

NOTES & COMMENTS

Dichotomously Stiffened Dialectics in the Entangled Modernity of the Colonized and the Colonizers: A Critical Comment on Professor Singh's Article, "Colonised's Madness, Colonisers' Modernity and International Law: Mythological Materialism in the East-West *Telos*"

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A primary purpose of this paper is to critically evaluate Professor P. Singh's Article, "Colonised's Madness, Colonisers' Modernity and International Law: Mythological Materialism in the East-West Telos" published in Volume 3, Number 1 of the Journal of East Asia and International Law. In his article, Singh attempted to overlap various conceptions of modernity taken from a wide range of academic disciplines, and experimentally collapse them into one with a post-colonial point of view. In spite of incomplete argumentation and obscurity in the conceptual formulation, I found his original ideas on the internal connection of modernity with the operating mode of international law to be highly impressive. The most critical

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point against him was the firm and stereotypical dichotomy of the colonizer and the colonized without any potentiality of sublating the state of colonization, that is, disconnecting the colonizers with their colony and liberating the colonized from their colony. By such sublation (Aufheben) of the existing oppressive relation between the colonizers and the colonized, we can plan to build a new world of peaceful co-existence between the colonizers and the colonized of the past. But although Singh's conception of modernity is dangerously one-sided, I expect his further research to penetrate into the deep life-reality of the Indian subaltern, which would make a great contribution to the establishment of the new vision of international law in this global society.

Keywords

Mythological Materialism, Mythical Materialism, East-West Telos, Modernity, Classical International Law

1. Problems: Post-Colonial Conception and Alternative-Suggesting of Modernity

When I first read Professor Singh's article titled "Colonied's Madness, Colonisers' Modernity and International Law: Mythological Materialism in the East-West *Telos*,"¹ it appeared to me as a tentative draft still in thinking rather than a completed monograph ready to publish. The key concepts were not fixed in such a way that his ideas could be clearly comprehended. To name one example, Singh applied two denotations on one theoretical connotation such as 'mythical materialism'² and 'mythological materialism.'³ However, his conception of modern art as 'violence-boosting' (79)⁴ in the modern Western civilization was, in my view, considerably exaggerated. It is also not so persuasive that the analysis of Western modern art would necessarily imply its inherent promotion of violence and inevitable result in concluding mythological materialism. Moreover, a much expected discourse on international law, announced in the title of the article, was too short for me to fully understand the main theme of his post-colonial

¹ This draft was originally titled, *The Madness of Art, the Myth of Modernity and International Law in the East-West Telos*.

² See the original draft, at 2.

³ *Id.* at 8-13 (IV. Politics, Art and Modernity: The Vision of Mythological Modernity).

⁴ P. Singh, *Colonised's Madness, Colonisers' Modernity and International Law: Mythological Materialism in the East-West Telos*, 3 J. EAST ASIA & INT'L L. 79 (2010).

discourse on international law. Even the discursive focus of his article was so obscure that it was difficult to comprehend what he really intended to discuss; either a post-colonial critique of the Eurocentric, modernity-biased disposition of classical international law, or the setting of his own concept of mythical/mythological materialism. Considering the lengthiness of the discourse being analyzed, it appeared to me as though Singh attempted to write too many things within a short manuscript.

Despite the aforesaid shortcomings, I enjoyed reviewing this interesting article as I found it very challenging. Singh attempted to overlap various conceptions of modernity from a wide range of academic disciplines, and experimentally collapsing them into a single concept with a post-colonial point of view. At this conceptual intersection, a full picture of modernity would supposedly arise, which Singh characterized as the “pervasiveness of modernity,”⁵ and extend its effectiveness to international law theory. In spite of incomplete argumentation and obscurity in the conceptual formulation, I found his original ideas on the internal connection of modernity with the operating mode of international law highly impressive.

The most critical point was the method with which Singh connected his post-modern understanding of modernity, originally inferred from the thoughts of Fr. Nietzsche,⁶ C. Levi-Stauss,⁷ R. Barthe,⁸ J. P. Sartre,⁹ and especially M. Foucault,¹⁰ with colonization. He naturally applied the theoretical achievements of his predecessors at home, such as Arjun Apparadui and Ashis Nandy, and finally attempted to establish a conceptual module of ‘mythological materialism’ similar to Marxian ‘historical materialism.’

