oxford History of the British Empire, and its companion series, while seemingly presenting a coherent field in fact presented sequential and weakly connected thematic and area specific essays. See W. R. Louis ed., *Oxford History of the British Empire*, 5 vols. (Oxford, 1999).

⁶ N. Ferguson, *Empire: How Britain Made the Modern World* (London, 2003).

⁷ W. W. Rostow, *The Stages of Economic Growth: A Non-Communist Manifesto* (Cambridge, 1960); M. Connelly, 'Taking Off the Cold War Lens: Visions of North-South Conflict During the Algerian War for Independence', *American Historical Review*, 105 (2000), pp. 739-769.

Ferguson defined his project (to restore ‘balance’ and assert empire was on balance a ‘good thing’) against a supposed consensus that the empire existed and was a hence ‘bad thing’.⁸ He seemingly had in mind post-Marxist arguments that empire (or rather a nebulous ‘world system’) promoted not modernisation through promoting engagement with global trade but exploitation and ‘under-development’ in Latin America, Africa, and Asia by the domination of these countries by a European/North American core.⁹ This literature asserted the coherence of empire by rejecting much Marxist thought on the centrality of modes of local production (as opposed to modes of global exchange) in shaping history through class struggle.¹⁰ The nature of global power was defined every bit as vaguely in Dependency and World Systems Theory as it is in Ferguson’s *Empire*. Indeed *Empire* is little more than an assertion of the virtue of global power as described and criticised by much supposedly Marxist writing on ‘Empire’.¹¹

Before September 11 2001 brought the state back into to the centre of analysis, a generation of scholarship marginalized global political economy and instead asserted the coherence of empire through culture. For example, Edward Said and historians writing in his wake associated empire with a broader cultural domination propagated by non-state actors (in Said’s case particularly universities and research institutions) loosely attached to the actions

⁸ The balance sheet approach reminiscent of a faux exam question in *1066 and All That* has a siren-like effect on the field.

⁹ W. Rodney, *How Europe Underdeveloped Africa* (Washington, 1981); A. G. Frank, *Capitalism and Underdevelopment in Latin America. Historical Studies of Chile and Brazil* (New York & London, 1969); I. M. Wallerstein, *The Modern World-System*, 3 Vols. (London, 1974-1989); S. Amin, and B. Pearce, *Accumulation on a World Scale: A Critique of the Theory of Underdevelopment* (New York ; London, 1974).

¹⁰ For an incisive overview, see A. Brewer, *Marxist Theories of Imperialism: A Critical Survey* (London, 1990). See also R. Brenner, 'The Origins of Capitalist Development: A Critique of Neo-Smithian Marxism', *New Left Review*, 104 (1977).

¹¹ For the apotheosis of sinister vagueness, see, M. Hardt and A. Negri, *Empire* (Cambridge, Mass.; London, 2000), which strangely transplants the term empire into the post-decolonisation world.

of an imperial regime.¹² Anthropologists such as Jean and John Comaroff saw imperialism as a process of asserting the cultural ‘hegemony’ of the ideologies of European capitalism, undertaken by missionary institutions more than by soldiers and officials.¹³ Similarly, the ‘new imperial history’ emphasized the place of cultural categories defined through empire, particularly race and gender, in metropolitan life, again focusing on non-governmental institutions: private networks, public scholarly associations, universities, research centres, churches, clubs, missionary societies and so on. These different strands of argument corralled empire into a unified, coherent field that was focused on ideas of racial otherness with little or passing reference to political forms.¹⁴ In imperial studies the cultural turn’s strange neglect of political culture left the proposed object of study (empire) without tangible definition even though it was not entirely displaced by something else. Empire appeared as a series of representations with no plausible account of the political institutions able to enforce them.

The ‘cultural turn’ in imperial history rejected a British ‘liberal’ tradition of imperial history supposedly narrowly concerned purely with political power.¹⁵ To be sure power (in a diffuse sense) was a central concern in this literature. But a careful reading shows that imperial historians from the mid-twentieth century onwards, where they sought to generalise, also tended to disregard the study of political institutions in detail, replacing a consideration of these with a meta-debate (with the Marxists and post-Marxists) about the relationship between capitalism and imperialism, the latter category used vaguely to cover a large swathe of British international relations in the extra-European world.¹⁶

¹² E. W. Said, *Orientalism* (London, 1978); E. W. Said, *Culture and Imperialism* (London, 1993).

¹³ J. Comaroff and J. L. Comaroff, *Of Revelation and Revolution: Christianity, Colonialism, and Consciousness in South Africa* (Chicago, 1991).

¹⁴ K. Wilson (ed), *A New Imperial History: Culture, Identity, and Modernity in Britain and the Empire, 1660-1840* (Cambridge, 2004).

¹⁵ D. Kennedy, 'Imperial History and Post-Colonial Theory', *Journal of Imperial and Commonwealth History*, 24 (1996).

¹⁶ A. Dilley, 'Capitalism and Imperialism', in J. M. MacKenzie and N. Dalziel, eds., *Encyclopedia of Empire* (New York, 2016).

A close reading of the field's foundational text, Gallagher and Robinson's 'Imperialism of Free Trade' highlights the point. Their article initially defined their project against earlier imperial histories which approached empire through the 'racial and legalistic concept which inspired the imperial federation movement'.¹⁷ They were, rightly, sceptical of the coherence supposedly imparted to empire in such political and institutional accounts. But rather than (as we shall) exploring the contradictions which sovereignty necessarily entailed, they rejected the category of the political entirely and redefined empire with a much looser conception incorporating all forms of power short of annexation. In order to save the unity of their subject matter, Robinson and Gallagher asserted that so-called 'informal' and 'formal' empire were interchangeable sub-categories of a larger and broader process, 'imperialism', defined as the 'sufficient political function of ... integrating new regions into the expanding economy'. Imperial history only had coherence with reference to the history of what has now come to be called globalisation. Yet as many scholars have subsequently challenged, the result was an account which offered no concrete account of the mechanism by which British power was asserted.¹⁸

Their successors, Cain and Hopkins, in their gargantuan study, *British Imperialism* (not empire) took this approach to its logical conclusion. For all the differences of interpretation, Cain and Hopkins essentially distilled Robinson and Gallagher's definition of imperialism, merely changing the particular inflection of their antecedents' economic analysis. Sovereignty features in their account as follows: '[t]he distinguishing feature of imperialism is not that it takes a specific economic, cultural or political form but that it involves an incursion, or an attempted incursion, into the sovereignty of another state'.¹⁹ 'Sovereignty' here is something only violated by imperialism not integral to its operation, something sacrificed in any power imbalance vaguely discernible to a historian rather than a positive entity embedded in tangible political institutions.

¹⁷ J. Gallagher and R. Robinson, 'The Imperialism of Free Trade', *Economic History Review*, 6 (1953), pp. 1-15 at pp. 1-2.

¹⁸ *Ibid.*

¹⁹ P. J. Cain and A. G. Hopkins, *British Imperialism, 1688-2000* (Harlow, 2001), p. 54.

