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978-0-521-19827-1 - The Burdens of Empire 1539 to the Present

Anthony Pagden

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The Burdens of Empire

Throughout human history, empires have been far more constant and widespread, and the source of far more anguished political speculation, than nation states have ever been. But despite the long history of debate and the recent resurgence of interest in empires and imperialism, no one seems very clear as to what exactly an empire is. *The Burdens of Empire* strives to offer not only a definition but also a working description. This book examines how empires were conceived by those who ruled them and lived under them; it looks at the relations, real or imagined, between the imperial metropolis (when one existed) and its outlying provinces or colonies; and it asks how the laws that governed the various parts and ethnic groups, of which all empires were made, were conceived and interpreted. Anthony Pagden argues that the evolution of the modern concept of the relationship between states, and in particular the modern conception of international law, cannot be understood apart from the long history of European empire building.

Anthony Pagden is Distinguished Professor in the Departments of Political Science and History at the University of California, Los Angeles. He has been a Fellow of Merton College, Oxford; Senior Research Fellow of the Warburg Institute, London; Professor of History at the European University Institute, Florence; University Reader in Intellectual History and Fellow of King's College, Cambridge; and the Harry C. Black Professor of History at Johns Hopkins University. He is the author of more than a dozen books, many of which have been translated into a number of European and Asian languages. His most recent publications include *Worlds and War: The 2,500-Year Struggle between East and West* (2008) and *The Enlightenment: And Why It Still Matters* (2013). He has also written for the *New Republic*, the *National Interest*, the *New York Times*, the *Los Angeles Times*, *El País* (Spain), *Il Sole 24 Ore* (Italy), the *London Review of Books*, and the *Times Literary Supplement*.

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quae cum pulcherrima tota est For Giulia

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Preface

The essays in this book represent all that I wish to preserve of what I have written on the political and legal theory of empire over the past fourteen years. All have been extensively revised and rewritten to take account of recent scholarship and to give them an overall coherence as a single volume. Some now bear so little resemblance to their originals as to constitute new essays, and I have changed their titles accordingly. Chapter 6 appears here for the first time.

Some of the arguments presented in Chapter 1 were first used in “Conquest and the Just War: The ‘School of Salamanca’ and the ‘Affair of the Indies’” in Sankar Muthu ed., *Empire and Modern Political Thought* (Cambridge: Cambridge University Press, 2012).

A shorter version of Chapter 2 was first published as “Gentili, Vitoria and the Fabrication of a ‘Natural Law of Nations’” in Benedict Kingsbury and Benjamin Straumann eds., *The Roman Foundations of the Law of Nations: Alberico Gentili and the Justice of Empire* (Oxford: Oxford University Press, 2010), 340–61.

An earlier version of Chapter 3 first appeared as “Ethnos, Race and Empire: The Fabrication of Identity in the Early-Modern World” in Miriam Eliav-Feldon, Benjamin Isaac, and Joseph Ziegler eds., *The Origins of Racism in the West* (Cambridge: Cambridge University Press, 2009), 292–312.

Chapter 4 draws heavily on “Law, Colonization, Legitimation and the European Background” in *The Cambridge History of Law in America* (Cambridge University Press, 2008) and on “The Christian Tradition” in Allen Buchanan and Margaret Moore eds., *State, Nations and Borders: The Ethics of Making Boundaries* (Cambridge: Cambridge University Press, 2003), 103–26.

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Chapter 5 relies in part on “Commerce and Conquest: Hugo Grotius and Serafim de Freitas on the Freedom of the Seas,” *Mare liberum*, 20 (2000) 33–55.

Chapter 7 is a modified and revised version of “The Law of Continuity: Conquest and Settlement within the Limits of Kant’s International Right” in Katrin Flikschuh and Lea Ypi eds., *Kant and Colonialism: Historical and Critical Perspectives* (Oxford: Oxford University Press, 2014).

Some of the ideas presented in Chapter 8 first appeared in “Il commercio, la conquista e la critica illuministica dell’impero” in Ruth Ben Ghiat ed., *Gli imperi: dall’antichità all’età contemporanea* (Bologna: Il Mulino, 2009), 191–214.

An earlier version of Chapter 9 first appeared in *Political Theory*, 31 (2003), 171–99.

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Acknowledgements

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