

NEW EUROPE COLLEGE



*Cosmopolitanism and Philosophy  
in a Cosmopolitan Sense*

Proceedings of the International Workshop,  
organized at  
the New Europe College, Bucharest  
on 21- 22 October, 2011

Edited by  
Áron Telegdi-Csetri and Viorela Ducu



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Áron Telegdi-Csetri and Viorela Ducu

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The articles are ordered alphabetically, according to the author's name.



# CONTEMPORARY COSMOPOLITANISM IN THE LIGHT OF CLASSICAL POLITICAL PHILOSOPHY

Mete Ulaş AKSOY\*

Cosmopolitanism is one of the concepts that have occupied an important place in political theory since the end of the cold war. The collapse of the communist block was representing the emergence of an era in which humanity is no more divided into hostile camps. The euphoria occasioned by this unification and the great, if not vertiginous, progress in the communication technologies made it quite easy to talk about the unity of mankind beyond the political and cultural borders. Given the fact that the cosmopolitan theses have been frequently proposed in the philosophical and political debates, cosmopolitanism can legitimately claim to be an important part of the agenda of political theory. Nevertheless this currency held nowadays by cosmopolitanism is a recent phenomenon and especially when the 20<sup>th</sup> century is considered, the historical record of cosmopolitanism is not so heartening.<sup>1</sup> Throughout its history, cosmopolitanism has usually appeared as a kind of political idealism; because of this, it has been usually condemned

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as being a wishful thinking or naivety when the pressure of political realities is strongly felt. And this also explains why the generation which experienced the traumas of 20<sup>th</sup> century (the collapse of empires, world wars, totalitarian ideologies ... etc.), could hardly tolerate naivety and permit it to be a factor in politics. Nonetheless the traumas are the products of time, and they, however great, are bound to change like everything within time. Accordingly, the attitude which dominated the political and international life during the Cold War and which discarded the "ought" for the sake of better addressing to the realities changed abruptly with the end of cold war.<sup>2</sup> History, which never stops producing new configurations of "is" and "ought," was giving rise to a new one in which "ought" is no more omitted for the necessities of "is." Consequently, in today's world, heralding a cosmopolitan world order, applauding its ideals and putting humanitarian values above the national borders and diplomatic practices is no more practically naïve, strategically imprudent and diplomatically perilous. Having left the 20<sup>th</sup> century with its calamities and catastrophes behind, humanity was facing the prospect of unity with hope and enthusiasm. The belief, especially in the period immediately following the end of Cold War, was so strong and the inspiration was so sweeping that even the ethnic cleansings, religious fanaticisms and terrorist attacks, flamed up at that period, did nothing but gave testimony to the necessity of world order based on cosmopolitan ideals.

The critical reading which cosmopolitanism, like many political concepts, deserves requires keeping enthusiasm at an arm's length. Of course, this does not mean to sacrifice the sentimental dimensions of our consciousness which serve as openings to world-experience. Academically or not, one always starts with the personal experiences, and at this level one can easily associate with the cosmopolitan ideals and

values. Yet the critical reading requires more than this. This is especially so for cosmopolitanism which has long historical background and which, one way or another, has found a way to affect the philosophical and political imagination throughout this background. Therefore, we should take this historical background into account and realize the modifications and variations produced by it if we want to develop a critical reading of contemporary cosmopolitanism. This naturally entails to read cosmopolitanism as a political and philosophical tradition which dates back to the ancient Greek and to index its ideas, ideals and principles as the constellation of this tradition. This automatically brings us to the brink of [classical] political philosophy.

Before dealing with this aspect, before treating it as a tradition, it would be good for us to take a broader perspective and locate cosmopolitanism within a larger tradition from which it came into existence. In this sense, Heidegger can be a good starting point. To my knowledge, Heidegger did not directly deal with cosmopolitanism.<sup>3</sup> Nevertheless, his views on western metaphysics have important implications for our issue. The western metaphysics, according to him, can be defined as a tradition following the same thread even in the different guises from Socrates to Nietzsche. Within the context of this study, it suffices to point out that the revolutionary character of Heidegger's thought mainly consists in his emphatic ability to show that the western metaphysics forgets Being (Seinvergessen): having fixed its attention on beings to such an extent as to forget Being, the western metaphysics has always mistaken the whole of beings as the Being itself. An attentive look does not miss the importance of this general ontological framework to understand the deadlocks that the cosmopolitan theses usually encounter: cosmopolitanism, especially in the debates with communitarianism, acts as if it has worked out the

dichotomy between universal and particulars; the problem that has distracted the western metaphysics since the antiquity.

To realize this problematic, we need only to take a closer look at the *things* which are put before us as universals. Upon a closer inspection, these universals turn out to be a particular which enjoys a wider scope [of validity or application] due to the historical circumstances.<sup>4</sup> To solve this problem, namely to have a *universal* which is not a mere aggrandizement of the particular(s), we have to deal with the questions and concerns Heidegger highlighted under the title of *Seinvergehen*. Otherwise, our imagination cannot escape from the trap of dialectical impulse. Of course, dialectic is one of the intellectual tools indispensable to penetrate deeper into the historical reality. But the problem with dialectic is that the process it envisages usually comes to an end with the [arbitrary] will of the philosopher, namely when the historical reality is configured according to his taste.<sup>5</sup> This also explains how easily the philosophical and theoretical formulations result in the dichotomies which usually appear as chicken-egg questions.