In addition, Singh expanded his original draft with many amendments. He supplemented it with approximately ten pages, and systemized the conceptual configuration of mythological materialism, attempting to make it distinctively comparable with ‘historical materialism,’ as shown at Table.1 (Distinctions between ‘Mythological Materialism’ and ‘Historical Materialism’) of his paper.¹¹ In doing so, Singh’s thinking of mythological materialism gains clarity. Furthermore, its problem-setting has become more vividly understandable. As a theoretical and sympathetic proofreader, I could now affirm with certainty that Singh achieved relative success in

⁵ See the original draft, at 1. This term is, however, omitted at the final article.

⁶ FR. NIETZSCHE, *THE BIRTH OF TRAGEDY* (1872); *GENEALOGY OF MORALS* (1887).

⁷ CLAUDE LEVI-STRAUSS, *STRUCTURAL ANTHROPOLOGY* (1963).

⁸ R. BARTHE, *MYTHOLOGIES* (1972).

⁹ Donald Wehrs, *Sartre’s Legacy in Postcolonial Theory; Or, Who’s Afraid of Non-Western Historiography and Cultural Studies?*, 34 *NEW LITERARY HIST.* (2003).

¹⁰ Singh refers to various works by M. Foucault such as *MADNESS AND CIVILIZATION*, *THE BIRTH OF THE CLINIC*, *THE ORDER OF THINGS*, *DISCIPLINE AND PUNISH*, and three volumes of *THE HISTORY OF SEXUALITY*. For details, see *infra* note 41.

¹¹ *Supra* note 4, at 71.

reformulating modernity as the dominant and negative determinant of colonisation against the colonised. As a critical commentator willing to accompany his post-colonial project, I am nonetheless hesitant to point out that he does not take adequate account of the liberating potentialities of modernity against colonization for the colonised themselves. As a result, I am of the opinion that Singh's much-anticipated concept of mythological materialism is at risk of being evaluated with its theoretical interpretation and practical implications.

2. Singh's Conception of Modern Art and His Own Vision of Mythological Materialism

A. The Comprehending and Argumentative Line of Singh's Conception of Modern Art as Violence

Singh traces the original base of the colonizer-colonized framework to "modern art as the location of modernity."¹² He maintains the view that such a framework, representing "West vs. Non-West Relations" as an asymmetric structure of power, has been cultivated through modern art, which has set the conventionalized pattern of conceiving 'the Other,' the European discourse of which "de-legitimizes other knowledge as lacking scientific ground and as allegorical stories of folk and tribal cultures," and labeled them depreciatingly as 'myth.'¹³ However, Singh diverts the term 'myth,' belittled in the modern context of the West, to his own idea of mythological materialism by semantically expanding it as "the Barthean identified framework of understanding where systems of knowledge are understood as '*truth*' within a cultural context."¹⁴[*Italic added*] Being distinctively different from the original draft, it follows that Singh's concept of mythological materialism conclusively presents itself as an 'only' worldview (*Weltanschauung*) for "the resurrection of the colonized" competitive to the Marxian historical materialism, which he pushes on the side of 'the colonizers' as their "chief tool of exploitation."¹⁵ Moreover, Singh does not avoid praising Ghandhi as the "chief protagonist of mythological materialism."¹⁶

From the standpoint of such a conceptual configuration, Singh presents the thesis that 'modern art' has set the industrialized modernity on "the view that was

¹² *Id.* at 69-70.

¹³ *Id.* at 70.

¹⁴ *Id.*

¹⁵ *Id.* at 71 (Table 1: Distinction between Historical and Mythological Materialism).

