

HEGEL, LAS CASAS, AND THE ERASURE OF PARTICULARITY: THE PEDAGOGICAL COERCION OF THE BARBARIAN

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Abstract. *We follow Hegel's description of the barbarian as a natural being, incapable of freedom and thereby a threat to its Idea, achieved only in European culture. The alternatives left for her in the modern world are either assimilation to the universality of the European by means of a civilizing mission (pedagogical coercion) through which she must lose her particularity, or physical extermination. Either way, her concreteness cannot withstand the universality of reason and freedom. In contrast, Bartolomé de las Casas in his 1550 debate with Ginés de Sepúlveda offers various strategies with which he attempts to save native cultures from both assimilation and extermination. In opposition to Hegel, what is under threat for las Casas, and requires absolute sovereignty instead of pedagogical coercion, is not the universal idea of freedom but the concrete existence of native communities.*

Keywords. *Hegel; las Casas; Colonialism; Freedom; Barbarian*

Kill the Indian in him, and save the man.

Captain Richard Pratt (1892)

In *Negative Dialectics* Adorno criticizes Hegel's philosophy insofar as it asserts that the particular can only be accessed through its concept. Hegel's critique of the myth of the given amounts to the impossibility of grasping material or sensorial immediacy without the use of concepts, which mediate any otherness, making it thus possible material for thought. This allows Adorno to assert that for Hegel without the universal the particular is nothing¹. Nothing can

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¹ T. Adorno, *Negative Dialectics*, trans. by E.B. Ashton, New York, Continuum, 1973, p. 327.

resist the concept: identity ends up winning out over non-identity² while making it possible.

In what follows, I would like to apply this critique of the subsumption and disappearance of the particular under the universal to the relationship between barbarian and European encountered in various Hegelian texts. His views on particularity and universality, applied to the social realm, might help us understand the effects of the conceptualization of the barbarian on the European's treatment of her. Her particularity precludes her from becoming universal, making her unfree. For this reason, she is bound to disappear: she cannot continue her existence as a particular in the face of European universalism and thus must either die out (*Untergehen*) or leave behind her particularity and assimilate, that is, achieve universality, by means of a successful *civilizing mission*.

We shall begin by, first, analyzing the concept of freedom in Hegel, granted to the modern European, albeit denied to the barbarian. Second, we will shed light on the role negativity, contingency, and the recognition of error and injustice play in this concept of freedom, highlighting its radically emancipatory force. Third, we will reveal the tension piercing Hegel's concept of freedom between uncertainty and certainty, possible error and pedagogical coercion. Fourth, we will analyze Hegel's reflections on the barbarian in certain texts. Fifth, in contrast to this positioning vis-à-vis the barbarian, where there is no space for her particularity to survive, we will focus on Bartolomé de las Casas' approach to the Indian in his 1550 Valladolid dispute with Ginés de Sepúlveda, where he deemphasizes the imposition of universal truth, be it by the sword or by conversion through gentle persuasion, and instead makes sense of the error and sin the Indian lives in, thus undermining the rationale for her subjection to the European and offering her absolute sovereignty as the only means for the survival of her culture from extermination. This requires redefining the practice of human sacrifice from the point of view of the native community itself.

² Ivi, p. 173.

1. *Freedom*

In the Introduction to the *Philosophy of Right* Hegel offers a description of the will as composed of three traits: universality, particularity and individuality. Its universal aspect consists in that a free will must have the capacity to step back from any element of its particularity at a given moment and reflect on it, allowing for its negation. Freedom thus means the capacity to disavow what at any moment constitutes who we are, to accept there is no *particular* content of consciousness by means of which we become exactly who we ought to be. Our essence as humans lies in granting each other the normative authority to determine how we understand what it is to be *human*: to reach our essence means to finally understand that we do not have one. We are responsible for what we make of ourselves and cannot delegate that authority to a transcendent being, nature, fate, chance, a monarch or the natural sciences. We live in a logical space of reasons, constantly testing the authority of our beliefs by subjecting them to the game of asking for and offering reasons, negotiating what we accept as valid justifications and altering our beliefs accordingly. To be free means to bear the ultimate normative responsibility for our beliefs.

However, without particularity there would be no content to critically distance oneself from. A human being cannot exist without specific content determining it at any given moment. If we are free insofar as being capable of confronting and disavowing certain particular beliefs we may have, we can only do so from the standpoint of other beliefs that now compose the normative framework from which to question and overcome those previous ones. Thus, freedom also consists in having particular beliefs because only through them can we grant each other the normative authority enabling us to get rid of those that end up being non-justifiable in the logical space of reasons. We always live within a particular authoritative form of life or world view from which we may exercise critique; a horizon of meaning from and due to which we are able to thematize certain aspects of our horizon.

This leads to individuality. The previous two aspects of freedom are one-sided when taken separately; individuality is their unity,

the concrete concept of freedom. Universality by itself is vacuous since all intentionality and motivation disappear in it; whereas particularity by itself disallows any possibility of critique since there would be no gap between *is* and *ought*. Herein lies the rub of the unity of universality and particularity: How can one avoid being shaped by one's determinations, which would make the idea of 'one-self' be a mere manifestation or expression of the community one belongs to, without falling into the chimerical idea of choosing oneself from a universal standpoint, which would offer no guidelines or incentive at all for what it is one wishes to shape oneself into?