This general structure sheds light on the context in which cosmopolitanism is articulated. Cosmopolitan theses and arguments usually give rise to the communitarian responses or vice versa. In this context, cosmopolitans and communitarians present their views in mutually-exclusive forms. In order not to succumb to the mutually-exclusive readings which, in the long run, are sure to condemn our imagination to a deadlock, one should take an attitude which rejects the idea that one of the sides can hold a monopoly over truth. Rather than being concerned with “who says the truth?” namely “who wins the game?” it would be better for us to take this structure itself into account. Such an attitude compels one to give thought to the truth-claims of every part. From this, one can easily infer how important it is for cosmopolitanism to take seriously into

account the communitarian claims: the failure to do this can cause cosmopolitanism to cast its arguments into mutually-exclusive terms.<sup>6</sup>

Let us, therefore, dwell on some communitarian critiques. *Alienation* is one of them. According to communitarians, the social relations are constitutive for the self. A self without social relations is impossible; and these relations within which the self is embedded entail the social groups and a social space mediating them. Therefore, a public life, developed in the varying degrees and institutionalized in the different forms, is essential for the self. Such a constitutive role implies that without a proper public life, self cannot sustain itself. Considering this, we can conclude: the fall of public amounts to the same thing as the fall of self. However, it is clear that our global world which is usually presented as a *global village* necessarily envisages a vague public space: it spans such a vast geographical space that it has to become superficial. In wanting of the strong ties, strong attachments and the strong sentiments, the self has been given no option other than to be atomized. Here is the mass-man: stripped of its social ties and attachments and thus accorded with the imperatives of consumer capitalism, this mass-man ends up in a distant place from what genuine cosmopolitanism anticipates: indifference, lack of responsibility, treating other as a means rather than as an end in itself. And these are the basic parameters to urge the communitarians to look upon the life in our global village as infected with alienation. Of course, cosmopolitans have important answers to this charge, but let's skip the details and turn our attention to another charge.

To start with, there are some crucial questions: do cosmopolitan ideas and ideals represent a trans-cultural and trans-political formation? Can they transcend every social, cultural and ideological commitment? Or are they the normative attitudes that have developed out of a particular cultural and

political setting? Do they run the risk of imposing a local perspective on the alien soils and minds? It can be argued that from the time of incursions of Hellenism into the Middle East to our age, cosmopolitanism has been in trouble to keep its distance from a [practical] interest.<sup>7</sup> Suppose this granted, we can conclude that the cosmopolitan ideals and values, the initial impression notwithstanding, are hardly trans-political and trans-cultural; they are the expressions of certain cultural and political settings. Therefore, we can notice the danger inherent in cosmopolitanism: it can be used as a means in the service of a *particular* interest.

The charges of moral imperialism, of course, are to be taken seriously; yet this by no means prevents us from making reservations in the face of them. The charges are valuable in that they make us attentive to how the innocent acts can sometimes cause the unjust conditions. But being too assertive in this point can lead to *moral relativism*. What is disturbing in moral relativism is that its logic runs the risk of leading to the moral indifference even in the face of such extreme case as cannibalism or human sacrifice.<sup>8</sup>

This point is important in that it brought us to see the subterranean trends which are usually ignored: the uneasy relation of cosmopolitanism with liberalism, the uneasy relation which nowadays is overlooked under the shadow of global liberal culture. An attentive look can realize the tension between cosmopolitanism and liberalism. Here the concept of moral relativism is the key factor: does not moral relativism take its main impetus from liberalism? Is not the liberalism with its war against the theological, teleological and substantial worldviews the main responsible for the moral relativism? It is apparent that cosmopolitanism ought to keep moral relativism at a distance. Does not this distance affect the position of cosmopolitanism vis-à-vis liberalism? Why do we not find such a distance

between cosmopolitanism and liberalism in today's debates on cosmopolitanism? What we experience today is a sort of combination of the two: they are found here and there hand in hand in dealing with an international problem or making a common cause against a local or a traditional custom.

To make these abstract suppositions more concrete, we can turn our attention to another concept: globalization. Today, the debates on cosmopolitanism seem to center on or run parallel to the development of globalization. Cosmopolitanism which was disdained as being unrealistic and impractical for the most part of 20<sup>th</sup> century, now seems to entrench itself, casting out the critiques by showing how history is on its side. In this sense, one may find astonishing how close to political realism cosmopolitanism can come: the formulation of a normative agenda that is related, if not dependent on, the existing power relations. But for the sake of brevity, let's try to look at the center of the matter.

I think this center is the association of cosmopolitanism with liberalism, and many of the critiques leveled against cosmopolitanism derive from this association. Therefore, a case for distinction between liberalism and cosmopolitanism is necessary. But how? To take a look at the historical background of cosmopolitanism can help us in this regard. Two philosophical figures immediately rise to prominence in this background: Diogenes the Cynic and Kant. One may wonder what the motivation in taking them together is. Whatever can be said about them, it is clear that they represent two historical turning points. In the case of these philosophers, the emergence of cosmopolitanism coincided with the great social, political and institutional upheavals. Can the emergence of cosmopolitanism at these historical circumstances be taken merely as a coincidence? I do not think so. Kant's *ius cosmopoliticum*, which plays a critical role in the Kantian

edifice, came to the agenda when the need for a new social code to organize relations among states was strongly felt. At that time, the European history was experiencing the collapse of feudal codes, the displacement of ecclesiastical organizations by a state bureaucracy and the rise of bourgeoisie alongside the nation-states. In such moments of great upheavals, the existing structure of social norms and codes is frustrated by the “new” which frequently visits the customary and ordinary and which is no more easily treated as an exception. It is exactly at this turning point when the need for the new social code was being urgently felt that Kant’s *ius cosmopoliticum* appeared along with Grotius and others.<sup>9</sup> This also explains why we so frequently come across a reference to Kant even in the contemporary debates on cosmopolitanism.