John Darwin's recent trilogy on empire offers the latest product of the Gallagher and Robinson tradition, and offers some of its most nuanced and persuasive arguments.²⁰ His emphasis on the incomplete nature of empire is helpful in challenging the tendency to treat empire as a unidirectional meta-phenomenon.²¹ Yet just like his predecessors, Darwin creates a coherent entity by diminishing the importance of political institutions. The *Empire Project* is concerned with the rise and demise of a diffuse 'world system' geared towards a nebulous kind geopolitical supremacy. Darwin's earlier analysis of the pluralism of sovereign imperial institutions is suppressed by their location within a nebulous total 'system' of global British power.²²

The main varieties of imperial history written since 1953 have not been analyses of empire at all. Diffuse and hard to define forms of global power have remained the true subjects of analysis. On a charitable reading, the Robinson and Gallagher tradition might best be understood as a global history of the conditions in which empire might arise, not of empire itself.²³ Yet at the same time, the result has been a kind of nominalism which suggests contemporary concepts of 'empire' did not create a subject worthy of study, and that the categories through which people experienced their lives need to be rejected in favour of one or another arbitrary definitions invented by scholars. In the founding text of modern imperial history, Gallagher and Robinson made this precise point. 'The imperial historian', they say, 'is very much at the mercy of his particular concept of empire'. '[H]e [sic] decides what facts are of 'imperial' significance'. Yet Gallagher and Robinson offered little justification for

²⁰ J. Darwin, *After Tamerlane: The Global History of Empire since 1405* (London, 2007); J. Darwin, *The Empire Project: The Rise and Fall of the British World-System, 1830-1970* (Cambridge, 2009); J. Darwin, *Unfinished Empire: The Global Expansion of Britain* (London, 2012).

²¹ Darwin, *Empire Project*.

²² J. Darwin, 'A Third British Empire? The Dominion Idea in Imperial Politics', in J. M. Brown and W. R. Louis, eds., *Oxford History of the British Empire: The Twentieth Century* (Oxford, 1999).

²³ Best displayed in continuing concern to explain the partition of Africa, see R. Robinson, J. Gallagher and A. Denny, *Africa and the Victorians: The Official Mind of Imperialism* (London, 1961); J. Darwin, 'Imperialism and the Victorians: The Dynamics of Territorial Expansion', *English Historical Review*, 112 (1997), pp. 614-642.

their particular version of the imperial truth other than their own unassailable intellectual confidence.²⁴

Robinson and Gallagher's intellectual nihilism was unnecessary and avoidable. 'Empire' was a term present in the language of contemporary historical actors, both European and non-European, and thus in the archival record.²⁵ It referred to finite (if multiple) sets of real claims and practices, concerned not primarily with cultural and economic dominance but assertions of sovereignty and hence political authority. Naturally as a result, sovereignty and law have never been entirely absent from the more detailed literature which has remained in closer touch with contemporary archives and rhetoric. Historians of decolonisation for instance study a subject framed by transfers of sovereignty, notwithstanding a persistent tendency to seek to move beyond such 'narrow' definitions.²⁶ There has, more recently, been a growing attention to the role of law in the history of empire, which necessarily emphasises empire's lack of coherence. Lauren Benton's work in particular prefigures elements of our argument by highlighting the role of plural forms of law in the making of empire and the global matrix of institutions within which empire operated. Crucially, she has recognised that 'multisided legal contests were simultaneously central to the construction of colonial rule and key to the formation of larger patterns of global structuring. Precisely because imperial and colonial polities contained multiple legal systems, the location of political authority was not uniform across the international system'.²⁷

²⁴ Gallagher and Robinson, 'The Imperialism of Free Trade', at p. 1.

²⁵ Occurring for example in 371 separate parliamentary papers that have 'India' in the title between 1860 and 1900, or in 136 which have 'British North America' or 'Canada' in their title between 1860 and 1940.

²⁶ J. Darwin, 'Decolonization and the End of Empire', in R. W. Winks, ed., *Oxford History of the British Empire: Historiography* (Oxford, 1999), pp. 541-557; A. G. Hopkins, 'Rethinking Decolonization', *Past & Present*, 200 (2008), pp. 211-247.

²⁷ L. A. Benton, *Law and Colonial Cultures: Legal Regimes in World History, 1400-1900* (Cambridge, 2002), p. 3. See also L. A. Benton, *A Search for Sovereignty: Law and Geography in European Empires, 1400-1900* (Cambridge, 2009); Z. Laidlaw, 'Breaking

The real problem has been that the most influential arguments about empire at more than a micro-scale try to make coherent claims about global power while continuing to associate those claims with the British empire as an historical entity defined by sovereignty. The revival of interest in law and sovereignty has not yet uprooted the conceptual foundations of imperial meta-histories. Drawing on the work of Benton and others, we here re-assert the centrality of sovereignty in conceptualising the field. Sovereignty and power are not unconnected, but they are not the same thing. The assertion of empire is not merely a synonym for the assertion of power but is something worthy of study in its own right.

IV

Sovereignty is a concept which has long perplexed both historians and political philosophers leading many to reject it entirely, not least those during the last few decades who have argued it has no relevance to the history of empire. Yet despite confusion, it has never disappeared, for the simple reason that sovereignty is the most important way people discuss the final and ultimate form of legitimate power.

Perplexity about sovereignty occurs for two sets of reasons. First, sovereignty involves a set of ideological claims about who or what legitimately possesses authority; but it also requires really-existing institutions to, more or less, give those claims some kind of practical basis. It is, to use the language of political philosophy, both normative and factual; indeed its purpose is to mediate between the two. Effective force on its own is not sovereignty; gangsters are not kings. But a legitimate claim on its own is not sovereign power; neither the king in exile, nor the nationalist party in waiting is sovereign until they are able to control the institutions of administration.

Secondly, sovereignty makes claims to both internal and external validation which can be very different from one another. European powers recognised their sovereignty over each others' empires, as if each piece of imperial territory was a similar kind of entity. But the claims to legitimacy made within each particular territory might be very different. Externally recognised imperial sovereignty often co-existed with the limited assertion of power on the

Britain's Bounds? Law, Settlers, and Space in Britain's Imperial Historiography', *Historical Journal*, 55 (2012), pp. 807-830.

ground; sometimes involving little more than ambiguous agreements with local political hierarchies. The form of empire at any one moment was shaped by the complex and highly variable way claims to sovereignty were made and practiced.

Common to all claims to imperial sovereignty is a compelling (however compulsion is obtained) claim about who or what possesses ultimate authority. As the mid twentieth-century historian of international relations F.H. Hinsley put it, the claim to sovereignty is made by offering a ‘restatement of the permanent problem of deciding the basis of government and obligation within a political community’; of determining with whom the ‘buck stops’ to quote the famous sign on President Truman’s desk.²⁸

Michael Freeden points out that these claims to ultimate authority are usually made in time.²⁹ Arguments about who possesses final authority rely on stories about how that authority was first created: the ‘last instance’ is a moment when authority reverts back to its starting point. The disparate territories of the British empire shared their common submission before the crown, but they articulated very different stories about *how* the authority of the crown was created in each case. The result of these different historical claims was that the configuration and location of authority within the political community were configured in radically different ways in different territories. These historical and contemporary claims were so different, in fact, they were incapable of being thought about together.

The territories which composed the British empire went under a bewildering variety of names: dominions, colonies, protectorates, condominiums, mandates, dependencies, treaty ports, territories and the like.³⁰ The language used to describe the relationship between Britain and its imperial territories matters, because it expressed the plural forms in which British sovereignty was expressed, and sovereignty was the only force that bound imperial

²⁸ F.H. Hinsley, *Sovereignty* (2nd edition, Cambridge, 1986), p. 26

²⁹ Michael Freeden, *The Political Theory of Political Thinking. The Anatomy of a Practice* (London, 2013), pp. 119-122

³⁰ J. Darwin, 'Britain's Empires', in S. E. Stockwell, ed., *The British Empire: Themes and Perspectives* (Oxford, 2008); M. I. Finley, 'Colonies: An Attempt at a Typology', *Transactions of the Royal Historical Society*, 26 (1976), pp. 167-188.

territories together. These concepts of sovereignty emerged from but also shaped institutions and practices of governance.

