

Analysis of the Effects of British Empire Colonization

Lionel Leo, Haitao Leo

Beijing Number 4 Middle School, Beijing, China

Abstract. The colonial practices of the British Empire have been controversial. By reviewing history, the article analyzes the development of the British Empire, starting from the connection between liberal ideology and politics and the critique of post-colonialism. In conclusion, although the British colonial behavior brought harmful consequences to the colonized countries; objectively, it also exposed the colonies to free ideas and advanced institutions. This finding has implications for understanding British colonial behavior.

Keywords: British Empire; Post-colonialism; Liberalism; Political Economy.

1. Introduction

This article starts with the connection between liberal thought and politics and the critique of post-colonialism, focuses on the development of the British Empire, and points out that although it has led to colonial issues, it has played an essential role in globalization of liberalism and the legal system.

Some scholars think that the British Empire has brought disaster and panic to the colonized countries at the same time as colonial expansion, and the British Empire has made the world a mess by provoking plunder and war. This paper refutes the above view because the development of many uncivilized countries originated from the colonial and classical economic thought of the British Empire(2013, Douglas M. Peers). The "good" in the title of this paper refers to the development of politics, economy, science, and the promotion of human liberty. The British Empire was introduced into the colonized countries during colonization, significantly promoting ideological awareness and independent development. Secondly, the British Empire also brought liberalism to these colonized people, further promoting the rule of law. Although the actions of the British Empire led to colonial problems, they also promoted the independence and individual development of the colonized countries for other countries in the world (James Midgley, 2011).

In general, this paper argues that if we want to demonstrate the advantages of the British Empire, we must consider colonialism and criticism of colonialism. First, this article illustrates the objective contribution of the British Empire's colonization to freedom and the rule of law from the perspectives of China and India. Furthermore, it will demonstrate colonialism and its influence and consider the criticism of colonialism, especially by Marxists. Ultimately, this article argues that, although not necessarily from the British intentions, colonization has a self-denying force that objectively promotes its disintegration and promotes freedom.

2. Colonization brought slavery and freedom at the same time

Freedom refers to political and economic development. England (legally) has never been an empire but a kingdom. The head of the United Kingdom is always a king, not an emperor. Kingdoms and empires are decisively different in European historical legal traditions(Kevin Kenny, 2004). A kingdom is called an empire because colonization causes its expansion and influence, and colonization makes the kingdom look like an empire. (Allan I. Macinnes, 2007) Analysis of the British Empire rather than Britain as a kingdom means analyzing its impact on the colonization process. Hence it is necessary to analyze the critiques of colonialism and post-colonialism. Next, this article will use China and India to illustrate colonization's problems and benefits.

2.1 2.1 Example from China

This section takes China as an example to prove that while the British Empire brought slavery to the colonies, it also brought political and economic development and freedom. China has undergone

some changes since it was mercilessly invaded and colonized by European countries, including the British (Britten Dean, 2008,). Britain invaded and colonized China in the 19th century. Its colonization was driven by interests, such as the opium trade and trade deficit, which caused considerable losses to China as a colony. However, British colonization also had a very positive impact on China (ByCarl Trocki, 1999), such as the contribution of the judicial practice of the Weihaiwei concession court in Shandong Province to the modern Chinese legal system.

In ancient China, there was no distinction between judicature and administration, so there was no way to achieve judicial independence, no principle of due process, and no evidence system (Li Chen, 2012). The judicial process was also relatively violent. The violence of the trial process also made it impossible for traditional Chinese judicature to distinguish between trial and punishment (JAHP 2018). However, the British legal practice has injected fresh blood into China's modern judicature (It has changed the traditional Chinese cruelty against criminal law so that China can find that judicial independence has the value of power restriction and maintaining power balance (Tan, Carol G. S.,2006). It is necessary to have judicial independence and a judicial system to ensure its realization to establish a democratic and scientific power operation mechanism in China. Although China still has to overcome many difficulties to achieve this goal (Tom Ginsburg, 2010). This can reflect the significant impact of the British system on China and the contribution of these systems to China.