Therefore, it seems in place to focus on that which we can find in Kant’s cosmopolitanism but which we cannot in today’s liberal cosmopolitanism. This is *teleology* or the teleological conceptualization of history. In Kant’s formulation, there is an open reference to the idea of “perfection.” According to Kant’s schema, history is moved by a plan which the actors cannot discern. This hidden plan stages dramas as it unfolds itself in an increasingly complex institutional forms. Looked within, the process envisaged by this plan seems to run from one domination to another. But when looked from afar, the careful thinker (the philosopher) can see that there is an end point: the process supposes a point of culmination which retrospectively gives meaning to all previous stages and sufferings. This is the moment when humanity, hitting one destruction after another, finally learns [the lessons of] the mutual recognition and peaceful coexistence. Therefore, *ius cosmopoliticum* or perpetual peace signifies a moment of culmination, a moment of perfection in history.<sup>10</sup>

I think the keyword here is perfection. Even if through the agency of history, a kind of perfection is supposed in Kant's scheme. Needless to say, this teleological perspective (the supposition of an end point in the long course of time) is what is missing in the modern thought in general and in the contemporary cosmopolitanism in particular. Here are the corner stones in the emergence of modern thought: the mechanical conceptualization of universe, the disappearance of miracle as a theological and political phenomenon, the placement of nature (the realm of never-ending repetition or chaos) in an inferior position than history (the realm of reason). It is clear that these are not very friendly to a teleological conceptualization of human relations.

Should cosmopolitanism presuppose or embrace such a perfection? This is a difficult question for us who solve the tension between representation and virtue in favor of the former. There is nothing surprising in this favor because the perfection would usually embody a messianic teleology or it would presuppose a kind of discrimination among the equal human-beings, or both at once. Being an approach aiming at the disappearance of discrimination, cosmopolitanism can hardly be on good terms with the idea of perfection. Nevertheless, in this conclusion, a lot depends on how we define perfection and what we understand by it. Moreover, focusing too much on the tension between representation and perfection or on the tension between cosmopolitanism and perfection, do we not run the risk of omitting another tension: the tension between representation and cosmopolitanism? Now the tides of globalization are so strong that we tend to uncritically assume the association between democracy and cosmopolitanism. Yet this does not need to blur the tension inherent in the relationship between cosmopolitanism and democracy. Because of its character, habit and attitude, *demos* is usually closer to patriotism than

to cosmopolitanism. This can be easily proved by looking at the tendencies in the societies in which the political culture is not advanced, namely in societies in which the demos does not yet take any decisive step in the direction of perfection. In this sort of societies, democratization goes hand in hand with the ethnic conflicts and religious fanaticism.

Our theme is neither the theories nor the paradoxes of democracy; so we can focus on cosmopolitanism by bypassing them. Interdependence among nations, the density of the relations taking place on the global scale, the development of common habits and attitudes across the globe, sharing the similar, if not the same, symbolic and material conditions... all these are crucial signs to look upon the important part of humanity as a demos (nowadays it becomes customary to refer to the world population as the inhabitants of global village). Nevertheless, we must admit that the life of the global demos is a far cry from a *genuine* cosmopolitan culture. The basic characteristics of the human condition described as the global demos is the spread of basic parameters of consumer society across the world.<sup>11</sup> Therefore we have at our hand two interrelated facts: the world takes more and more a cosmopolitan outlook, yet this outlook hardly goes beyond the economical, diplomatic and financial interdependence among peoples. Accordingly, the amount of relations among nations has so increased that no body can deny the global trends (the globalization of life); but this by no means manages to create a cosmopolitan world culture which can unite the demos of our global village through the substantial sympathies and attachments.

Considering this, we come to another important point: *global governance*. Now, it is plausible to say that we have reached the stage of global governance. But the phenomenon of global governance is far away from arousing euphoria. The

increasing possibility of unification of humanity under the single organizational structure can lead either to inefficiency (the endless series of civil war on the global scale) or it can achieve an unthinkable efficiency so that it causes an international tyranny. Today, no body can deny that we are affected by the problems transcending the national borders and that we have more sophisticated and efficient facilities at our disposal than those provided by the national states. Therefore, that we are experiencing the phenomenon of global governance is a fact. Yet without a genuine cosmopolitan culture, this global governance is nothing other than the spread of what Foucault called *governmentality* over the entire world. Seeing the link between global governance and *governmentality*, we catch the glimpse of the fact that in our cosmopolitan world order, what we stand witness is less the rise of civilization based on global hospitality than a domination of a technique deployed by a will to power operating now globally. This is the theme which is thoroughly studied by Adorno (*Dialectic of Enlightenment*) and Heidegger (Question Concerning Technology).<sup>12</sup>

Putting all these side by side, we see two important points which should be taken into account in our discussion of cosmopolitanism. One is the danger of global tyranny which is made possible by the undreamed heights of modern technology (global governance). The other is the preponderance of the global demos whose members, though displaying an increasing homogeneity, are mainly motivated by the desire to treat other as a means (consumer capitalism). To these points, we can add another one: increasing technological advancement in the techniques of rule and the institutional complexity resulted from it make it difficult to determine the responsible for the authority relations. In such an increasingly complex bureaucratic structure as our global governance, the “who” in the question of “who

is the sovereign?" or "who is responsible for using the power?" becomes highly insensible.