The basis for our analysis is therefore a typology of the British empire's different claims to sovereignty, each of which was made in different kinds of story about how authority was acquired. This is not to reproduce the reductionist meta-geographies or meta-chronologies often used to impart false coherence to the history of empire: settler/self-governing vs dependent/despotic; first, second, third, (even!) fourth British empires. Rather it is to describe the different main and competing forms claims of sovereignty could take. Within any location they almost always co-existed, shifted and clashed, with no one form inevitably gaining dominance. And there is no coherent framework for determining which apply when and where.

The starting point within our typology needs to be the early modern English crown's claim to imperial authority over the independent, unitary realm of England itself. Most famously articulated in Henry VIII's Act in Restraint of Appeals (24 Henr. VIII c.12), the claim to empire had made from the late fourteenth century onwards, when English alongside other European kings began to wear the 'closed' crown in the style associated with the Holy Roman Emperor. Used to argue that they possessed a similar status as other European monarchies, England's imperial statutes gave its monarch ultimate authority, in the process too defining a territorially-defined political community, 'a body compact of all sorts and degrees of people' which had a duty to obey the crown. In this idiom, the claim of unitary absolute monarchical authority relied on no single founding moment, but appealed to a history of continuous kingship, citing 'divers sundry old authentic histories and chronicles' to prove the continuity of English kingship well before the Norman conquest.³¹

A second rival claim, particularly popular during Britain's civil wars, founded sovereignty on the will of a people, and then made the crown's authority conditional on the monarch's conformity to popular wishes. Here the people existed as an organised, territorially-defined entity that gave the crown its authority, but constituted the first and final arbiter of political

³¹ David Armitage, *The Ideological Origins of the British Empire* (Cambridge, 2004), p.34; David Armitage, 'The Elizabethan Idea of Empire', in *Transactions of the Royal Historical Society* 14 (2004), pp.269-277.

decision-making. Like the Henrician monarch, this republican, self-governing people claimed a continuous existence before memory or written record, with the Norman conquest sometimes seen as an illegitimate usurpation.³².

The invocation of an imperial monarch or imperial people were initially claims to English, (or later British sovereignty) over the people in England, and later the United Kingdom. But both forms of sovereignty were transferred outside Europe, through conquest, settlement and often unequal acts of voluntary cession. These claims justified the attempt to assert domination, often through violence, of people and territories throughout the world. But they did so in different and mutually incompatible ways, which created very different relationships with local and migrant populations, and between overseas territories and the imperial metropolis.

Conquest, our third archetype, is often neglected as a source of sovereign political authority; some scholars argue indeed that it needed to be ‘masked’ by other principles of legitimacy. But the violent subjugation of local states and peoples was an important principle which Europeans used to justify the establishment of sovereignty in non-European societies, most importantly the Spanish in America and the British in India, until at least the early twentieth century.³³ As the United States Supreme Court acknowledged in 1832, ‘power, war, conquest, give rights, which, after possession, are conceded by the world’. Sovereignty erected through conquest relied on a story about an originary conflict and a moment of defeat and submission in which authority was transferred to a new state. The consequences were complex and ambivalent. Sometimes, conquest annihilated all prior political forms and to introduce the law of conqueror unconditionally. Otherwise, the customs or laws of the defeated were supposed to be recognised. The point worth emphasizing is that British political actors from Ireland to India saw conquest as an act which created rights. During the

³² Lorenzo Sabbadini, ‘Popular sovereignty and representation in the English Civil War’ in Bourke and Skinner, pp.164-186.

³³ For example, Mark Wilks, *Historical Sketches of the South of India* (1820), I, 438-442; William, H. Prescott, *History of the Conquest of Mexico* (London, 1843), II, 43. For conquest in East Africa, see J. Lonsdale and B. Berman, *Unhappy Valley. Conflict in Kenya and Africa* (1995), pp.13-44.

eighteenth century the nature and consequences of Ireland's conquest was debated. British administrators in India too debated the particular rights which conquest gave them, from the early nineteenth century declaring to many local populations that territory had been conquered by the British government.³⁴

If conquest was the extra-territorial equivalent of monarchical absolutism, our fourth archetype, settlement, once called colonization, was the extra-territorial equivalent of popular sovereignty. Conquest relied on a prior political hierarchy which could submit. Settlement depended on the settlers' denial of the existence of prior, legally-constituted political authority. That denial relied either on the fiction of *terra nullius*, empty land, or that land 'not possessed of any Christian Prince' had no legitimate regime upon it. In practice, settlement depended on the eviction or annihilation of existing people. This meant the sequence by which contemporaries described the emergence of sovereignty through settlement in histories of empire was often complex. The early twentieth century Cambridge *History of the Australasian Colonies* described British sovereignty in North America as not being acquired 'by accident of dynastic title' but through the migration of 'communities of kindred blood'. But sovereignty in New South Wales began with military power, but was transferred to a migrant population as free, non-convict settlers moved in greater numbers. This form of sovereignty involved 'a movement of population and an extension of political power', as an early twentieth century textbook put it.³⁵ Settlers constituted themselves as distant citizens of the imperial homeland. They then tended to define their citizenship through their racial difference from 'local' populations, and their common labour in the creation of a settler society.³⁶

³⁴ Sharon Korman, *The Right of Conquest* (Oxford, 2003), p.46. Jacqueline Hill, 'The Language and Symbolism of Conquest in Ireland, c.1790-1850', *Transactions of the Royal Historical Society* 18 (2008), pp.165-86; for example 'Proclamation of Mountstuart Elphinstone to the Landholders of the Deccan on its Conquest', 11 Feb 1818, *Parliamentary Papers* HC 1857-8, vol.43, p.85

³⁵ Edward Jenks, *A History of the Australasian Colonies* (1912); Albert Kenner, *Colonization* (1908), p.1

³⁶ L. Veracini, 'Settler Colonialism': Career of a Concept', *The Journal of Imperial and Commonwealth History*, 41 (2013), pp. 313-333.

A fifth category, plantation colonies, involved the establishment of sovereign institutions which mobilised the labour of non-citizens, initially indentured labourers, then slaves and finally wage labourers to produce specific commodities. Here, a tiny European population often imagined themselves to be the members of a self-governing demos. But their importation of labouring subjects, through different forms of compulsion, shaped their relationship with the rest of the world. In many instances, sovereignty was asserted through the legal definition of the subordinated population, through slave codes and penal laws.³⁷ While this form reached a sine qua non in the Caribbean basin, variants on such differential claims to sovereignty made by European settlers on non-Europeans could be found in various forms across the empire, for instance in the settler societies of British Africa.

These three categories (conquest, settlement, and plantation) all could run counter to a sixth archetype which, in various incarnations, often underlay the story about empire which the British often told themselves: that imperial sovereignty was justified in the supposed advances and benefits delivered to those governed. Whether under the guise of the ‘civilising mission’ or concepts of ‘trusteeship’, this strand of underlying paternalism persisted in British discourses on Empire. Trusteeship underpinned Edmund Burke’s arguments on India in the 1780s, along with anti-slavery and nineteenth century humanitarianism. It was a central element of Lord Lugard’s ‘Dual Mandate’ and underpinned clashes between Southern Rhodesian and Kenyan settlers and the colonial office. The racialized justifications for colonial rule often combined claims about its supposedly beneficent effects and its necessity given the supposed incapacity of subjects to govern themselves. In modified form such arguments justified the withholding of full autonomy from either imperial governors or impatient settlers. This form also transferred directly into the League of Nations mandate system.³⁸

³⁷ For the importance of slave codes in Jamaica, see Mary Turner, *Slaves and Missionaries. The Disintegration of Jamaica Slave Society, 1787-1834* (London, 1982); for Ireland as a plantation society ruled through a penal code, Ian McBride, *Eighteenth Century Ireland. The Isle of Slaves* (Dublin, 2009), chapter 5.