¹⁶ *Id.*

instrumental in superiority claims made by the colonizers”¹⁷ in the cause of “helping in the development of the rest in the world,”¹⁸ which had originated in the ‘ideology’ of the mainstream Europeans such as “the French, the English, the Dutch and the like” “during the early 14th and 15th century when colonization was rather a trend, a form of artistic expression than a planned activity.”¹⁹

Herewith, strange enough for me, in order to set an argumentative connection between colonization and modern art, Singh takes ‘the Germans,’ who “were late riders” in the course of European expansion for colonization, as a historical example of a “nearly patented ideology of ‘colonization.’”²⁰ According to Singh, “the Germans encountered a destabilizing inferiority complex, particularly because the Germans as a nation had no distinctive ideology [of] their own.”²¹ From this point on, he immediately connects this inferiority complex of the modern Germans directly to the “lack of ‘Grand Art’” that must have been necessary for a nation to form its identity.²² Singh then asserts that “the Germans took to imitation of myth as an exercise in acquiring art.”²³ In his view, such a lack of art was fatal for the Germans who were then ‘forced’ to ‘embrace Nazism’ because of “insecurity about the absence of a ‘grand art’ in the German consciousness; psychologically Nazism can actually be interpreted as a movement of racial purification through the symbolism of the Swastika (卐: the official emblem of the German Nazi party) exhibiting [a] high degree of psychosocial manifestation of politico-cultural semiotics.”²⁴

Singh is positive that the European consciousness, which was corrupted by art which promoted such a superiority complex among Europeans, turned “ugly, bloody and cruel,” and “induced cultures and societies into violence and brutality.”²⁵ Thus, he understands conclusively the effect of modern art as ‘violence-boosting.’²⁶ In my view, Singh is of the opinion that art conceiving ‘the Other’ as inferior to oneself is embedded in all kinds of negative ideologies founded in modernity such as sexism, paternalism, discrimination between social classes and that of childhood, racism, and colonialism. He seems, in an indirect way, to suggest that such ideologies are internally entangled with violence as an organized means of imperialist domination.

¹⁷ *Id.*

¹⁸ *Id.* at 73.

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.*

²² *Id.*

²³ *Id.*

²⁴ *Id.* at 73-74.

²⁵ *Id.* at 74.

²⁶ *Id.* at 79.

At this point, he gives a special attention to the art of existence of childhood in the vision of modern art, which “treated people of the Negroid race, children and colonized as one and the same, and thus gave the same treatment.”²⁷ He concludes from this thesis that it is modern art “which has caused colonisation on a psychological level.”²⁸ “Thus, childhood – as an important aspect of women’s motherhood – drastically transformed modern art in the industrial sociology of a modernizing Europe.”²⁹ “[The] Colonizers’ psyche of spreading modernity saw the non-European natives in a way similar to European childhood; as a soft sector of underdeveloped humanity waiting to be corrected by industrialization and Calvinization.”³⁰ In light of Singh’s idea, we, the native in the colonies, might rightly assume perhaps to be corrected by violent methods in the same way that children are disciplined in the European mainlands.

B. The Vision of Myth and Mythological Materialism versus History and Historical Materialism

In addition to modern art, Singh presents another source of colonialism. That is, ‘history’ which has been dominated by the Eurocentric view of historiography. According to Singh, history is “a device of political explanation of world events,” which is recognized as “a monolithic and homogenous process” by the ‘ideology’ of Western intellectuals.³¹ In such an Eurocentric ideology of history, the Greek Alexander, who had invaded ancient India, has been praised as “Alexander the Great,” and has not been labeled as “a villain of history” committing a war crime by invading a region which had never revealed any militant antagonism against him.³²

Herewith, he builds a conceptual contrast between history as a whole and myth. He finds out the evidential reference of such conceptual contrast in the non-resistant, non-violent praxis of national and human liberation proposed and practiced by Gandhi. Singh is of the opinion that “Gandhi rejected history for a mythology of the subaltern, the tribal, the rural, and the women of India.”³³

Singh introduces a figurative contrast between Plato and Gandhi: “Plato’s politics discarded myth for history, whereas Gandhi’s politics discarded history for myth. ... Gandhi rejected a chronicled past in his self-styled resistance to colonialism. History, as he saw, was a narration of the elite, both in the West and the East. His mythology gave

²⁷ *Id.* at 75.

²⁸ *Id.*

²⁹ *Id.* at 76.

³⁰ *Id.* at 77.

³¹ *Id.* at 72.