It is therefore not too much to say that the coming of the cosmopolitan world order does not dispel the worries about the global governance. In our age, the world history seems to make head in the cosmopolitan direction, which means that the power relations support the cosmopolitan ideals. Then, it is exactly at this age that cosmopolitanism stands in need of a critical stance more than ever: the more one succumbs to the critical reading of cosmopolitanism, the more one feels the necessity of making a distinction between cosmopolitanism affected by the global governmentality and genuine cosmopolitanism challenging the social codes and customs.

Such a case of distinction brings a philosophical figure, to whom we referred earlier, to our attention: Diogenes the Cynic.<sup>13</sup> In order to see cosmopolitanism in its original form and to realize the potential of classical political philosophy, let's concentrate on Diogenes the Cynic. It is not surprising to see that Diogenes's uttering his being a world citizen coincides with a certain historical stages in the life of *polis*: the crisis and decline of city-state. *Polis* points to a progress in the human history through which the blood-ties and the customs of ancestral life had been replaced by a public spirit. What is distinguishing about this spirit is that it enforces its members to consider each other as similar and equal.<sup>14</sup>

Diogenes appeared exactly at the moment when the ideological, institutional and geographical setting of city-state was in trouble to contain this public spirit within its limits. It is as if a universalism, found as a germ at the dawn of city-state and flourished within its institutional setting, was trying to unfold itself into another form (imperial). The dramatic moment came when the existing structure could not contain the germ which had already become a tree. So, this makes clear that contrary

to the initial impression, there is not a break but continuation between *polis* and *cosmopolis*.<sup>15</sup> But this polis which emerged as a consequence of imperial dominion is closer to being a *megapolis* than to being *cosmopolis*. Here we come to a vital point: what is the difference between these two?

The famous encounter of two historical cosmopolitan figures, Alexander the Great and Diogenes the Cynic, has a lot to say about what we are trying to sketch so far. At that time, Alexander was at the top of an empire. Empire, generally speaking, is a mechanism designed to rule; this mechanism points to a governance larger than the scope of city-state.<sup>16</sup> I do not want to ignore the contributions of Hellenism in the Middle East, neither do I suspect the cosmopolitan ideals motivating Alexander. Yet it is hard to deny the close relationship between the empire as a political structure and the cosmopolitanism finding its expression within this structure. And we come to understand in what sense the *cosmopolis* envisaged by an empire is a mere *megapolis*.

Turning our attention from Alexander to Diogenes, we can understand the importance of classical political philosophy for cosmopolitanism. To start with, it is a good place to concentrate on the Diogenes's position in the face of polis. Of course, Diogenes carried the position of philosopher in the face polis to the extreme heights;<sup>17</sup> but this should not make us miss the point: even in varying degrees and in different forms, the position in question is what all philosophers [should] share in common. The most defining characteristic of the relationship between polis and philosopher is the tension. Or it should be so. One may ask why? The reason for this can be found within the very definition of philosophy: *the search for truth*. It is necessary, therefore, for philosophy to attempt to replace the opinions with truth.<sup>18</sup> But every polis, the *megapolises* included, presupposes the opinions. The heart of polis is pulsed with

the opinions however noble. Therefore, the philosopher, who cannot help challenging opinions, is a threat to polis. Yet the relationship cannot be cast into the mutually exclusive terms. Let's try to substantiate this claim.

The polis ushered in the birth of philosophy. The birth of polis preceded that of philosophy: without the transformation effected by the coming of polis, there would be no philosophy. For a search for truth to be possible, the ancestral myths and faith propping them should be pushed back. Where the myths hold a strong reign, the reason cannot find a place to pursue truth and the philosopher cannot come to life. The birth of polis, in this sense, is decisive for the philosopher. It is not therefore too much to say that the philosopher owes too much to the polis. Yet the philosopher cannot rest satisfied with this; to the extent that he is in the search for truth, he one way or another would clash with the opinions upon which the polis is based. This explains why the philosopher becomes a threat to the polis; but this also shows the complexity of the relationship between the polis and philosopher. Philosopher should at once thank to and pose a challenge to polis. But we have so far looked at the matter from the side of philosopher. What is the situation of polis in the face of philosophy? The *raison d'être* of polis is good life; so it cannot blind itself to the possibilities of "better life." It is clear that these possibilities are laid open only by a figure who is already a part of the polis but who also manages to keep himself at a distance to it: philosopher.

Thus we arrive at the land of classical political philosophy. What is the best regime? What are the conditions of justice? Is there any natural right?... These are the well-known questions of classical political philosophy. A closer examination immediately reveals how important these questions are to understand modern cosmopolitanism. To appreciate this, we should take a deeper glance at the implications of the

relationship between philosopher and polis. Motivated by the desire to search for truth, the philosopher tries to turn his back to the polis [political life] where the contingencies and accidental incidences set the stage and where the power and opinions rather than truth prevail. It is exactly at this point that we come to realize that the emergence of [classical] political philosophy links these apparently independent, if not mutually exclusive, moments together.