³⁸ R. Hyam, 'Bureacracy and 'Trusteeship' in Colonial Rule', in J. M. Brown and W. R. Louis, eds., *Oxford History of the British Empire, Vol.4: The Twentieth Century* (Oxford, 1999); A. N. Porter, 'Trusteeship, Anti-Slavery and Humanitarianism', in A. N. Porter, ed., *Oxford History of the British Empire: Vol 3 :The Nineteenth Century* (Oxford, 1999); F. J. D. B.

Seventh, sovereignty was acquired through the (formal) voluntary cession of authority through treaties with existing regimes. Often this supposedly consensual act of cession occurred after a moment of violence; frequently the terms of exchange were unequal. But the claim that rights had been ceded rather than seized shaped the history of later institutions, enabling subordinated populations to articulate their own claims with a language of historical legitimacy. The capitulations, unequal treaties, and other partial concessions of sovereignty which characterised Britain's imperial presence in the Ottoman Empire and China might be understood as a confined blend of conquest and treaty-based sovereign authority where the nature of British claims were deeply contested.³⁹ In practice, cession involved a creative blend of old and new, and the reconstruction and co-option of existing or (re)invented sovereignties into imperial structures. Much of Britain's African, Asian, and Middle Eastern Empire was governed in this way.⁴⁰

Eighth and finally, sovereignty over a territory could be founded on the authority of global institutions. The most obvious examples are the League of Nations and United Nations mandates of the early twentieth-century; but joint and complicatedly interwoven forms of authority were common beforehand, from international supervision of the sixteenth-century fisheries at Newfoundland to the treaty ports in nineteenth-century China. Trans-national claims to sovereignty often involved a more abstract and universalistic language and created institutions which followed suit.⁴¹ Thus the municipal council which administered the international settlement in Shanghai, while incorporating many forms familiar from elsewhere in the British empire, functioned as a vehicle for what Isabella Jackson calls 'trans-

Lugard, *The Dual Mandate in British Tropical Africa* (London, 1922); P. J. Cain, 'Character, 'Ordered Liberty', and the Mission to Civilise: British Moral Justification of Empire, 1870–1914', *Journal of Imperial and Commonwealth History*, 40 (2012), pp. 557–578.

³⁹ Jurgen Osterhammel, 'Semi-Colonialism and Informal Empire in Twentieth-Century China: Towards a Framework of Analysis ' in Mommsen, W. J. and J. Osterhammel eds., *Imperialism and After: Continuities and Discontinuities*, (London, 1986), pp. 290–314.

⁴⁰ For the resultant muddle in Africa, see W. M. Hailey, *An African Survey: A Study of Problems Arising in Africa South of the Sahara* (Oxford, 1938).

⁴¹ Michael D. Callahan, *The League of Nations and Africa, 1914–1931* (Eastbourne, 2008); S. Pedersen, *The Guardians : The League of Nations and the Crisis of Empire* (Oxford, 2016).

national colonialism' administered by a multinational cast of actors within the matrix established by foundational treaties and concessions by China.⁴² Equally a shifting legal and ideological framework shaped ideas of legitimate global power. Wilsonian self-determination connected claims of popular sovereignty to international legitimacy.⁴³ One aspect of the history of decolonization is the progressive de-legitimation of many of the alternative claims to sovereignty practiced by European empires, to which a growing literature on the UN and decolonization bears testimony.⁴⁴

This list of archetypes must not be considered exhaustive or mutually exclusive. There are no stable boundaries between each one; each can be sub-divided. Nor is each intended to define the identity of any single area of imperial territory. Within any one place and time, a single set of claims sometimes predominated. More commonly, more than one claim was made at a single point in time, sometimes in coalescence and sometimes competition with others. The relationship between claims to sovereign authority and the institutions which asserted power in practice were complex. A single set of institutions could generate very different claims to sovereignty. Equally, multiple claims were made by different people to discuss a single set of institutions in the same place. A major driver of political life within any one territory was the contestation of one particular claim to sovereignty, and the effort to replace it with another which would require institutions of administration to work in a different way. Thus sovereignty connected intimately to all aspects of government – the realities and repercussions as well as the theories of legitimate authority.

⁴² I. Jackson, *Shaping Modern Shanghai: Colonialism in China's Global City* (Cambridge, 2018); R. Bickers and I. Jackson eds., *Treaty Ports in Modern China* (London, 2016).

⁴³ E. Manela, 'Imagining Woodrow Wilson in Asia: Dreams of East-West Harmony and the Revolt against Empire in 1919', *American Historical Review*, 111 (2006), pp. 1327-1351; E. Manela, *The Wilsonian Moment: Self-Determination and the International Origins of Anticolonial Nationalism* (Oxford, 2007).

⁴⁴ J. L. Pearson, 'Defending Empire at the United Nations: The Politics of International Colonial Oversight in the Era of Decolonisation', *The Journal of Imperial and Commonwealth History*, 45 (2017), pp. 525-549; M. Mazower, *No Enchanted Palace: The End of Empire and the Ideological Origins of the United Nations* (Oxford, 2009); R. Burke, *Decolonization and the Evolution of International Human Rights* (Philadelphia, 2010).

V

The empire's sweep encouraged its protagonists and subjects to try to tell a universal story about its rise, systematic character and then, most recently, its fall. As we've shown, since the 1950s, where such attempts are made, empire has only been able to be presented by scholars as a unitary system or project because it has been turned into the representation of something else, which, as imperial institutions collapsed couldn't be compared to the complexity of really-existing practice. But from the seventeenth to mid-twentieth century, debates between the claims made between different forms of sovereign authority asserted in different places in pan-imperial conversations failed, ever, to create a consensus about what the empire was. During the existence of Britain's worldwide empire itself, the contradictory claims its protagonists and subjects made about the nature of imperial authority in any time and place meant a single coherent story was never (and is not) possible. We can see this particularly by mapping some of the main divergences and convulsions caused by the interactions of different imperial sovereignties. In so doing it becomes clear that the disruptive force that one claim to sovereignty had upon others was a powerful force shaping the history of empire.

In particular, empire achieved its greatest semblance of coherence, the greatest sense of co-ordinated action with a defined purpose, during times of global war. Yet the short term exigencies and exertions required to create such coherent action only fuelled the disruptive tendencies of multiple idioms of sovereign authority. Such periods coincided with major assertions, reconfigurations, and retreats from imperial authority. Conversely, the most seemingly 'stable' periods of imperial history coincided with the isolation of the empire's various combustible elements from one another, with the highest levels of incoherence.

The earliest assertion of England's extra-European political authority were bound up with trade. But the relationship between trade and sovereignty was complex and contested. Sporadic efforts by English merchants to profit from growing world-wide trading networks in the sixteenth century did not receive significant royal backing. During the early seventeenth-century, from Virginia to South East Asia, merchants and adventurers used ostensibly similar organisations to provide political support for extra-European trade and settlement, most commonly the chartered corporation. But the weak support such nominally royal institutions gained from the monarchy itself allowed them to take on a range of very different practical forms, making different claims about the basis of their authority in each case. By the act of

Union in 1707, the new 'British' state already possessed an incoherent conglomeration of overseas territories, all ruled under some form of royal charter, but whose claims about extending the crown's authority were variously made in the name of settlement, treaty and conquest.