³² *Id.*

³³ *Id.* at 82.

history to the women, the folk, the subaltern and the tribal cultures which constitute the majority of oriental populations, and therefore the majority of semiotic imaginations, mostly unrecorded in history.”³⁴ “One of the major distinctions between myth and history is that the former is continuous; it encapsulates past, present and future, whereas the latter is fractured. Mythology has the inertia of motion that does not need ignition, whereas history has to be woven out of slumber resulting in revolution, often justifying violence as a means [to] the end of modernity.”³⁵

C. The Internal Connectedness of Modernity in the Foucauldian Conception with the Disposition of Classical International Law

Singh’s discourse on international law under Foucauldian conceptions may be his original contribution to this subject. He connects the motive of power-critique in the Foucauldian conception with his own post-colonial conception of international law and his alternative worldview, ‘mythological materialism.’

According to his statement, “classic international law is an expression of Western attitude similar to the one harbored in the concept of Foucauldian fame. Non-Western man is classic international law’s ‘madman.’ Views about madness led the West to confine madmen within the four walls of a lunatic asylum. International law’s madmen were by the same logic supposed to be confined within the walls of corrupted science and plastic modernity. The Oriental madmen of international law had to be confined, policed, and cured. Madness was unscientific ... The madman was savage, and industries needed laborers.”³⁶ “All those outside the vicious circle of industrialization and modernity ran the risk of being called mad and therefore, policed into confinement.”³⁷ Singh transfers such pre-conceptions, emblematic to Western industrialization and modernity, in relation to its attitude toward madness onto the discourse on international law at the global level. He writes, “[H]idden in the attitude toward the madmen and the poor and its professed cure in confinement lies the corrupt sympathy of the rich West for the poor of the non-West, manifested in the international overtures of transnational law.”³⁸

At this point, Singh proposes to apply the “theory of signification” to international law – an art of “pragmatics, the branch of semiotics that deals with all the psychological and sociological phenomena materialized in the functioning of signs.”³⁹ He observed,

³⁴ *Id.*

³⁵ *Id.* at 84.

³⁶ *Id.* at 88.

³⁷ *Id.*

³⁸ *Id.* at 89.

³⁹ *Id.* at 94.

“[M]ired in interpolation and the polemic of development, international law is essentially an exercise in semiotics. Aims of universalizing international law contain the hidden agenda of capitalist avarice that has a bearing on the grammar and dialectic of international law’s language. The language of international law and its potential room for dialectic is indeed of prime importance for the subject that is sought to modernize and civilize. For example, the grammar and dialectic of this law justify the project of exploitation of the tribal peoples around the world in the name of development.”⁴⁰

3. Critical Conclusion

As previously mentioned in my comments, it was a great joy to follow the creative insights and ideas of Singh, although reconstructing them all in a consistent context was not an easy task. Surely, one can take out many argumentatively fragile points from his article with respect to the conception of Western-formed modernity, the practical justifiability of his mythological materialism and one-sided critique at the received concept of international law.

First of all, I would not accept Singh’s indiscriminate conception of Western modern art as violence-boosting, the real history of what disproves it in a positive way by confirming various aesthetic confrontations of resistant vein with the established order of domination. I would not rigorously agree with Singh on his arguments about the Germans as a source of historical “lack of ‘Grand Art’” that is proposed to explain the imperialists’ drive to Fascism. The Germans were driven to Nazism *not because of* their lack of ‘Grand Art.’ [Italic added] On the contrary, they marched into that ideology *in spite of* great cultural and artistic heritages.[Italic added] I believe that Singh might confuse the misleading term “Western modern art” with the concept of “Western modern culture,” taking them into practical considerations. His entire discussion on “Western modern art” would fall under the discourse of “Western modern culture.”

Thus, as an academic colleague of Professor Singh, I am astonished that his picture of modernity in its Western form has been so completely painted with the same ‘violence’ brush. To take this tack seems quite one-sided. From my understanding, the explicitly pronounced guiding principle of Western modernity is ‘reason (*Vernunft*).’ It is clear that such a form of reason in the modern-Western concept has been entangled with violent irrationalities in the historical process of its formation. Moreover, we are well-informed of the realities present in the ‘reasonable,’ which are connected with the

⁴⁰ *Id.* at 95.