To arrive at truth, one must start with the opinions. This is what the “cave” metaphor narrates so well: there must be an ascend (transcendence) if the truth is aimed. But this also points to another fact that the philosopher can embark on his voyage only by starting with the polis. Nevertheless, this voyage, to a certain extent, is what polis itself ought to participate in. Polis, like philosopher, cannot rest satisfied with the level of opinions; in this regard, its position is similar to the philosopher, or at least it ought to be so. Otherwise polis runs the risk of becoming what it attempted to replace: it destructs the ancestral myths but puts in their stead the rational ones; and it usually plunges into the imperial adventures, appearing to the outsiders as a “gang of robbers” what ever the notion of justice prevails within.<sup>19</sup>

The impetus of transcendence, namely the desire to leave the cave behind is felt most strongly when the fact is faced that the customs of polis are not natural ones. This is occasioned by means of encountering other customs that had gained currency in other societies. Therefore, the [classical] political philosopher can be conceived as the one who is troubled by the fragmentary character of truth within the communal settings. Accordingly, he is the one who tries to transcend this realm of fragmentation.

I think that these remarks lay open the relationship, or even the correlation, between the philosopher and cosmopolitanism. A comparison with another oft-cited cosmopolitan figure (the merchant visiting the foreign lands) would provide for us the

crucial insights in this regard. Through his visits to the foreign lands, the merchant also experiences the fragmentary character of truth prevailing in different societies. Indeed, he ought to act according to this fragmentary character unless he does not want to lose his gain. Yet the motivation in trade is the benefit expected from the *other*. So the merchant cannot help treating the other as a means. Maybe, this explains why our global cosmopolitan world order, based on the extremely developed forms of trade, tourism and fashion, is still far from creating a genuine cosmopolitan culture.

If we do not take the geographical spread of trade, governance and communication enough, we more readily make ourselves open to that which lies at the center of cosmopolitanism and which is the essence of every cosmopolitan expression: treating the other not as a means but as *an end in itself*. It is therefore plausible to say that cosmopolitanism is not merely a *horizontal* act (covering the entire world with the same values, principles and ideals); but it also involves a moment of transcendence through which these values and principles are put under critical examination. The aim of this transcendence is to save these principles and values from the reification which can turn them into an ideological element serving a [particular] practical interest. A [particular] practical interest can always be found lying in ambush to prey on the noble ideas. So it can be alleged that the critical attitude ought to be the essential component of cosmopolitanism.

This *vertical* dimension (the moment of transcendence) of cosmopolitanism is more easily realized when we take into account the questions and concerns raised by the classical political philosophy. Since the quality of the principles (the vertical moment) is as much important as their scope of validity (the horizontal moment), we had better start by asking questions about the regime in which the cosmopolitan ideals find their most rigorous expression.

## NOTES

- <sup>1</sup> After the Second World War, the political idealism, with which cosmopolitanism is closely associated, was held as one of the main responsible for the war. Idealism is not only dangerous in the political life; it is also detrimental to the scientific progress. Hence, E. H. Carr's famous formulation suggests that idealism is the sign of the infantile character of a science. According to him, the idealist approach can dominate at the early stages of an academic discipline; but as this discipline grows mature, the focus of attention shifts from "what should be done?" to "what is?". E. H. Carr, *The Twenty Years's Crisis*, p. 8.
- <sup>2</sup> We should add that even during the Cold War, there appeared important developments as regards cosmopolitanism. Therefore, the end of cold war is not so much a break as a continuation, albeit in the accelerated forms, of the process. "...the narrowly state-centered focus of these organizations was remedied or supplemented by more people-oriented agreements, especially the "Universal Declaration of Human Rights" (and a series of later, related documents). These and similar developments have engendered a widespread hope that humankind may now –or at least soon- be ready for the adoption of a global cosmopolitan ethics seen as a framework buttressing and undergirding existing legal provisions." Fred Dallmayr, "Cosmopolitanism: Moral and Political," in *Political Theory*, Political Theory, vol. 31, No. 3, 2003. p. 422.
- <sup>3</sup> It is not difficult to find a link between cosmopolitanism and the *planetary rule of the will to power* which Heidegger envisages as the direct outcome of western metaphysics. This planetary rule gives rise to two options: global tyranny (sham cosmopolitanism) or genuine cosmopolitanism. If this planetary rule does not want to turn out to be the global tyrant, it has to elaborate a cosmopolitanism which is saved from the negative effects of this planetary rule. On the other hand, cosmopolitanism, because of its condemning the political subject to the loose allegiances, runs the risk of leading to political inactivity and irresponsibility. Therefore, when confronted with the practical matters, cosmopolitanism seems to be trapped with a difficult choice: either political inactivity (just like *the beautiful soul* in Hegel's scheme) or political *Übermensch*. Heidegger's critical reading of *Übermensch* reveals the link between the will to power on planetary level and the man as *übermensch*: "Der Übermensch ist der höchste Gestalt des reinsten Willens zur Macht... Der Übermensch , der unbedingte Herrschaft der reinen Macht, ist der Sinn des einzig Seinden, d.h. der

Erde... Der Übermensch läßt den Menschen der bisherigen Werte einfach hinter sich, übergeht ihn und verlegt die Rechtfertigung aller Rechte und die Setzung aller Rechte in das Machten der reinen Macht." Heidegger, Nietzsche, pp. 39-40. But this is also the blind point of Heidegger. In this age of planetary rule, the call of Being cannot be responded by the Nazi figure because of his or her particularistic character; it can be responded more adequately by a cosmopolitan figure. Maybe this is one of the reasons which motivated latter Heidegger to turn his attention to the East-West dialogue: "Appalled by the prospect of an approaching spiritual unity of the planet on the lowest level of humanly empty, calculating, technical thought, wrought by the victory of Western technology, Heidegger tried to prepare the ground, a possible common but deeper ground for the meeting of East and West in dialogue. The ground Heidegger tried to prepare was to make it possible for each side to preserve something of its own noble depths while joining with the other to forge the unified humanity imposed upon us ... history? Destiny? The gods?" "the prescientific world and historicism: some reflections on Strauss, Heidegger, and Husserl," Lawrence Berns, "The Prescientific World and Historicism: Some reflections on Strauss, Heidegger, and Husserl," in *Leo Strauss's Thought: Toward a Critical Engagement*, Alan Udoff (ed.), L. Rienner Publishers, Boulder, 1991, p. 177.