Freedom is a combination of both accepting and not accepting our determinations. How do we choose what to accept or not? How do we know whether we *are* ourselves or merely shaped by a form of life while believing we freely choose it? We achieve freedom through constant contestation and negotiation of our beliefs. We can appeal neither to a transcendent standpoint that tells us who we ought to be in order to truly be ourselves, nor to the internal standpoint of our conscience. The only appeal possible is to other beings who also will to be free and appeal to us in their desires and beliefs. Only in our being summoned or challenged by others we desire to be recognized by and who simultaneously desire to be recognized by us, and whose beliefs and desires we summon and challenge, can the space be created for a distinction between freedom and unfreedom. Only in the logical space of reasons, in the mutual give and take of the attempts to justify our images of ourselves, and in the acceptance or rejection of these reasons, in our owning ourselves as who we are or our choosing to change accordingly, can we be free.

2. Error, Injustice and Contingency

This understanding of freedom brings with it two related corollaries: on the one hand, freedom has as its necessary condition that all be free; and on the other, the less certain one is about one's own beliefs, the more potentially free one is. The latter can only be achieved by means of the former. If a form of life is such that not all its members are free, then its self-understanding is crippled by the fact that it is not taking up the challenge of justifying itself, offering

reasons for its potentially discriminatory practices or institutions. These reasons must not only be offered among those benefiting from the practices themselves but also must include those who suffer their consequences. Tradition by itself cannot legitimize practices. A form of life in which a subset of its members is not free will carve out a self-justifying sphere where its normative authority is not granted but imposed. In this case it is not legitimate. Here we are not free but simply subject to a power struggle where might makes right. A necessary condition for freedom is the recognition that nobody is immune to the possibility of being wrong or unjust. This is the problem with the master: she cannot be unjust since there are no valid criteria to determine injustice on her part. The most structurally unjust situation is when injustice cannot be called out. There can be no freedom without recognition, not only from other masters, but from all. Seeking recognition from and granting it only to those with equal status does not make one free since it forecloses the possibility of injustice being committed against those of lower status or no status at all. To make a distinction between masters and slaves, civilized and uncivilized, undermines freedom. Therefore, freedom can only be the freedom of all.

Freedom amounts to the freedom to recognize the possibility of being in error or acting unjustly. The acceptance of this possibility of getting it wrong or of being unjust helps us avoid the dangers of certainty and dogmatism, thus leading to freedom. Inhabiting the logical space of reasons is the only barrier against the illusion that we have finally reached the fulfillment of *what* it is to be human, or the final description of *the* way the world is. We are free when we recognize that nobody is immune to the possibility of being wrong or unjust; no appeal exists to anything beyond the social acceptance of one's normative authority based on nothing but our successfully taking up the summons to justify our beliefs by offering acceptable reasons for them. This can only take place when it is open to all to participate in the continuous process of contestation of reasons.

Error plays a fundamental role in Hegel's concept of freedom: the more one is open to its possibility or to that of injustice, the freer one is. This emphasis on negativity, on the potential unmasking of any given as posited, is the source of the self-ascribed superiority of the West over previous cultures and systems of thought: the capacity

for self-critique. For Hegel, the freedom achieved in modern European societies lies in the realization that normative authority comes from mankind itself and is subject to constant negotiation, revealing its historicity. This awareness constitutes spirit becoming conscious of itself as spirit.

This makes the experience of error more fundamental than that of truth since it is more constitutive of human experience. We never really experience *truth*, but rather the falsification of what was held as true. In the experience of error we are free since it proves we are not absolutely bound by any particular belief.

3. *The Blind Spot of Freedom*

Modernity achieves universality since the Idea of the freedom of all unmasks the hidden particularity of any assumed universalism: we *finally* become aware of our historicity. Each configuration in history has determined from itself the normativity constitutive of what it holds to be true or good. However, before modernity spirit had not become conscious of itself as spirit. Normative authority had been grounded externally. Due to the modern Idea of the freedom of all, Hegel believes he belongs to the first configuration in history conscious of the historical character of the normative authority humans grant themselves.

However, it seems this normative authority must be imposed on those who have not reached it for it to work as it ought to: an authority mutually agreed on and consented to. This is the role of the pedagogical coercion against the barbarian mentioned by Hegel in § 93 of his *Philosophy of Right*³. The apparently radical nature of

³ «Pedagogical coercion, or coercion directed against savagery and barbarism [*Wildheit und Rohheit*], admittedly looks like a primary coercion rather than one which comes after a primary coercion which has already occurred. But the merely natural will is *in itself* a force directed against the Idea of freedom as that which has being in itself, which must be protected against this uncivilized [*ungebildeten*] will and given recognition within it» (G.W.F. Hegel, *Elements of the Philosophy of Right*, trans. by H.B. Nisbet, Cambridge, Cambridge University Press, 1991, p. 120). For an analysis of this paragraph, see my *Barbarie en la Filosofía del Derecho*, in *La*

the Idea of the ‘freedom of all’ modernity introduces simultaneously grounds a distinction between modern human beings who have actualized their essence as free, and ‘pre-modern’ ones not yet aware of what they ought to be. The latter are transformed into mere potential, the exemplification of a prior, lower stage of development. What is not modern is defined as pre-modern, determined in its being through modernity’s self-understanding. This justifies for Hegel the imposition of freedom. It justifies the conquest and colonization of the inhabitants of unfree forms of life in order to raise them to the universal they potentially carry within them, helping them overcome their contradiction⁴. The non-European becomes the pre-European, to whom coevalness is denied⁵. They share a space, though not a time. Observing the barbarian amounts to gazing at the past. This inferiority based on her lack of development traces the racial classification offered both in *The Philosophy of History* and the Subjective Spirit section of the *Encyclopedia*⁶, in which whiteness and

Filosofía del Derecho de Georg Wilhelm Friedrich Hegel: sentido, problemas y perspectivas, ed. by G. Leyva and A. Nava Tovar, Ciudad de México, Universidad Autónoma Metropolitana, 2024, pp. 769-774.