South Asia and the Americas are traditionally seen as representing two different phases of British imperial expansion. Yet claims to sovereignty were made in both at the same time, and both spheres saw competition between a similar set of sovereign idioms. In India, the East India Company was an agency of English sovereignty from the start, ruling a series of territories on behalf of the English crown from the 1660s. The Company claimed its first territories, the cities of Madras and Bombay, by treaty. The right of conquest was first invoked in the 1680s, when the Company attempted unsuccessfully to capture new port cities. Sovereignty never straightforwardly followed commerce; there was no necessary political relationship, informal or formal, between economic 'expansion' and imperial authority. Throughout Britain's history in India there were European merchants who claimed their commercial interests could be better satisfied without monopolies, companies and military force: trade could have existed without empire, in other words. As in the Americas too, empire was usually an attempt to control, discipline and regulate otherwise unruly Britons overseas.⁴⁵

The East India Company established a pan-subcontinental regime through a combination of war and cession from the late eighteenth-century. Throughout the nineteenth-century, conquest, and a narrative about the supposed weakness of preceding Indian forms of power, provided the official ideology for British rule. But even into the 1820s, this conquest story was challenged by an alternative, minor idiom which based British sovereignty on the settlement of a small English population who brought with them English law and constitutional principles; some even arguing those principles should apply to non-Europeans. The rhetoric of liberal imperialism formulated by Thomas Macaulay in the 1830s was a way to reconcile the otherwise mutually disruptive claims made by those discussing British sovereignty either in terms of conquest or the spread of British institutions through

⁴⁵ Philip J. Stern, *The Company State. Corporate Sovereignty and the Early Modern Foundations of the British Empire in India* (Oxford, 2011); Jon Wilson, *India Conquered. Britain's Raj and the Chaos of Empire* (London, 2016)

settlement. It did so by claiming that different forms of government applied to people at different stages of civilisation. Liberal imperialism was a way of justifying an otherwise incoherent political situation in Britain, validating the fact that conquest had already created sovereign authority in India to a public who increasingly understood their only polity with very different idioms.⁴⁶

The assertion of English authority in the Americas first involved a set of multiple, contradictory claims too. The crown's authority was shipped across the Atlantic through mechanisms which transferred institutions through the transportation of a performative text. But from early on it was possible for settlers to assert that their collective will as subjects of the Crown allowed them to create new English institutions. The Mayflower Compact, signed by 41 men on the brink of settlement at Cape Cod in 1620, famously created a new 'civil body politic' to govern the new colony. The act was deemed necessary, as the Mayflower had sailed beyond the geographical limits which the London Virginia Company, whose territory the ship was originally sailing to, had been assigned by its charter. In creating their own new corporate entity, the settlers claimed that the authority of 'our dread sovereign Lord, King James' transferred within their bodies as individual subjects, not only in previously agreed structures which emanated from England. Other institutions based their assertion of royal authority in the Americas on very different claims.

The events leading up to the independence of Britain's thirteen American colonies showed how global war exposed the tensions between different claims to sovereignty. The effort by the British state to create a world-wide fighting force during the Seven Years War turned incompatible claims to sovereignty into mutually disruptive forms of authority.⁴⁷ War with France saw unprecedented military and financial exertions by the British state and its allies

⁴⁶ Haruki Inagaki, 'The Ruke of Law and Emergency in Colonial India. The Conflict Between the King's Court and the Government in Bombay in the 1820s', PhD Dissertation, King's College London, 2016; Kieran Hazzard, 'From Conquest to Consent. British Political Thought and India, 1818-1833', PhD Dissertation, King's College London, 2017

⁴⁷ This comes across strongly in P. J. Marshall, *The Making and Unmaking of Empires: Britain, India, and America C.1750-1783* (Oxford, 2005).

and agents in Atlantic, European, and Asian theatres. It also sharpened the claims made by some of the American colonies, that royal legitimacy was exercised through institutions based on the consent of settlers.⁴⁸ After 1763 Westminster acted with a new conception of itself as an imperial parliament.⁴⁹ Against these claims, colonists used a range of different rival conceptions of sovereignty, defending the role of popular sovereignty and the right of individual Englishmen to move and create their own new collective institutions; but also re-asserting a pre-1707 conception of empire as a multiple monarchy in which each element had autonomy in negotiating its relationship with the crown. It was, in short, the short-lived attempt to govern Britain's Atlantic empire as a coherent whole which provoked the breakdown of imperial governance in the thirteen colonies.

Ironically, by the 1850s the remainder of the settler empire came far closer to eighteenth century colonial rather than metropolitan concepts of governance. This was not inevitable. In the early nineteenth century in upper and lower Canada politics was characterised by a conflict between governors and settler assemblies. This was a clash between the sovereignty of the governor-general as representative of the monarch and of Westminster, and the popular sovereignty considered inherent in local assemblies; in other words between two rival conceptions of imperial sovereignty. The clash was resolved through 'responsible government', the practice of making the executive 'responsible' to the elected majority.⁵⁰ Rapidly thereafter, the possibilities of any pan-imperial project run from London diminished. At the very height of mid-Victorian free trade ideology, the supposed pinnacle of the 'Imperialism of Free Trade', and on the eve of the 1860 Cobden-Chevalier treaty, in 1859 Britain conceded that the province of Canada had the right to raise protective tariffs.⁵¹ Thus a concession of autonomy based on a settler-centric concept of governance overturned any commitment to at least this particular ideologically charged element of Britain's nineteenth

⁴⁸ Fred Anderson, *Crucible of War. The Seven Years' War and the Fate of America in British North America, 1754-1766* (London, 2000).

⁴⁹ B. Bailyn, *The Ideological Origins of the American Revolution* (1968).

⁵⁰ M. Francis, *Governors and Settlers: Images of Authority in the British Colonies, 1820-60* (Basingstoke, 1992).

⁵¹ A. A. Den Otter, 'Alexander Galt, the 1859 Tariff and Canadian Economic Nationalism', *Canadian Historical Review*, 58 (1982), pp. 151-178.

century liberal vision of global order. Political liberalism trumped economic liberalism, or even any attempt at coherent economic governance.

Before 1857, power in British India was scattered in a complex collection of institutions whose authority was traced predominantly from a succession of conquests, interspersed with occasional moments of cession. In the East India Company's port cities there was occasional discussion of some form of local self-rule involving Indians as well as Europeans. But conflict between the mobile and free-trading ethos in Calcutta, Madras and Bombay, and anxious military (or militaristic) governors was endemic. English judges trying to administer a globalised version of the common law frequently clashed with East India Company officers suppressing revolt and imposing a highly militarised form of bureaucratic rule. Far from being Macaulay's the land of improving reform, "British" India was in fact a patchwork of different territories governed according to different laws, idioms and practices of rule; all nominally under the sovereignty of the Mughal emperor, but with the militaristic idiom of conquest as the dominant language of authority.⁵²

The brutal re-taking of North India after the insurrection of 1857 consolidated conquest as the sole idiom used to talk about British authority in India, affirming state violence as the sole validating trope for British power. A more homogenous set of legal codes were imposed. Railway lines extended. These tools allowed a British administrative hierarchy to extend across India for the first time, reliant in many places on the subordinate agency of particular groups of elite Indians who made reluctant peace in their public lives, but kept their distance in private. The goal of the imperial state was to preserve its ability to militarily dominate India, not spread British capitalism or civilization. To do that the British regime tried to rigidly define social hierarchies or roles, as, for example in the way it relied on caste and ethnic differences to manage the army. Or, it withdrew into its cantonments and residencies, limiting its contact with Indians to curt and often mutually unintelligible exchanges in court-rooms or tax offices. Resistance was met with exemplary violence or, if it didn't directly challenge sovereign power, pull back. The 1911 decision to move British India's capital to Delhi was one such retreat, an attempt to move the locus of British authority away from fractious and politicised Calcutta to a dead city, which had been almost entirely depopulated