- <sup>4</sup> This can be clearly seen in today's arguments deployed for asserting cosmopolitan thesis. For example, in Held's book, *Cosmopolitanism: Ideals and Realities*, we encounter such an approach. The existing national and cultural borders are contingent, if not completely outdated, historical realities. Because of this, they are not substantial so as to form a sound obstacle before the universal claims which take humanity as a whole and thus transcend the existing borders. But the same line of argument can be quite easily turned against the cosmopolitanism. The world-ethics transcending the localities is itself the production of historically contingent factors. Therefore, in order to assert a universal ethics surpassing the particular ones because of their arbitrary character, one needs more ontologically substantial basis than the certain configuration of historical forces (globalization). David Held, *Cosmopolitanism: Ideals, Realities, and Deficits*, p. 40.
- <sup>5</sup> This is exactly the case of Hegel and Marx. In their approaches, the dialectical movement stops even if there are materials upon which the dialectic can work, therefore in which there is still potential to produce history. But this is not specific to dialectic. To stop the

philosophical imagination before the possibilities are exhausted can be said to be the general characteristics of political philosopher. Hobbes's unwillingness to carry the contract to its logical conclusions, namely to an international covenant and an international Leviathan above the particular states can be given as another example. But what is important here is to see this not as a fault of this or that philosopher but to see it as a tradition. In this sense, Gregory Stone's article is illuminating: "The whole premise of Dante's *Monarchy* is that there is a fundamental flaw in Aristotelian-Thomist political theory, which brings the life of the state to a premature end before it ever comes to possess its true nature, the attainment of its *telos*. By setting the limits of the *polis* at the extent of the city (Aristotle) or the kingdom (Aquinas), Dante's predecessors are themselves, on this issue at least, sodomites. For sodomy is, in essence, *the unnatural delimitation of the boundaries of the community*. Sodomy is a contraceptive political ideology that prevents the growing *polis* from reaching its natural end." Gregory B. Stone, "Sodomy, Diversity, Cosmopolitanism: Dante and the Limits of the Polis," *Dante Studies*, no: 123 (2005), p. 115.

- <sup>6</sup> This also holds true for communitarianism. It should also engage in this kind of conversation. That a cosmopolitan like Brian Barry formulated an apparently oxymoronic conceptual pair, "cosmopolitan nationalism" is an crucial sign of the fact that some sorts of intermingling has already taken place. "Nationalism is Janus faced. Looking in one direction, it is an ideological construct in the sense of Marx and Engels: an obfuscatory idealization of a sordid reality. This is the form of nationalism I have been addressing until now. I must now add that it has a more benign face. In this form, it is essential to the successful operation of a liberal democratic polity... we may say that nationalism of this form is required by cosmopolitanism." Brian Barry, "Statism and Nationalism: A Cosmopolitan Critique," in *NOMOS Volume XLI: Global Justice*, p. 53.

- <sup>7</sup> "No other Greek system was so well qualified as Stoicism to appeal to the native virtues of self-control, devotion to duty and the public spirit in which the Roman took a special pride, and no political conception was so well qualified as the Stoic world-state to introduce some measure of idealism into too sordid business of Roman conquest." p. 151. "Doubtless also the Stoic world-state lent itself easily to a kind of sentimental imperialism which enabled the conquerors to imagine that they were assuming the white man's burden and where bringing

the blessings of peace and order to the politically incompetent world.” George H. Sabine, *A History of Political Theory*, p. 153.

- <sup>8</sup> Cannibalism and human sacrifice are two main extreme cases put before the moral relativist. According to the opponents of moral relativism, the indifference suggested by moral relativism should be sustained in the face of these extreme cases if one is loyal to the underlying presumption forming the basis of moral relativism. But one note of caution in this regard seems to be in place: studying the social functions of cannibalism and human sacrifice within a certain community and taking moral neutrality in the face of them are two different things. So taking a moral position against them can by no means be taken as ignoring their social function.
- <sup>9</sup> “Various attempts, most notably by the Dutch jurist Hugo Grotius and the Saxon Samuel Pufendorf, had been made during the seventeenth century to redefine the ancient Roman concept of the law of nations (*ius gentium*) so as to create an international law capable of restraining the activities of the European powers. But, as Kant also observed, these man –whom he described collectively as ‘sorry comforters’- had done nothing to remedy the situation... As Kant recognized, the only possible means to control the behavior of states in international arena would be to create an international political order. Then, and only then, would there exist some agency with the power to sustain an international legal community.” p. 9 Anthony Pagden, “The Genesis of Governance and Enlightenment Conceptions of the Cosmopolitan World Order,” in *International Social Science Journal*, v. 50, 1998.
- <sup>10</sup> This teleological view is found not only in Kantian cosmopolitanism. It can also be found in another cosmopolitanism: stoicism. Indeed, the rejection of teleological world-view is a recent phenomenon in the history of thought. To see the Stoicism effect in this regard see: T. H. Irwin, “Stoic Naturalism and Its Critics,” in *The Cambridge Companion to the Stoics*, p. 353. But this subject is a little complex. If we can talk about the teleology in Stoicism, it is also possible to talk about another principle in it: eternal recurrence. That this principle is in a certain tension with teleology is certain. For “the eternal recurrence” in Stoicism, see R. D. Hicks, *Stoic and Epicurean*, pp. 37-39.
- <sup>11</sup> A nice of illustration of this point can be found in Mehta’s article: “What are, in other words, the limits of hybridization – a familiar self-description of cosmopolitans? Can hybridization be extended to the deepest issues that give our lives the purpose we think it has, or will it extend only to those activities that dance at the surface of our lives