⁴ For the relation between unfreedom and colonialism in Hegel, see S. Bonetto, *Race and Racism in Hegel – An Analysis*, «Minerva – An Internet Journal of Philosophy», X, 2006, pp. 35-64; F. Kirkland, *Hegel on Race and Development*, in *The Routledge Companion to the Philosophy of Race*, ed. by P. Taylor, L. Alcoff and L. Anderson, New York, Routledge, 2017, pp. 43-60; D. Moellendorf, *Racism and Rationality in Hegel’s Philosophy of Subjective Spirit*, «History of Political Thought», XIII (2), 1992, pp. 243-255; A. Stone, *Hegel and Colonialism*, «Hegel Bulletin», XLI (2), 2020, pp. 247-270; R. Zambrana, *Hegel, History, and Race*, in *The Oxford Handbook of Philosophy and Race*, ed. by N. Zack, Oxford, Oxford University Press, 2017, pp. 251-260. For an analysis of the relation between unfreedom and colonialism that brings together idealist and materialist strands, see Guzmán, *Barbarie en la Filosofía del Derecho*.

⁵ J. Fabian, *Time and the Other: How Anthropology Makes Its Object*, New York, Columbia University Press, 1983, Chapters 1 and 2.

⁶ This racial classification can be teased out from the sub-section entitled ‘Geographical Basis of History’ in the Introduction to *The Philosophy of History*, and

non-whiteness end up as markers of the level of development of the Idea of freedom. This racial classification is cloaked in a geographic and climatic determinism that situates Europe within the temperate zone, home of freedom and thus the stage for world history.

This universalist demand of the modern Idea of freedom creates an exclusionary move, assigning the name 'barbarian' to those deemed unfree. The barbarian is defective insofar as she has not reached the awareness of being the sole source of her belief system. She still presupposes that authority as originating elsewhere, which would disallow any contestation of its source. This makes the unmasking of her beliefs or practices as false or unjust impossible.

However, this creates a paradox: if all normative authority emanates from human beings, how should we relate to forms of life that hold the belief that said normative authority emanates from a transcendent source? Hegel justifies a pedagogical coercion that will teach the barbarian the «tremendous power of the negative»⁷, which un-masks the particularism underlying all claims to universality. However, the imposition of this negative universalism on the barbarian through pedagogical coercion undermines the very space it is supposed to create: for the barbarian to become an interlocutor in the space of reasons she must go through a process whereby the normative authority self-granted by the European suffers no contestation. The pedagogical coercion directed against the barbarian constitutes a self-justifying move where the European is the sole voice simultaneously *making* and *authorizing* the claim that only through a mutual asking for, offering and challenging or accepting of reasons can a determination of what is considered to be true or good assume normative status.

Hegel's concept of freedom carves out the negative space from which the answer to the question of normative authority can always be contested and negotiated. Nonetheless, this gesture is founded on an uncontested distinction between the enlightened modern white

the sub-section entitled 'Racial Variety' in the Anthropology section of the *Encyclopedia*, respectively.

⁷ G.W.F. Hegel, *The Phenomenology of Spirit*, trans. by T. Pinkard, Cambridge, Cambridge University Press, 2018, p. 20.

European who already inhabits that negative space and the non-white barbarian who must be taught by force to inhabit it.

This concept of freedom is paradoxical as it is a source of both subjection and extermination of pre-modern forms of life (colonialist stamp), on the one hand, and radical emancipatory potential (anti-colonialist stamp), on the other, since in both cases it requires freedom to be the freedom of all. These two aspects cannot be separated insofar as the former is the condition of possibility for the latter. The radical emancipatory potential of Hegel's idea of freedom needs to be imposed by force, in the form of a pedagogical coercion on the barbarian, for her to become modern and apply this notion to herself in her quest for independence from her colonizer. Hegelian philosophy offers the colonized the tools for their freedom in the process itself of colonizing them. It creates not only the conditions for their liberation, but also what they need to liberate themselves from. It imposes its authority on them in order to teach them that they are the only source of normative authority. As a result, in extending freedom through pedagogical coercion exercised against savagery and barbarism, the West brackets its own freedom by removing any possibility of contestation of its authority.

The European must take it upon herself to coerce the barbarian into freedom since its Idea is under attack by the existence of her natural (uncivilized) will: the European cannot be indifferent to the existence of unfreedom in the world since this would be an affront to said freedom. If not all are free then freedom cannot exist. However, if freedom is understood as the capacity to recognize error or injustice, then this requirement that all be free need only apply to all members of a *particular* community, not to all human beings as such. What makes Hegel apply it universally? Why does the European not allow the barbarian to be a barbarian, existing autonomously and sovereignly in her ancestral lands?