⁵² Jon Wilson, *India Conquered*; for the importance of conquest see Douglas Peers, *Between Mars and Mammon*

since 1857. These strategies occurred alongside the military forms of ceremonial, durbars and assemblages, where the monarch's representation sat on top of a mythical representation of the conquered social order, to project an image of stately dominance to both indigenous and British society.⁵³

This essentially Tory vision of empire as a multi-hierarchy presided over by an all-conquering warrior monarch was radically incompatible with the idioms emerging from the self-governing settler colonies (dominions from 1907). A cadre of British and dominion-based late Victorian and Edwardian thinkers devoted enormous attention to the possibilities of imperial federation.⁵⁴ They left their mark particularly through historical writings seeking to present empire as an organic whole not primarily, as Robinson and Gallagher supposed, to explain an imperial past but rather to shape an imperial future.⁵⁵ The project itself served to highlight the incoherence of the empire as a unit, yet the mutually disruptive sovereignties of the empire undermined any possibility of success. Several insurmountable barriers presented themselves. One barrier to any serious prospect of imperial federation came from the jealous way in which the component states of that empire, Britain as well as the dominions, guarded their individual and (in the case of the dominions) growing autonomy and sovereignty.⁵⁶ As Herbert Asquith told the 1911 Imperial Conference, 'Whether in this United Kingdom or in any of the great communities which you represent, we each of us are, and we each of us intend to remain, master in our own household'.⁵⁷ Voluntary co-ordination, embodied in Colonial and later Imperial Conferences and ultimately the British Commonwealth of Nations as described by the Balfour Declaration and the Statute of Westminster, fell far short of the

⁵³ Kim A. Wagner, *The Great Fear of 1857. Rumours, Conspiracies, and the Making of an Indian Uprising* (London, 2014); Chatterjee / Devji

⁵⁴ D. Bell, *The Idea of Greater Britain: Empire and the Future of World Order, 1860-1900* (Princeton, N.J., 2007); A. Thompson, 'The Language of Imperialism and the Meanings of Empire: Imperial Discourse in British Politics, 1895-1914', *The Journal of British Studies*, 36 (1997), pp. 147-177; J. R. Seeley, *The Expansion of England* (London, 1883).

⁵⁵ McIntyre, *Britannic Vision*.

⁵⁶ R. Jebb, *Studies in Colonial Nationalism* (London, 1905).

⁵⁷ CD5745, 'Minutes of the Proceedings of the Imperial Conference' (London, 1911), p. 22.

original vision.⁵⁸ Federation became loose association, an empire that ‘don’t care what you do’.⁵⁹

The relationship of imperial federation to the empire’s non-European majority also presented problems imperfectly acknowledged by federationists themselves. Seeley’s *Expansion of England* did not overlook India entirely, but marginalised it. The Raj became a great anomaly, a complex responsibility which, nonetheless, could not be abandoned.⁶⁰ Seeley justified Britain’s presence there by saying that India was not British at all, that Britons temporarily governed a separate and coherent civilisation with only limited impact. The coherence of empire was protected by denying the concept applied to the empire’s largest territory. Similarly, nothing in Seeley’s writings would predict or justify the contemporaneous partition of Africa. Caribbean islands too (included by Seeley in Greater Britain as the possessor of representative institutions dominated by Europeans) occupied an equally paradoxical status. Greater Britain was conceived of as a white space, yet that conception ran against the supposedly racially blind subject-hood of imperial citizens.⁶¹ But Greater Britain could not be disentangled from the broader empire. Asian migration for example brought this tension to the fore. The Natal Education test, agreed in 1897, emerged as a ‘solution’ which simultaneously claimed to eschew racial (as opposed to ‘educational’) restrictions and yet in practice enabled the settler colonies to constrain non-white immigration.⁶² The real intent was transparent. The Komagata Maru incident, where South Asian migrants were turned away from British Columbia, fuelled challenges to the Raj and illustrated how this attempt to create a ‘white space’ disrupted practices of sovereignty in India.⁶³

⁵⁸ McIntyre, *Britannic Vision*.

⁵⁹ J. D. B. Miller, "An Empire That Don't Care What You Do" in Madden, A. F. and W. H. Morris-Jones eds., *Australia and Britain: Studies in a Changing Relationship*, (London, 1980), pp. 90-100; Hall, H. D., *Commonwealth* (London, 1971).

⁶⁰ Seeley, *The Expansion of England*.

⁶¹ B. Schwarz, *Memories of Empire: Vol 1: The White Man's World* (Oxford, 2011).

⁶² R. Bright, 'Asian Migration and the British World, 1850-1914', in K. Fedorowich and A. Thompson, eds., *Empire, Identity and Migration in the British World* (Manchester, 2013).

⁶³ Renisi Marwani, 'Spectres of Indigeneity in British-Indian Migration, 1914', *Law and Society Review* 46, 2 (2012), pp.369-403.

The very incoherence of empire made rationalisation impossible even by dividing between several components because it was impossible to do so without generating profound repercussions for the remaining sections of the Empire. It was perhaps no surprise that arch-rationaliser and self-declared 'British race patriot' Alfred Milner argued that for 'any principle of Imperial policy' to be 'really applicable to one of the great divisions of the Empire' would make it 'inapplicable to the other', and suggested that if he was forced to choose between the 'self-governing' and 'dependent' empire, he would choose the first. Yet for every couple of Milners there was a George Curzon asserting the centrality of India, conquest and hierarchy to the imperial project.⁶⁴

The British Empire never looked more coherent than during the two World Wars. Both saw significant contributions from almost all sections of the Empire (only Eire in the Second World War remained neutral, and even then made significant unofficial and semi-official contributions to Britain's war effort). In each war the self-governing dominions made disproportionate contributions of men, money, and materials, but in each major contribution were exacted from the remainder of the empire with varying levels of compulsion.

The First World War in particular allowed the empire to seem a single unit. The frequent visits of dominion premiers to Britain and their admission to the counsels of empire (as well as to its diplomatic relations with the allies) all were seen by many to presage a broader form of imperial federation. Britain's abandonment of free trade seemed to open the way to imperial preference and a broader programme to govern the empire as an economic unit. Meanwhile considerable thought was given to mechanisms to marshal the resources of the tropical empire.⁶⁵

But appearances were deceptive. The co-ordination of the various sovereignties of the empire in the First World War disrupted the possibilities of governance in the long term.

⁶⁴A. Milner, *The Nation and the Empire* (London, 1913), pp.345, 349; G. N. Curzon, *Speeches on India* (London, 1904).

⁶⁵ R. F. Holland, 'The British Empire and the Great War, 1914-1918', in J. M. Brown and W. R. Louis, eds., *Oxford History of the British Empire. Vol.4, the Twentieth Century* (Oxford, 1999).