Moreover, in this article's opinion, significant changes have taken place in China's legal system and legal institutions under the influence of Britain. For example, in the formulation of major procedural laws and regulations, the criminal and civil procedure law of the Qing Dynasty in 1906 was the first draft procedural law in modern Chinese history. Chapter five: general provisions, criminal rules, civil rules, general rules of formal civil affairs, and rules for handling Chinese and foreign negotiations. The jury system and lawyer system were first introduced. The main details of the changes are as follows: (1) the Ministry of punishment was changed to the Ministry of justice, which was in charge of national judicial and administrative affairs, and no longer assumed any judicial functions, to show the separation of administration and justice. At the same time, the Department of Procurators was changed to the Department of procurator, which was responsible for local judicial administration and local judicial supervision. (2) The Dali temple was changed into a Dali court. As the highest judicial organ in the country, the higher judicial office, the local judicial office, the primary judicial office, and other judicial institutions were set up in local areas, and a new judicial system was initially established. (3) The corresponding procuratorial offices shall be set up in the judicial offices at all levels to implement the joint audit and prosecution system. The procuratorial office is responsible for investigating criminal cases, initiating public prosecution, and exercising judicial supervision. At the same time, it can also participate in the trial of civil cases and act as a litigant or public interest representative. (4) Establish a police agency. The patrol department was first set up in the central government, then the Ministry of civil affairs. In the capital, there is a general Hall of inner and outer city patrol police. Each province has set up patrol roads, and each Department, state, and county has set up a police chief according to the general rules of the official system, and each district officer, if an officer, handles the patrol affairs. (5) Establish new prisons and improve the prison administration system. Although it has not been successfully implemented, it has dramatically impacted China's future legal system and institutions.

2.2 Example from India

The following part will take India as an example to prove that while the British Empire brought slavery to the colonies, it also brought political and economic development and freedom. In India, there is a caste system: the caste system centers on the ruling class and divides many career-based endogamous groups, that is, castes. It is an unenlightened belief(2014, Chris Badner). They are linked at different levels and integrated into social systems throughout the Indian subcontinent. Castes are hereditary and challenging to change, and social and economic status are mostly related to castes. Once the caste is completed, the low class cannot rise.

Although India has abolished the caste system since its independence, the caste discrimination caused for thousands of years is still quite severe in many parts of India, especially in rural areas. In the case that India has long abolished the caste system, the remnants still affect Indians. However, British colonization objectively contributed to the alleviation of the caste system. After the arrival of the British, with the rise and development of British native industrial capitalism, liberalism began to spread in India and other colonies. The British colonial authorities began to carry out some liberal reforms in India, including the reform of social thought. Although the British empire has no intention to promote liberal reform in India actively and even uses the caste system to rule India (RACHEL J. TOLEN, 1991), it objectively exposed some Indian intellectuals to the idea of liberal constitutionalism. For example, between 1810 and 1835, the first generation of English-speaking Indian intellectuals centered on Ram Mohan Roy came into contact with European liberal constitutional ideas and attempted to transform Hinduism. Their reform movement was influenced by the movement for free trade and parliamentary reform in Britain (2018, Cambridge University Press). The Charter Act of 1833 was also a liberal effort against Britain's avowedly despotic regime in India.

To sum up, it may not be the original intention of the United Kingdom, but the British colonization objectively promoted the liberal reform of India itself. It is an unenlightened belief.

3. The criticism toward colonialism of Marxism

During World War I, Communism (the second International) began to rise in France, and its famous leaders also began to criticize colonial policies, such as Lenin's criticism of imperialism (V.I. LENIN, 1916). They put forward the words of linking colonialism and imperialism. This is indeed the case. Many European countries have all embarked on the path of imperialism after being immersed in colonial expansion. It is necessary to criticize colonialism because it has restrained the awakening of national self-determination and freedom, but people should simultaneously affirm the development brought by colonialism to the colonized countries.