The answer lies in the material conditions of the European economic system and in the role the colonialist project plays in its furtherance. For reasons explained in §§ 243-248 of the *Philosophy of Right*, where Hegel states that the fundamental problem of the modern world is that of poverty⁸, the assimilation of the barbarian

⁸ Id., *Elements of the Philosophy of Right*, p. 267.

to the modern world becomes necessary for the preservation of an economic system that requires constant expansion. The internal engine of the nascent economic system lies in the maximization and accumulation of wealth. This engine propels the maximum exploitation of labor possible, which, together with a greater specialization of work due to technological developments, causes either a problem of over-production or one of unemployment. The former requires an increase in the number of consumers, whereas the latter requires an increase in production, which simultaneously requires an increase in the natural resources available. Colonial expansion appears as a solution to both problems by increasing the number of consumers, on the one hand, and natural resources and cheap labor, on the other⁹.

The dialectic of this economic system necessarily leads to an expansionist colonial movement. The pedagogical coercion justified in § 93 as the protection of the Idea of freedom becomes the protection, by expansion, of an economic and material system of needs. The connection between these two goals lies in that only in such an economic system is the Idea of freedom able to flourish. Freedom can only be actualized in a society with the characteristics of certain northern European states of the early 19th century.

Thus, the blind spot of unfreedom in the actualization of freedom in modernity is necessitated by the preservation of an economic system that offers those living in its metropolis a *semblance* of freedom (since it imposes its normative authority beyond any possible contestation), while creating a situation of unfreedom for the non-European peoples of the periphery being subject to the civilizing mission. The latter will need to be taught by coercion what freedom amounts to and have imposed on them the material conditions for its actualization; they will need to become citizens of the modern world: consumers and producers in a capitalist economic system. As Captain Richard Pratt said in 1892 regarding the native: «Kill the Indian in him, and save the man»¹⁰.

⁹ For a brief analysis of §§ 243-248, see Guzmán, *Barbarie en la Filosofía del Derecho*, pp. 776-778.

¹⁰ From a speech entitled 'The Advantages of Mingling Indians with Whites', read at the *Proceedings of the National Conference of Charities and Correction*, at the

The options, then, are either assimilation, by means of which the native is raised to the universal by shedding her particularity (language, religion, clothing, practices, diet, etc.), or extermination. What does not appear as an option insofar as it would contravene the colonialist project by means of which spirit actualizes its freedom, is to grant the other absolute sovereignty and autonomy. This would require, as las Casas already mentions in 1550, to perceive Europeans and non-Europeans as «different subjects»¹¹, not just the same subject (universal) with different levels of development.

Hegel's bind regarding his conception of freedom lies in that it can only be actualized in a society that in its need to preserve its economic system ceases to be free insofar as it denies the barbarian equal rights by assimilating her into modernity. The civilizing mission can only be achieved from a place of unfreedom.

4. *Hegel and the Barbarian*

The barbarian is a paradoxical figure for Hegel insofar as she inhabits both nature and spirit. If the European was able to raise herself up from nature and actualize freedom, then Hegel cannot deny this possibility to the barbarian without absolutely despiritualizing her. The first step in understanding the difference in their paths given that they are part of the same human species is to offer a source of differentiation in the form of geographical and climatic determination. His concept of *Naturgeist* in the Anthropology section of the *Encyclopedia* proposes a being that inhabits that threshold between nature and spirit. There are souls qualitatively differentiated by natural elements such as climate and geography. This process of natural differentiation produces different races. Therefore, races do not possess intrinsic traits. There is a plasticity to racial differences

19th Annual Session held in Denver, Colorado, June 23-29, 1892. The full speech can be found here: https://carlisleindian.dickinson.edu/sites/default/files/docs-resources/CIS-Resources_1892-PrattSpeech.pdf (last accessed: 10/10/2024).

¹¹ B. de las Casas, *In Defense of the Indians*, trans. by Stafford Poole, DeKalb, Northern Illinois University Press, 1992, p. 48.

since they originated in contingent natural characteristics. This explains Hegel's assertion that «Equal rights for all men are possible in that man is implicitly rational, any rigid distinction between those of the human species with rights and those without being nullified by this rationality»¹². What is null is not the distinction between human beings with and without rights, but rather its rigidity; that is, the idea that some human beings are slaves *by nature*. The human attributes of rationality and freedom are potential and are to be actualized in history. Freedom is not a natural right but a social achievement.

The barbarian carries within her two seemingly conflicting roles. She inhabits the threshold between two worlds: the natural world, on the one side, where she is classified as inferior in her unfreedom, and the spiritual world, on the other, although only potentially, which, under the right circumstances, will allow her to become civilized and actualize her essence. As unfree, she threatens the Idea of freedom generating a right against her due to the double threat she represents. She is both a threat to herself insofar as she blocks her own freedom or essence, and a threat to the European since she does not allow the European to be free.

Following Hegel's comments in the *Encyclopedia* and *The Philosophy of History*, the only difference separating the European from the barbarian, capable of explaining why the former was able to elevate herself from nature and achieve her freedom while the latter remains to a certain degree sunk in nature, is the influence or determination of geography and/or climate throughout long periods of their history, by means of which the inhabitants of extremely hot or cold lands were not able to develop certain types of weapons, cultivate their lands in certain ways, and thus develop their intellect. Those in temperate regions, on the other hand, were able to overcome their naturalness and allow spirit to emerge from it. Hegel says: «In the extreme zones (cold and heat) the pressure of needs may be said never to cease; never to be warded off; men are constantly impelled to direct attention to nature, to the glowing rays of the sun and the icy

¹² G.W.F. Hegel, *Philosophy of Subjective Spirit, Vol. II: Anthropology*, trans. by M.J. Petry, Dordrecht, D. Reidel Publishing Company, 1978, pp. 45-47.

frost»¹³. Despite this 'pressure of needs', it cannot be the case that nature, even at its most extreme, frustrates the appearance of spirit. If it did, spirit would not exist.