Conscription debates in Canada and Australia highlighted the limits of the imperial contribution in the chief dominions. The Dublin rising of 1916 and 1915 Afrikaner revolt in South Africa equally demonstrated the potential for the British connection to be challenged in these territories. The result in the 1920s were that significant elements in the dominions (including the newly established Irish Free State) were chiefly concerned to assert autonomy and sovereignty. The War and its aftermath (not least the abolition of the Ottoman Empire) stoked support for an increasingly anti-imperial Congress in South Asia. India's status emerged from the war even more ambiguous.⁶⁶ Meanwhile, and following more closely the Victorian precedents, British interwar governance in Africa never seriously pursued developmental projects planned during wartime. Indirect rule reached its heyday in the 1920s and 1930s.⁶⁷

The war also unleashed new external pressures on imperial sovereignty, with the language of Wilsonian self-determination empowering those determined to assert national sovereignty.⁶⁸ In straightened circumstances, the empire survived, but largely by recreating separate relations with its various constituent elements. The dominions (and India and Eire) were syphoned into the new British Commonwealth of Nations whose politics were in large part characterised by a search for self-definition.⁶⁹ India was also subjected to oscillating rounds of repression and constitutional reform. Much of the rest reverted to indirect rule through a night-watchman colonial state: the empire's constituent parts survived by rejecting the wartime moment of coherence and reverting to separation and isolation.⁷⁰

⁶⁶ A. J. Stockwell, 'The War and the British Empire', in J. Turner, ed., *Britain and the First World War* (London, 1988).

⁶⁷ W. M. H. B. Hailey, *An African Survey : A Study of Problems Arising in Africa South of the Sahara* (Oxford, 1938).

⁶⁸ E. Manela, *The Wilsonian Moment: Self-Determination and the International Origins of Anticolonial Nationalism* (Oxford, 2007).

⁶⁹ W. K. Hancock, , *Survey of British Commonwealth Affairs: Volume One : Problems of Nationality, 1918-1936* (London, 1937); McIntyre, *Britannic Vision*; D. K. Coffey, 'The Right to Shoot Himself': Secession in the British Commonwealth of Nations', *The Journal of Legal History*, 39 (2018), pp. 117-139.

⁷⁰ J. Darwin, 'Imperialism in Decline? Tendencies in British Imperial Policy between the Wars', *Historical Journal*, 23 (1980), pp. 657-679.

The Second World War repeated the tendencies of the First. All the Dominions except Eire joined Britain's war effort voluntarily (South Africa's participation was on a knife-edge). Elsewhere contributions were exacted with varying balances of coercion and cooperation.⁷¹ In South Asia, India's forced entry into the war led to widespread resistance. Driven by substantial American presence in India after Pearl Harbour and the practical recognition by senior military officers that they had a choice between empire or victory, the British government practically conceded national autonomy in many spheres of life.⁷² Even so, coercion was extreme at moments of severe political breakdown. Britain's wartime borrowings from India have been compared to a forced loan.⁷³ Development in Tropical Africa for the first time became a policy goal backed by significant resources (the second Colonial Development and Welfare Act).⁷⁴

The aftermath of the war saw the persistence of uneven governance across the Empire. In South Asia governors and military officers countenanced only re-conquest or flight, and choose the latter when it was obvious the former was impossible.⁷⁵ The 'old' dominions emerged from the war with independent relationships with the new global power, the United States (albeit using the UK as a counterbalance).⁷⁶ Meanwhile in the remainder of the colonial empire the 'second colonial occupation' saw a late, relatively brief, but intensely

⁷¹ A. Jackson, *The British Empire and the Second World War* (London, 2005).

⁷² C.A. Bayly, 'The Nation Within'. *British India at War, 1939-1947*, *Proceedings of the British Academy* 125 (2004), pp.265-285; Srinath Raghavan, *India's War. World War II and the Making of Modern South Asia* (London, 2016)

⁷³ I. Kamtekar, 'A Different War Dance: State and Class in India 1939-1945', *Past & Present*, 176 (2002), pp. 187-221.

⁷⁴ M. A. Havinden and D. Meredith, *Colonialism and Development : Britain and Its Tropical Colonies, 1850-1960* (London ; New York, 1993); S. Constantine, *The Making of British Colonial Development Policy, 1914-1940* (London, 1984)

⁷⁵ Y. Khan, *The Great Partition : The Making of India and Pakistan* (New Haven, CN, 2007); I. Talbot and G. Singh, *The Partition of India* (Cambridge, 2009).

⁷⁶ F. Mckenzie, 'In the National Interest: Dominions' Support for Britain and the Commonwealth after the Second World War', *Journal of Imperial and Commonwealth History*, 34 (2006), pp. 553-576.

interventionist drive for development, rooted in a short-lived effort to secure and legitimate imperial sovereignty. Post-war colonial development was the nearest the empire came to having a single project outside wartime, but it was only possible because India and the white dominions no longer needed to be integrated into a single imperial concept.⁷⁷ This last attempt to impose a project on the empire only stoked emergent colonial nationalisms. The rash of ‘emergencies’ in Kenya, Malaya, Cyprus and Nyasaland revealed a determination to maintain the primacy of British imperial power just years before it was to be claimed that its obsolescence was planned all along.⁷⁸

The rapid failure of the second colonial occupation serves to illustrate how much of a departure an empire with a coherent project was from the norm.⁷⁹ In practice, even this late project promoted several different forms of empire across Africa in the 1950s (‘multi-racial partnership’ and African majoritarian rule), once again illustrating the impossibility of sealing multiple sovereignties within any one component of empire.⁸⁰ Never were the British Empire’s mutually disruptive practices of sovereignty more clearly displayed than at empire’s fall.

In Britain itself, empire’s incoherence allowed its demise was un-traumatic, in some ways to be barely recognised. The existence of multiple sovereignties meant there was not a single traumatic juncture, no unitary moment when empire as a whole was in crisis.⁸¹ The

⁷⁷ A productive comparison can be made here with France in post-war Algeria. See James McDougall, ‘The impossible Republic. The reconquest of Algeria and the decolonization of France, 1945-62’, *Journal of Modern History*, 89 (2017), 772-811

⁷⁸ On the emergencies, see R. F. Holland, *Emergencies and Disorder in the European Empires after 1945* (London, 1994).

⁷⁹ M. Shipway, *Decolonization and Its Impact: A Comparative Approach to the End of the Colonial Empires* (Oxford, 2008).

⁸⁰ J. D. Hargreaves, *Decolonization in Africa* (London, 1996).

⁸¹ M. Kahler, *Decolonization in Britain and France: The Domestic Consequences of International Relations* (Princeton, 1984) emphasises the multiple spheres of the British empire.

connections with Britain were wound down piecemeal and, in the case of the all-important old dominions almost imperceptibly.⁸² Even Irish independence had relatively little impact beyond Ulster. Ireland's complete departure from the Commonwealth (and hence the messy patchwork of imperial sovereignty) in 1949 went largely unremarked. Race and migration became an increasingly charged issue in British society and politics as immigration from the 'New Commonwealth' accelerated. But this is best understood not as a straightforward legacy of empire, but through the absence of any effort to create a common, all inclusive, conception of imperial citizenship in Britain.⁸³ The most powerful and predictable legacy of empire were political formations jealously seeking to secure the sovereignty of the nation state, ironically using the same language of independence deployed by opponents of imperial power in the colonies in Britain itself.⁸⁴

VI

The main contours of British imperial history are better understood as the products of the British Empire's fundamental incoherence and the centrality of sovereignty to the operation of empire than as components of a single deeper meta-history. Acquired, governed, and disbanded in no preconceived fashion, the empire was composed of discrete and mutually disruptive sovereignties. In each sphere distinct practices of governance evolved. Much of the challenge, such as it was, of imperial governance lay in separating these sovereignties or managing the contradictions inherent between them. Far from a homogenous grand scheme, there was no imperial or colonial system, not even a project. The goal of imperial governance was the perpetuation of imperial governance.