The practice of China and soviet the Marxism mentioned above not only failed to avoid totalitarianism (such as the Soviet system during Stalin's reign and China's Cultural Revolution in the last century) but also failed to avoid the final disintegration of the Communist countries or the transformation and participation in the world capitalist order. For example, Lenin's vanguard thought turned the Soviet Union into a totalitarian system. In contrast, Stalin's Socialism in One Country policy turned the Soviet Union into an imperialist country (Yuri Slezkine, 2000), which reached its peak in the Brezhnev period, such as during the war in Afghanistan (J Castagné, 1893). Therefore, it is not sufficient to criticize Marxism based on Marxism because Marxism cannot avoid this imperialist tendency.

On the contrary, the colonization caused by Britain and the liberalism and advanced political and economic system spread through colonization has strengthened the criticism of imperialism worldwide. Colonization and Enlightenment are inseparable. Although not out of Britain's original intention, it is objectively more resistant to imperialist tendencies than Marxism in the Soviet Union and China. In response to the criticism of colonialism, this paper demonstrates that an essential aspect of the benefits of the British Empire is to promote the global spread of the enlightenment and the global spread of liberalism and later Neoliberalism. At the same time, it also indirectly strengthened the national consciousness of the colonized countries (1999, Tayyab Mahmud) and promoted the trend of the national independence of the colonized countries after World War II.

4. Conclusion

In summary, this paper draws the following conclusions: the British had many acts of colonizing other countries a few centuries ago, and their acts have brought harmful consequences to other countries. Although these consequences are undeniable, despite many instances of a British invasion

of foreign countries, they still had some positive effects on the colonies. That is, the colonies were exposed to liberal ideas and advanced systems. Although the United Kingdom did not intend them, it objectively promoted the progress of the colonized political economy and culture. Given the totalitarian character of last century communism, liberalism is still a good option.

References

- [1] Union and Empire: The Making of the United Kingdom in 1707.
- [2] Douglas M. Peers, State, Power, and Colonialism.
- [3] James Midgley, David Piachaud, Colonialism and Welfare: Social Policy and the British Imperial Legacy.
- [4] Kevin Kenny, Ireland and the British Empire.
- [5] Britten Dean, British informal empire: The case of China.
- [6] The History of Government from the Earliest Times: Ancient Monarchies and Empires; The Intermediate Ages; Empires, Monarchies and the Modern State.
- [7] Opium, Empire and the Global Political Economy.
- [8] By Carl Trocki, A Study of the Asian Opium Trade 1750-1950.
- [9] Li Chen, Legal Specialists and Judicial Administration in Late Imperial China, 1651–1911.
- [10] Colonialism and Modern Constructions of Race: A Preliminary Inquiry Beyond/Between Colors: De/Constructing Insider/Outsider Positions in LatCrit Theory.
- [11] The Crisis of Liberal Reform in India: Public opinion, pyrotechnics, and the Charter Act of 1833.
- [12] JAHP, Proceedings of the 3rd International Conference on Judicial, Administrative and Humanitarian Problems of State Structures and Economic Subjects.
- [13] Tan, Carol G. S. A gender-based theory of the origin of the caste system of India Law and the administration of justice in the British leased territory of Weihaiwei.
- [14] Tom Ginsburg, Judicial Independence in East Asia: Implications for China
- [15] RAMMOHAN ROY AND THE ADVENT OF CONSTITUTIONAL LIBERALISM IN INDIA, 180-30.
- [16] J Castagné, Soviet Imperialism in Afghanistan.
- [17] RACHEL J. TOLEN, Colonizing and transforming the criminal tribesman: the Salvation Army in British India.
- [18] Yuri Slezkine, Commentary: Imperialism as the Highest Stage of Socialism.