In the case of the native population of America Hegel describes spirit being destroyed by spirit; he foresees their disappearance due to their physical and psychical weakness vis-à-vis the European. In the Addition to § 393 he says: «As the Old World establishes itself there anew [in America], the indigenous peoples of the continent are dying out [*gehen unter*]»¹⁴. And later on: «They constitute a vanishing and feeble species»¹⁵. Griesheim's notes on § 393 say «On the whole the American race is quite evidently a weaker species»¹⁶. Evidence of this weakness is their extermination by European colonization. If they were not a weak species, they would not be disappearing so quickly. The causes of this weakness must be primordially physical, which simultaneously and with the passage of time shapes their 'spiritual' traits. Nature determines the level of development of spirit. However, this determination cannot be absolute since then there would be no spirit at all and the native Americans would be merely part of the natural world. The spiritual traits ascribed to them amount to dullness, stupidity, and indolence¹⁷. They do not show a capacity for learning, and merely live in the present, incapable of having an awareness of, and planning for, the future. Their chief characteristics are: «a mild and passionless disposition, want of spirit, and a crouching submissiveness towards a Creole, and still more towards a European»¹⁸. These traits are due, among others, to the fact that they had neither horses nor iron: «tools and appliances of progress»¹⁹. Hegel establishes various causal connections between geography and climate, on the one hand, and military capacity

¹³ Id., *The Philosophy of History*, trans. by J. Sibree, New York, Dover, 1956, p. 80.

¹⁴ Id., *Philosophy of Subjective Spirit*, p. 49.

¹⁵ Ivi, p. 61.

¹⁶ Ivi, p. 63.

¹⁷ *Ibidem*.

¹⁸ Id., *The Philosophy of History*, p. 81.

¹⁹ Ivi, p. 82.

(kinds of weapons possessed), physical strength (types of food available), and spiritual characteristics (laziness and lack of interest in the future), on the other.

There is a reverse causality at play regarding the native American and the European. From a factual present that amounts to the extermination and disappearance of the native American population under European colonization Hegel shapes a normative past that determines it as their «fate» – *Schicksal* – to have to «give way to» the Europeans²⁰, or to «expire as soon as Spirit approached» them²¹. The reason they are both physically and spiritually weak must originate in geographic and climatic determinism since there is no other source of differentiation among the races. However, what pushes them to their disappearance must be a non-natural cause, otherwise it would contradict Hegel's claim that nature cannot over-determine spirit. A stronger spirit (Europe) determines their vanishing. Even complex civilizations (Mexico, Peru) were «of a feebler stock and are long gone»²².

In this process of colonization, the native American population is subject to a continuous exploitation that decimates it. Hegel says:

But the recent history of the transatlantic continent indicates that, although it did possess an indigenous culture when it was first discovered by the Europeans, this culture was destroyed through contact with them; the subjugation of the country amounted, in fact, to its downfall [...]. America has always shown itself physically and spiritually impotent, and it does so to this day. For after the Europeans had landed there, the natives were gradually destroyed by the breath of European activity²³.

The belief in the natural and spiritual inferiority of the native American traces the contours of race insofar as the origin of this

²⁰ Id., *Philosophy of Subjective Spirit*, p. 65.

²¹ Id., *The Philosophy of History*, p. 81.

²² Id., *Lectures on the Philosophy of World History*, Vol. I, trans. by R. Brown and P. Hodgson, Oxford, Oxford University Press, 2011, p. 192.

²³ Id., *Lectures on the Philosophy of World History, Introduction: Reason in History*, trans. by H.B. Nisbet, Cambridge, Cambridge University Press, 1975, p. 163.

inferiority for Hegel, while not being biological or essentialist, lies in contingent natural differences. The different races are shaped via nature, which favors the temperate climate of Europe in contrast to the harsh climates encountered throughout other regions of the globe. In this way, Hegel avoids an essentialist discourse that would undermine his conception of freedom. If certain races have not changed in centuries, that is not due to biology but to the lack of change in the natural elements. Spirit, therefore, in its manifestation as European culture and activity, exterminates various barbaric populations throughout the globe due to their weakness, revealed in the colonial encounter. This extermination is a spiritual event; it possesses the normative significance of extinguishing the threat to freedom. The spread of freedom ends up being the ultimate, normative and factual, reason for the disappearance of certain weak manifestations of spirit. Given the relation between nature and spirit, only spirit can overcome spirit. Differences between races originate contingently in nature, whereas the subjection and destruction of certain races at the hands of Europe in its process of conquest and colonization of the globe is a spiritual event insofar as the actualization of freedom is involved.