(and that may be appropriately defined by the image of consumption) – the restaurants we visit, the movies we see, the carpets we drape our floors with, and so on. What does the cosmopolitan really put at risk?” p. 628. Pratap Bhanu Mehta, “Cosmopolitanism and the Circle of Reason,” *Political Theory*, vol: 28, no. 5, 2000.

- <sup>12</sup> One may ask to what extent it is right to criticize and blame technology. According to some, technology, along with the side effects, contains some positive elements for freedom and human subjectivity. For example, Connolly stresses that the vertiginous speed that today's technology makes us enjoy has important positive results for cosmopolitanism if cosmopolitanism is to escape from the totalizing and hegemonic character of Kantian universal. Although this line of argument needs a careful elaboration than can be done in a footnote, it is in place to have brief glance at that: “Speed can be dangerous. At a certain point of acceleration, it jeopardizes freedom and shortens the time in which to engage ecological issues. But the crawl of slow time contains injuries, dangers, and repressive tendencies too. It may be wise therefore to explore speed as an ambiguous medium that contains some positive possibilities... The politics to pluralize hegemonic culture along several dimensions and the politics to fundamentalize hegemonic identities form two contending responses to late-modern speed... it also becomes clear why democratic pluralists must embrace the positive potentialities of speed while working to attenuate its most dangerous effects.” William E. Connolly, “Speed, Concentric Cultures and Cosmopolitanism,” in *Political Theory*, Vol. 28, No. 5, 2000, p. 598.
- <sup>13</sup> For a useful discussion of Diogenes the Cynic in this context, see Nussbaum, “Patriotism and Cosmopolitanism,” in *The Cosmopolitan Reader*, p. 157.
- <sup>14</sup> From the perspective of cosmopolitanism, the city-state represents a particularism. Of course, it is a sort of particularity. But leaving the matter at this point seems to do injustice to city-state. It was an important tool to breaking up the particular world-views and brining about a public space in which certain amount of population, regardless of their particular characteristics, can participate in. This Jean-Pierre Vernant expresses clearly: “Le courant démocratique va plus loin; il définit tous le citoyens, en tant que tells, sans consideration de fortune ni de vertu, comme des égaux ayant exactement les mêmes droits à participer à tous les aspects de la vie publique.” Jean-Pierre Vernant, *Les Origines de la Pensée Grecque*.

- <sup>15</sup> To realize some points of continuation in the transformation of city-state into the empire, see Sabine: "Great as is the gap between this conception of a World-wide society of autonomous individuals and the moral intimacy of city-state, the two are not wholly discrepant. It would be truer to say that the philosophy of the Hellenistic age tried to Project upon a cosmic field ideals which, in their first appearance, were confined within the limits of the city." Sabine, *Ibid*, p. 143.
- <sup>16</sup> In this sense, one surmises the similarities between the global governance and imperial rule. The term "empire" is what the critiques of global governance usually use. In this sense, it is not mere a coincidence that one of the most influential books which put the global governance of our age under the critical scrutiny is entitled "Empire." Negri and Hardt, *Empire*. For this point see especially pp. 18-22.
- <sup>17</sup> To understand this point, it is essential to take into account the difference between Cynics (and also early Stoics) and later Stoics: while in the Roman stoics, the imperial virtues and characteristics are preponderant, the reluctance, if not abhorrence, in the face of public life and authority is the brand of Cynics and early Stoics. "This conception of World-wide citizenship involved important consequences and had a distinguished history in Stoicism, but this was due chiefly to the positive meaning which the Stoics gave it. What the Cynics emphasized was its negative side: primitivism, the abolition of civic and social ties and of all restriction except those that arise from the wise man's sense of duty. The protest of the Cynic against social convention was a doctrine of the return to nature in the most nihilist sense of the term." Sabine, *Ibid.*, p. 137.
- <sup>18</sup> For this point, see Strauss's article, "What is Political Philosophy". "Philosophy, as quest for wisdom, is quest for universal knowledge, for knowledge of the whole... Of philosophy thus understood, political philosophy is a branch. Political philosophy will then be attempt to replace opinion about the nature of political things by knowledge of the nature of political things." Leo Strauss, "What is Political Philosophy?" *An Introduction to Political Philosophy: Ten Essays*, pp. 4-5.
- <sup>19</sup> The term is borrowed from Leo Strauss.

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# THE ATHEISTIC METAPHYSICS OF MODERN COSMOPOLITANISM

James ALEXANDER\*

Modern cosmopolitanism is based on an error. It is an error concealed by a hope: the error is to think that there is a cosmopolitan world which can be theorised as one, and the hope is to suppose that there is such a world or could be such a world. The error is fundamental, that is philosophical: but it only comes to attention when we turn to the history of thought, because it is only in considering older forms of cosmopolitanism that we see where the error of modern cosmopolitanism lies.