Different conceptions of sovereignty enabled or constrained different sets of possibilities for colonial government. Most obviously, the violence associated with empire did not occur

⁸² Hopkins, 'Rethinking Decolonization'; D. Schreuder, and S. Ward, 'Epilogue: After Empire', in D. Schreuder and S. Ward, eds., *Australia's Empire* (Oxford, 2008), pp. 389-402; Buckner, P. A., ed., *Canada and the End of Empire* (Vancouver, BC, 2005).

⁸³ S. O. Rose, 'Race, Empire and British Wartime National Identity, 1939-45', *Historical Research*, 74 (2001), pp. 220-237.

⁸⁴ David Edgerton, *The Rise and Fall of the British Nation. A Twentieth Century History* (London, 2018).

evenly. The level of both endemic and episodic violence varied. An attention to the concepts of sovereignty in operation at particular junctures provides suggestive ways to explain this. First, the degree to which concepts of sovereignty conceived of populations as objects rather than subjects or citizens affected the possibility for violence to be legitimated. Slave plantations treated the bulk of the population as property opened the way for extreme levels of coercion constrained only by metropolitan regulation.⁸⁵ Similarly in settler societies, endemic violence became concentrated on frontiers of colonialism where indigenous peoples were marginalised and displaced.⁸⁶

The politics within the empire frequently revolved around contests between differing conceptions of sovereignty. Political contests and political violence were not solely caused by the incoherence of empire. But its incoherence, and the multiple contradictory conceptions of sovereignty it contained accentuated the chance of clashes and provided alternative vocabularies through which challenges to the status quo might be mobilised. Many of the most violent episodes in imperial history occurred as groups of people quickly realised how radically different their antagonists' conception of sovereignty was. Participants in the 1857 rising in Northern India rallied around Mughal sovereignty in response to British assertions of rights of conquest, along with associated attempts to intervene at an all-India level. Here, actions seen by British officers as the necessary consequence of sovereignty acquired by conquest were illegitimate when viewed through the prism of the East India Company's bounded treaties with Mughal sovereignty.⁸⁷ The violence of the end of empire emerged from competing conceptions of national sovereignty which emerged out of or in response to different imperial idioms. The violence associated with the Mau Mau rising in Kenya or continual violence in Southern Rhodesia emerged in contexts where imperial, settler, and various African notions of sovereignty all clashed.

Equally, attention to the incoherence of empire helps unpick the economic consequences of empire. Clashing conceptions of sovereignty produced no institutional coherence. Empire as

⁸⁵ Turner, *Slaves and Missionaries*

⁸⁶ H. Reynolds, *The Other Side of the Frontier: Aboriginal Resistance to the European Invasion of Australia* (Ringwood, 1982).

⁸⁷ F.W. Buckler, 'The Political Theory of the Indian Mutiny', *Transactions of the Royal Historical Society* 5 (1922), 71-100

a whole was not a project of development, nor the systematic producer of underdevelopment, although all of these occurred at certain places and times. The economic effects of empire were bi-products of particular practices and objectives of governance in particular locations. Priorities were heavily depended on which idioms of sovereignty were in operation in a territory. Railways, for example, in India were primarily constructed for military and political ends, to secure conquest, with British capitalists constantly clamouring for more and different routes.⁸⁸ In reverse, those in much of tropical Africa and Australia prioritised exports, so the north-south transcontinental line in Australia which Lord Kitchener recommended in 1909 as being integral to the territory's defence was only completed in 2003. Many colonial territories focused heavily on export production, but they did so in different degrees and with different effects. Where sovereignty was articulated through the migration of British populations, democratic institutions created pressures on politicians to facilitate development which benefited the (settler, but not indigenous) population at large. Where authority was articulated through other idioms, other interests, which had goals other than the economic development of the territory as a whole prevailed. On this reading, underdevelopment was not an inevitable product of export orientation but of the particular form of imperial sovereignty practices in a territory.⁸⁹ The most economically successful portions of the empire, the dominions, were precisely those portions where economic policy was increasingly determined domestically through representative institutions responding in a fluid way to global (and British) economic norms.⁹⁰ Elsewhere, the desire of imperial officers to maintain more absolutist idioms of imperial sovereignty created weak and contradictory state forms, fragmented law codes, and new internal forms of despotism, usually (if not inevitably) constraining the involvement of local populations in institutions which would have facilitated development.⁹¹

⁸⁸ Jon Wilson, *India Conquered*, 278-290

⁸⁹ D. K. Fieldhouse, *The West and the Third World: Trade, Colonialism, Dependence, and Development* (Oxford, 1999).

⁹⁰ A. R. Dilley, 'Politics, Power and the First Age of Globalization: Ontario's Hydro-Electric Policy, Canada and the City of London, 1905-1910' in Smith, A. and D. Anastakis eds., *Smart Globalization: The Canadian Business and Economic History Experience*, (Toronto, 2014), pp. 31-59.

⁹¹ M. Mamdani, *Citizen and Subject : Contemporary Africa and the Legacy of Late Colonialism* (Princeton, N.J. ; Chichester, 1996).

To define the empire as an entity characterised only by the turbulence of clashing concepts of sovereignty, and to emphasise the primacy of self-perpetuation does not therefore deny or minimise the violence often associated it or the economic repercussions of imperial rule; it offers more nuanced ways to understand it. To emphasise incoherence is not, necessarily, to favour a minimalist interpretation of the impact of empire. In some cases it explains the opposite. The British desire to assert one conception of sovereignty over another offers a far more plausible explanation for the often over-whelming nature of imperial force than the desire to satisfy economic interests. A concept of sovereignty based on conquest or the creation of plantations intrinsically relies on violence, while economic interests were often undermined by the frenetic nature of British force. The point to stress is that the impacts and practices associated with imperial rule varied considerably in time and space. There was no single logic driving the history of empire.

VII

Histories and arguments which conceive the British Empire as a single unit of analysis, misconstrue the nature of empire. Those trying to connect empire with other unitary categories then perpetuate a double misunderstanding. Instead, the history of the British empire was always one in which mutually disruptive sovereignties and a maelstrom of political projects clashed, coalesced and contradicted one another. ‘The empire’ was an unstable field of difference and contestation, not a unit of common action. Its discrete practices of politics curtailed the possibility that the empire, in its century- and globe-spanning entirety, had clear coherent and unilineal effects.

The argument here is not that the British empire did not exist. Clearly it did, not least in the consciousness of its protagonists and critics. Its existence was central in shaping the history of the territories it encompassed and over which it exerted sovereignty. Rather it is to argue that empire was a concept (or cluster of concepts) which did not reflect a coherent referent; and that the history of empire should be approached as an exercise in charting the contests between mutually contradicting sovereignties in various locations, and the presence of the incoherence of empire as a potentially disruptive force in their histories.⁹² With its focus on unevenness and plurality, such an analysis precludes the association of ‘the British empire’

⁹² Armitage, *Ideological Origins*

with an abstract meta-concept such as capitalism, globalization, modernity or Western civilization. Hence, it also precludes assertions of empire-wide continuity with the present, which in particular fail to acknowledge the degree to which the period of decolonisation saw a collapse of the political-institutional forms that was empire. Empire really did end.⁹³

Reducing the history of empire to a monochrome parable for the present does a profound disservice to the past. But it also fails to offer a useful way of understanding the shape of the trans-national forces which shape the world we live in today. Far better that historians acknowledge the fundamental incoherence of empire, and then develop more sophisticated ways of understanding the post-imperial world which followed its collapse on its own terms.

⁹³ This argument is compatible with the periodization offered in A. G., Hopkins, ed., *Globalization in World History* (London, 2002), Hopkins, 'Rethinking Decolonization', *Past & Present*, 200 (2008), pp. 211-247.