'unreasonable,' and particularly to the post-modern project of power-critique by Foucault.⁴¹

Nevertheless, the potentialities and actualities inherent in the competence of human reason have turned out not to be exhausted, even by the post-modern project of power-critique.⁴² Post-modern power critique targets only the negative side of human reason in a certain historical context; it could not embrace the comprehensive capacity of human reason to contain even the critique against itself, as self-critique of the reason itself, in its own inclusion.

What matters essentially in this point is that such capacity of comprehensive inclusion in human reason cannot be monopolized only by the Western civilization that could have recognized such competence accidentally first in a certain modern-historical, geopolitical condition of human history. Such great ability of reason was exercised once in its summit in the ancient Indian civilization, *e.g.*, the reign of Ashoka the Great (340-232 B.C.).⁴³

From such accidental historical circulation of the maximal realization of reasonable competence in the process of human history we could definitely get a more accurate picture of the developmental reality of human reason in European imperialistic history of colonizing Asia, Africa and Latin America. The process of modernization and colonization were not carried out so generally, thoroughly, and evenly in all spheres of life in the societies concerned. We must conceive the process not as an even, overall, and continuous course but as an uneven, discrete development with both progress and regress, between the Western winners and the colonized losers. For them, it is recognized as either lasting victory or momentary defeat. In any case, we should accept neither unilateral triumphalism, nor blind defeatism. Reflecting human history, we would give over the whole field of history to the past winner and retreat totally to the uncertain realm of myth.

The critical point made by Singh, which I feel is the most distant from my conviction, is the firm and stereotypical dichotomy of the colonizer and the colonized without any potentiality of sublating the state of colonization, that is, disconnecting the colonizers with their colony and liberating the colonized from their colony. By such sublation (*Aufheben*) of the existing oppressive relation between the colonizers and the colonized, we can plan to build a new world of peaceful co-existence between the colonizers and the colonized of the past. As Singh evidently observes, the colonizing modernity of the

⁴¹ *E.g.*, see M. FAUCAULT, MADNESS AND CIVILIZATION (1961); THE BIRTH OF THE CLINIC (1963); DISCIPLINE AND PUNISH: THE BIRTH OF THE PRISON (1971).

⁴² J. HABERMAS, THE PHILOSOPHICAL DISCOURSE OF MODERNITY (1985).

⁴³ GEO-RYONG LEE, ASHOKA THE GREAT (2009) (only available in Korean).

colonizers is entangled with the colonized modernity. In the same way, colonizing modernity is closely linked to the modernity or post-modernity of de-colonization. It means that the modernity of colonial reality has never been stiffened dichotomously into the colonizers, on one side, and the colonized, on the other side. I am concerned that Singh's determining dichotomous conception of 'materialism' between 'historical' and 'mythological' viewpoint would stiffen dialectics of the colonization and the emancipation.

International law used to be wrecked on the rocks of imperialist-capitalist avarice. Even today, unequal treaties exist between developed and developing countries. Nevertheless, we are still controlling the power politics in international relations by following universal norms of international law such as sovereign equality, the protection of fundamental human rights, etc. If disregarding such principles and immersing ourselves in cynicism and defeatism on this subject, we would spiritually be open to an attitude against international law.

Moreover, I am willing to say that international law itself is not only full of rules and edicts representing unequal power-relations between states, but also holds inerasable traces of human and national liberation. Just in this respect, I hope that Singh will commit himself to a positivist, analytical inquiry on the concrete, jurisprudential cases of international law, which is comparable to Foucault's archeological studies such as in *Surveiller et Punir* (Surveillance and Punishment) and *L'histoire de la Folie de l'age classique* (History of Madness).

In spite of the theoretical insufficiencies in Singh's article, I have become an active advocate for his desire to awaken the self-emancipatory potential of the subaltern who has been alienated and depressed in the process of colonization. I would expect his research to penetrate into the deep life-reality of the Indian subaltern in the course of his further works. The colonizers would never imagine such a reason of life owing to their historical and social limitations confined in a one-sided modernity. His insight would make a great contribution to the establishment of the new vision of international law in this global society.