In *The Philosophy of History*, Hegel asserts that if one desires to understand the barbarian one needs to set aside all European value systems and morals; in other words, one needs to allow her particularity to appear without subsuming it under the European universality of freedom and rationality. He says: «The peculiarly African character is difficult to comprehend, for the very reason that in reference to it, we must quite give up the principle which naturally accompanies all *our* ideas – the category of Universality»²⁴. Adherence to this claim would disallow seeing the barbarian as a more primitive, undeveloped version of the European. To comprehend the barbarian, we should not then measure her against the yardstick of our conception of freedom or rationality to underscore what is lacking in her. Therefore, if we do not give up this category of universality in our attempt at comprehending the barbarian, we will distort our object of analysis and end up with the reverse image of ourselves, projecting onto the other what we ourselves do not want to be or see

²⁴ Id., *The Philosophy of History*, p. 93.

ourselves as. However, this is precisely what Hegel brings about in his description of non-Europeans. The superiority of the black race over the native Indian, for example, lies for him precisely in its capacity to minimally embody the universal ideas of equality and freedom fought for in Haiti under the influence of the French Revolution and Christian ideals. This imposition of the universal in our approach to the other does not allow us to come face to face with her particularity or concreteness; it rather subsumes her under the normative universal by means of which she is constituted as what the European is not, or rather, no longer. Hegel erases her particularity, precluding Europe's comprehension of her, and, by denying her co-evalness, defines her as the pre-universal since she shares a space but not a time with the European; she lives in the past.

5. *Las Casas and the Barbarian*

I shall focus on Bartolomé de las Casas's text *In Defense of the Indians*, written as preparation for his 1550 debate with Ginés de Sepúlveda in Valladolid, Spain, and propose his thoughts on the native Indian population of the New World as a less violent approach to the particularity or concreteness of the barbarian than what later European philosophers were to offer. As a Spanish Dominican from the 16th century, las Casas views himself as embodying the universality of the Christian Faith. This is evidenced by his claim that the Indian lives in error (she does not know God) and sin (she believes in false gods and practices human sacrifice and cannibalism). However, this absence of the universal in her is ground for neither subjugating (assigning her the role of natural slave due to her imperfection, as Sepúlveda does) nor civilizing her until she learns to inhabit the potential universal within her (as Hegel does). The reason las Casas has for giving up on the latter option during the last fifteen years of his life after having spent decades fighting to raise the Indians to the Christian universal, lies in the evident consequences the colonizing/civilizing process had on the indigenous population, quickly being annihilated. Throughout the first half of the 16th century las Casas was first-hand witness to, in his words: «the complete

destruction of entire kingdoms, cities and strongholds»²⁵. The potential universality of the Indian, achieved through conversion, starts taking a back seat to the survival of the particularity of her culture. In contrast to Captain Pratt, las Casas wants to save the Indian from the (European) man. For this, he will have to come face to face with her particularity without imposing his own, supposedly universal, views on her practices, including human sacrifice and cannibalism. He will go to great lengths to interpret these practices from the perspective of their practitioners themselves while simultaneously establishing parallels with Europe's own practices.

To achieve this goal and correct some of the destructive consequences of the European universalist project, encountered in the form of what would later be named *pedagogical coercion* or *civilizing mission*, he rejects any jurisdiction on the part of the European over the Indian, thereby undermining the justification for her subjection through war or education/conversion.

In 1550 the King of Spain, Charles I, assembled a junta to debate the issue of the treatment of the native Indian on the part of the Spanish Crown, specifically, whether it was just to wage war against her. In preparation for the debate, las Casas wrote the text *In Defense of the Indians*. He begins by explaining his opponent's position and arguments. Sepúlveda offers four reasons to justify a war of domination against the native populations: 1. natives are barbarous, uncivilized, unteachable and lacking civil government; 2. war is just as punishment for their crimes against natural law: idolatry and human sacrifice; 3. war is justified in order to free the innocent; 4. war is justified as a means of extending the boundaries of the Christian religion and of opening the way for those preaching the gospel. The following are three strategies las Casas lays out to apprehend the particularity of the native Indian without erasing it under the universality of freedom or the true God, as occurs in Hegel and Sepúlveda, respectively. This would undermine the ground for any subjection, extermination or assimilation of the barbarian. They are: 1. the concepts of 'probable error' and 'invincible ignorance' through which las Casas will redefine certain practices of the Indians, thereby

²⁵ las Casas, *In Defense of the Indians*, p. 191.

undermining their use as ground for labeling the Indians *barbarians*; 2. his conception of freedom as autonomy and sovereignty of a form of life, thereby rejecting the humanitarian gesture of saving individual lives at the cost of destroying the culture or form of life to which these lives belong (placing the particularity of the culture above the universality of the individual abstracted from that culture); 3. his rejection of a whole or totality to which both European and native populations belong, thereby undermining the subjection of the Indian to European culture due to the error and sin she unknowingly lives in.

5.1. Probable Error and Invincible Ignorance

A *probable error* is a belief or action that is wrong but approved by all or most humans. It is based on ignorance but «owes its origin to a plausible proof developed by human reasoning»²⁶. Not only is it understandable how this error could have come to be, but also in many cases there is no way for a community or form of life to become aware of it *as* error. This makes it an «excusable, invincible ignorance»²⁷.

Las Casas will use this concept to undermine Sepúlveda's second argument, dealing with human sacrifice and idolatry, the practices of which for him are proof of the barbaric and savage nature of the native. Las Casas does not question the universality of the truth of the Catholic Church. This allows him to judge idolatry and human sacrifice as going against natural law, which is determined by God and reason. However, he asserts that the particular acts of human sacrifice and idolatry can be explained as an understandable error insofar as many, maybe even most inhabitants of the world, erroneously believe in the existence of various gods and in human sacrifice as a legitimate expression of gratitude towards these gods. This means that the existence of (the true) God is not self-evident. It might be true and necessary, but this does not make it self-evident. Therefore, those who practice idolatry cannot be held responsible for their ignorance or for not being easily persuaded to recognize it as such.

