

**Jennifer G. Pitts**

[jpitts@uchicago.edu](mailto:jpitts@uchicago.edu)

Department of Political Science  
University of Chicago  
Pick Hall, 513  
5828 S. University Ave.  
Chicago, IL 60637

<http://home.uchicago.edu/~jpitts/>

### **‘Empire and Legal Universalism in the 18th Century’**

#### *About the Author*

Jennifer Pitts is Associate Professor in the Department of Political Science at the University of Chicago. As an undergraduate, she studied English literature at Yale, graduating in 1992. She worked briefly at *The New Republic* magazine, and returned to university in 1994 to study Political Science at Harvard, where her dissertation supervisors were Richard Tuck (then recently arrived from Cambridge), Pratap Bhanu Mehta (now one of India’s leading public intellectuals, then a junior professor at Harvard teaching the history of modern social and political theory), and the indestructible Stanley Hoffmann (who was born in Vienna in 1928, and has taught international politics at Harvard since 1955). That doctoral thesis—submitted in 2000 and later published as [\*A Turn to Empire: the rise of imperial liberalism in Britain and France\*](#) (Princeton, NJ: Princeton University Press, 2005)—was a study of the transition in political thinking from an eighteenth century in which leading writers as diverse as Burke, Smith, Kant, Rousseau, Bentham, Diderot and Herder had very few good things to say about European imperial expansion to a nineteenth century in which major liberal theorists—above all John Stuart Mill and Alexis de Tocqueville—were professionally invested in both deepening and justifying the colonial enterprise.

Pitts’ project took shape, therefore, at what was not only the time when the ‘postcolonialism’ wave was breaking across North American humanities departments but also, and in particular, during that critical period in recent American liberal foreign policy thinking bounded by the genocide in Rwanda in 1994 and the NATO military action to expel the Serbian armed forces from Kosovo in 1999. Pitts’ intellectual activities at Harvard spanned both *milieux*: she co-organised (along with Caroline Elkins, then beginning her explorations of Mau Mau) an excellent graduate student conference in 1998 on ‘Europe and Empire: encounters, transformations, legacies’ which show-cased some of the most exciting work being done in the field by younger scholars, and (along with Hoffmann, and others) was closely associated with Harvard’s seminar on Ethics and International Affairs, which regularly chewed over the new arguments about ‘humanitarian intervention’.

Following her postgraduate studies, Pitts returned to teach at Yale, this time in its Political Science Department, before moving first to Princeton in 2004 and then, with tenure, to Chicago in 2007. The history of political thought has experienced its

own 'turn to empire' in recent years, with major contributions from James Tully, Uday Mehta, David Armitage, Duncan Bell, Karuna Mantena, and Sankar Muthu (to whom, as it happens, Pitts is married), and the field remains an intellectually lively one. Pitts' own ongoing researches into ideologies of European imperialism have continued to generate a remarkable stream of publications. As well as *A Turn to Empire*, there has also been an exceptionally useful volume of translations, [\*Alexis de Tocqueville: writings on empire and slavery\*](#) (Baltimore, MD: Johns Hopkins University Press, 2001), which gives monoglot Anglophones access to the extensive arguments Tocqueville made about Algeria, which cast an important sidelight on his better-known examination of *Democracy in America*. There has also been a string of significant articles and chapters, including 'Legislator of the World? A rereading of Bentham on India' (*Political Theory*, 2003), a contribution to Helena Rosenblatt's *Cambridge Companion to Constant*, and a study of 'Empire, progress, and the "savage mind"' (forthcoming in a collection on *Colonialism and its Legacies*, edited by Jacob Levy and the late Iris Marion Young).

Another recent article, 'Boundaries of Victorian International Law' (in Duncan Bell, ed., *Victorian Visions of Global Order*), points towards the concerns of her current book-project, a study of the *Boundaries of the International*, which explores European debates over legal relations with extra-European societies during the eighteenth and nineteenth centuries. The paper she will present to us in Cambridge draws on material from this project.

#### *Abstract of the Paper*

Throughout the modern period, the law of nations has always been both distinctively European and also universalist in its aspirations: but understandings of the actual or possible universality of the law of nations have varied substantially, with significant moral and political implications. Over the course of the nineteenth century, the consensus among all but a few Western European jurists came to be that international law, though exclusively European in origin, was authoritative for all, and that Europeans could and should dictate the terms of legal interaction to so-called backward peoples. For a relatively brief period in the late eighteenth century, however, there flourished a variety of more critical approaches to the question of the scope of the European law of nations and the nature of legal relations between European and non-European states, approaches that regarded a global legal order, or network of orders, as a constraint on the exercise and abuse of European states' power. This paper considers that critical strand of thinking about law, among figures such as Edmund Burke, the French Orientalist Abraham Anquetil-Duperron, and the influential Admiralty Court judge William Scott, Lord Stowell.