²⁶ las Casas, *In Defense of the Indians*, p. 242.

²⁷ *Ibidem*.

The practice of offering sacrifice to those who one, rightly or wrongly, takes to be gods is approved by all humans according to las Casas, making it thus a natural law. It is also a natural law that sacrifice must consist of something held to be valuable. Which valuable object is to be sacrificed, on the other hand, will depend on custom or tradition (positive law). In certain cases, that of the Aztecs among them, the natural law of sacrifice will displace the natural law against killing. Human sacrifice, practiced by many forms of life, goes against this second natural law since these cultures value more highly the magnitude of the gratitude expressed towards the gods to whom they owe everything than some individual lives. This is so because sacrifice to the gods brings well-being to the whole community. This makes their error probable since all members of these forms of life share it and it is a reasonable belief to be held. As reasonable, their ignorance is 'invincible', impossible to overcome, since they would have no effective internal reasons to change these practices. They have been handed down for centuries, legitimated by those held to be wisest in the community. Instead of emphasizing the natural law against killing fellow human beings, las Casas emphasizes the natural law requiring sacrifice of what one values highly, allowing him to make sense of human sacrifice and perceive it as *probable* error. He underscores the natural law the Indian shares with the European (sacrifice to a transcendent source), while making sense of the reasons she has for not following another natural law. These forms of life, European and native, have different systems of valuation for the natural laws they share as human beings.

The strategy las Casas uses to come to terms with the particularity of the native Indian practice of human sacrifice is to find an acceptable practice shared by Europeans (thankfulness to transcendent beings) that offers a hermeneutic entry point into the practice of human sacrifice in order to make sense of it. This way he avoids imposing a universal that would simply disqualify the practice as sinful and wrong, allowing the native to be classified as barbarian and savage. The strategy is to establish non-evident parallels between civilized and so-called barbaric practices, between European and barbarian, reducing the distance between them. Paradoxically, it is through the universality of the practice of sacrifice that the particularity of *human* sacrifice is approached on its own terms and not rejected for being sinful and wrong.

However, making sense of something does not equate justifying it. Neither the barbarian's ignorance (invincible) nor the fact that her error is comprehensible and common (probable) would seem to be enough to question the civilizing mission the European thinks she has the right and duty to impose on the barbarian. Las Casas needs to bring to the foreground the undeniably devastating consequences of said civilizing process: the utter destruction of established forms of life. He says: «The death of the innocent is better or less evil than the complete destruction of entire kingdoms, cities and strongholds»²⁸. His ultimate goal is to avoid the destruction and extermination of forms of life that in most respects are similar to us, and whose differences can be made sense of and, therefore, to a certain degree commensurable to our own conceptual scheme. They should be allowed to live in (probable) error and (invincible) ignorance if the alternative is their 'dying out'. Imposing the natural law against killing on the Indian in order to protect the innocent victims of human sacrifice will in the end bring even more death, thus contradicting the law itself. It will also contravene another natural law: that of freedom.

5.2. Freedom

With regard to freedom, the threat to which for Hegel justifies the pedagogical coercion against the barbarian, las Casas will actually hold the reverse argument and assert that it is the freedom of the Indian herself that disallows her pedagogical coercion. He says: «Not even a truly wise man may force an ignorant barbarian to submit to him, especially by yielding his liberty, without doing him an injustice»²⁹. How is freedom understood here? As shown above, freedom for Hegel lies in the actualization of the 'tremendous power of the negative', the capacity to distance oneself from any belief held if good reasons are provided. For las Casas what is at stake is freedom from external interference. It is an issue of the autonomy and sovereignty of peoples. Neither the Pope nor the Spanish Crown has any jurisdiction over the Indians as long as they have not been authorized

²⁸ las Casas, *In Defense of the Indians*, p. 191.

²⁹ Ivi, p. 46.

by these peoples themselves, or by their princes and sovereigns. Las Casas says:

All nations and peoples, composed even of infidels, possessing lands and independent kingdoms, which they have inhabited from the beginning, are free peoples and do not recognize any superior beyond them, except their own, and this superior or these superiors possess the same full power and the same rights of the supreme prince in their kingdom as those which the Emperor now possesses in his empire [...]. All these nations and peoples and also the lands inhabited by them are free; they do not recognize beyond them any lord or superior, of their persons as well as of their lands and possessions. Evidence of this is that fifty-three years ago nobody in the world knew of their existence. They equally possess regions and independent kingdoms, and over these, from time immemorial, exercise power and jurisdiction freely and with rights of command; and they occupied and inhabited said regions by Divine authorization and license, from the beginning, by having found them empty, not forming part of the goods or possessions of anyone³⁰.

The emphasis is placed on the freedom of communities to hold the beliefs they hold, in contrast to the freedom of challenging any and all beliefs in the space of reasons. What makes all humans equal is their sociality: belonging to a community grounded on a normative framework. Freedom is not determined by the way these communities have reached their normative frameworks, be it by their traditions and long-established practices or by the constitution of a logical space of reasons. To be free means to belong to a community with a shared normative framework that grounds what is held to be true or right, regardless of how the binding authority of the framework came to be established. Indians are free insofar as they belong to communities, despite holding practices such as cannibalism and human sacrifice, from which they seem unable to acquire critical distance. The fact that their error is probable and their ignorance invincible shows that they have no reason for achieving critical distancing.

³⁰ B. de las Casas, *Principia Quaedam*, in *Tratados II*, Spanish trans. by A. Millares Carlo and R. Moreno, México, Fondo de Cultura Económica, 1965, pp. 1255, 1271 (translation from Spanish to English is mine).

This understanding of the concept of freedom disallows the possibility of grounding a judgment against the barbarian on her supposed unfreedom. Each community or form of life has constituted itself by means of a normative authority, and as such does not form part of a universal whole. Even if that particular community is grounded on false beliefs that have not been unmasked as false, still the highest value for las Casas lies in the freedom to follow said beliefs. Freedom as the sovereignty of a community allows him to reject the universalist ground that justifies the subjection of communities incapable of questioning their own sinful practices, living under the weight of tradition.

5.3. Rejection of Totality

Sepúlveda takes up Aristotle's argument of part and whole in *Politics* to legitimate the Indians' subjection to the Spaniards since the less perfect are subject to the more perfect for the sake of the well-functioning of the whole. Las Casas, without rejecting Aristotle, determines that Indians and Spaniards do not form one whole but rather constitute separate subjects. He says:

Sepúlveda advances another argument: the less perfect yields naturally to the more perfect, as matter does to form, body to soul, sense to reason. I do not deny this at all. Nevertheless, this is true only when two elements are joined by nature in first act [...]. But if the perfect and the imperfect are separated and inhere in different subjects, then imperfect things do not yield to the more perfect, but they are not yet joined in first act³¹.

The starting point here is one of difference, not identity, between Europeans and Indians. There is no 'first act' that would provide us with a shared standpoint from which to adjudicate the traits of perfection/imperfection to the European and the native in relation to a whole they are part of. For Hegel that standpoint is the concept of freedom. For Sepúlveda it is the capacity to understand the truth of God. Las Casas rejects the application of a universal criterion from which to exercise pedagogical coercions, just wars or civilizing missions against the Indians, and asserts that Indians and

³¹ Id., *In Defense of the Indians*, p. 48.

Europeans are different subjects. There is no original first act that determines their place and function within a whole. In this reasoning, las Casas does not even need to question the 'imperfection' of the native: she *does* live in error. Yet this is not enough to authorize the colonizing move since her sovereignty takes precedence over her error. As a 'different subject' the European does not have jurisdiction over her. Las Casas takes care not to use the Indian's error and sin to deny her autonomy and sovereignty. They might make her imperfect, but her imperfection does not question this sovereignty. At times, he even seems to push the concept of 'probable error' to the point of ceasing to be an error at all by validating any public law insofar as it is public: «Whoever follows public law is not considered to be in error or to make a mistake»³². Later he says: «he is not considered to err or be mistaken who obeys a public law»³³. A form of life is sufficient ground of its own normative authority in determining what is considered right or just: following public law, belonging to a tradition, cannot be wrong. This does not mean it is impossible for a form of life to change. It just disallows that change from originating outside of it by force. If it is not transformed from within then its freedom and sovereignty must be respected, as much as we may think its members live in error and sin. What matters most to las Casas is not the falsehood of the beliefs held by Indian communities but avoiding the violent and harmful consequences of the attempts at correcting these errors and ignorance by means of the imposition of *the* truth. The ultimate goal is not truth but the survival of the different communities of the New World.

The ultimate basis for las Casas' position was not philosophical or even theological. It was empirical: he was witness to the Spanish conquest and colonization of the New World throughout the first half of the 16th century, to the subjection, enslavement and extermination of aboriginal populations in Hispaniola, Cuba, New Spain, Venezuela, Nicaragua. This is a far cry from Hegel, for whom the total erasure of the indigenous population of America at the hands of the Europeans, their «dying out»³⁴ (*untergehen*) due to the

³² Ivi, p. 130.

³³ Ivi, p. 243.

³⁴ Hegel, *Philosophy of Subjective Spirit*, p. 49.

«vanishing and feeble character of their species»³⁵ (*verschwindendes, schwaches Geschlecht*), gradually disappearing under the power of European culture, is the price to be paid for the actualization of the Idea of freedom throughout the globe. At the end of the *Philosophy of Right*, Hegel assures the reader of the absolute right of this Idea to actualize itself, even by means of ‘violence and wrong’ (*Gewalt und Unrecht*)³⁶, over all other nations or communities that have not reached it. These nations are not sovereign. They are merely *formally* independent. European nations are entitled

to regard and treat as barbarians other nations which are less advanced than they are in the substantial moments of the state (as with pastoralists in relation to hunters, and agriculturalists in relation to both of these), in the consciousness that the rights of these other nations are not equal to theirs and that their independence is merely formal³⁷.

Independence does not entitle sovereignty. What for Hegel is merely formal for las Casas is absolute: no European nation has jurisdiction over any non-European form of life since they are different subjects and not parts of one same whole. There is no ‘first act’ prior to 1492. The civilizing of the barbarian cannot be a secondary coercion since there is no prior first act that connects Indians and Europeans in any way, to which the European would then be responding legitimately by correcting a wrong. 1492 amounts to a first coercion: the violent and illegitimate creation and imposition of a whole the inhabitants of the New World have the absolute right to reject by exercising a second coercion, thus canceling the original wrong.

³⁵ Ivi, p. 61.

³⁶ Id., *Elements of the Philosophy of Right*, p. 376.

³⁷ *Ibidem*.