The error is not the supposition that there is one world. There is no problem with this supposition. The problem is that modern cosmopolitanism supposes *both* that the world is two, or that there are two worlds, *and* that one of these two worlds is the only world, and therefore is both. This is a formal error. But it is an error which is concealed in much cosmopolitan writing because most cosmopolitan theorists present it as a difficulty which can be overcome rather than an impossibility which cannot be overcome.

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In his recent *Visions of World Community* Jens Bartelson is only the latest of many to draw attention to the 'paradox' in cosmopolitanism. This paradox is that

every effort to impose a given set of values on the existing plurality of communities in the name of a common humanity is likely to be met with resistance on the grounds of its own very particularity.<sup>1</sup>

Almost all cosmopolitan theorists admit some variant of this paradox. The simple way of putting it is that we are torn between the universal and the particular; and a more subtle way of putting it is to say that any particular universal is itself particular and therefore not inclusive but exclusive. It is this exclusivity which seems to be the particular problem of modern cosmopolitanism. For *either* we have a world order which is inclusive, in the sense of accepting all particularity, because it lacks any sort of criterion which would exclude anyone; *or* we have a world order which is universal, but exclusive, because it has a criterion for inclusion which always makes it possible that some people would be excluded. Most modern cosmopolitan theories are supposed to reconcile the universal and the particular. But no theory offered so far has been convincing in showing how reconciliation could occur. Here I intend to indicate why conviction will always be lacking, and why reconciliation is impossible.

Bartelson resembles most modern cosmopolitans in following a recognition of this paradox with an attempt to overcome it.<sup>2</sup> His book is unusual because it takes the form of a history of cosmopolitan ideas. He rightly observes that most older forms of cosmopolitanism depended on some sort of 'cosmological belief'. But since by his own account most cosmopolitan theorists after the eighteenth century attempted to ground cosmopolitanism on some sort of anthropological fact—

such as ‘sociability’—rather than some sort of metaphysical belief, it is rather odd that his book ends with the suggestion that we should reformulate “our conceptions of community in the light of our cosmological beliefs about the human habitat”.<sup>3</sup> He wholly avoids asking the question of whether we have such beliefs. His history indicates that we almost certainly do not. And he fails to see that the older cosmological criterion for inclusion in a higher city divided humanity into two cities, where any modern anthropological criterion of inclusion is supposed to recognise that humanity forms one city.

It is necessary to look again at the history of cosmopolitan theory in order to indicate the nature of the *non sequitur* in Bartelson’s historical argument. And, in so doing, I shall sketch a history of cosmopolitanism which, like Beck’s, has three significant stages,<sup>4</sup> but differs from Beck’s in suggesting that the three stages are, as Bartelson suggests, conditioned by metaphysical beliefs *or by a lack of them*: and, in particular, by our beliefs about God.

Almost every modern cosmopolitan theorist knows something about older cosmopolitan theories, although they rarely consider anyone other than Kant and the Stoics.<sup>5</sup> Kant is a highly ambivalent figure, as I will later show. But the Stoics are fairly simple. Bartelson quotes the most famous utterance of Seneca from Schofield’s translation: “Let us embrace with our minds, two commonwealths: one great and truly common... the other one to which the particular circumstances of birth have assigned us... which pertains not to all men but a particular group of them.”<sup>6</sup> Although, as Bartelson says, many modern theorists have engaged with the Stoics, they have not seemed to recognise what is going on in Stoic thought. The first thing to notice here is that there are two commonwealths mentioned, not one. The second is that Bartelson has not quoted the

utterance in full. In full, as Schofield has it, it reads that are two commonwealths,

one great and truly common—in which gods and men are contained, in which look not to this or that corner, but measure the bounds of our state [*civitas*] with the sun; the other, the one to which the particular circumstances of birth have assigned us—this will be the commonwealth of the Athenians or the Carthaginians or some other city [*urbs*].<sup>7</sup>

What Bartelson has left out is that the first city contains men and gods. This may not seem important. But it is fundamental to the structure of older cosmopolitan theories. For not only did all older cosmopolitans distinguish a higher and a lower city: they did so as a consequence of some sort of ‘cosmological belief’ about God or the gods.

If we understand the history of cosmopolitanism in terms of what was thought about God, we see that there were three great eras of cosmopolitan theory: which were successively dependent on a polytheistic, a monotheistic and an atheistic metaphysics. And I will argue that we cannot fully understand the paradox of modern cosmopolitanism until we see very clearly that its metaphysics are atheistic.

## **I. Polytheistic Cosmopolitanism**

In all classical cosmopolitan theories there is a distinction between a higher world, or city, and a lower world, or city, or world of cities, and this is because the higher city is a city in which man lives with the gods—that is, in relation to law, which is the law of the world (as opposed to the law of any mere city), and in relation to reason, and in relation to nature. Since not all men have reason, not all men belong to the higher city. This was never a city which could exist through force.

The first historical use of the word *kosmopolitēs*, ‘citizen of the world’, is in Philo’s commentary on Moses’s law in the first century A.D.

It consists of an account of the creation of the world, implying that the world is in harmony with the Law, and the Law with the world, and that the man who observes the Law is constituted thereby a loyal citizen of the world [*kosmopolitou*], regulating his doings by the purpose and will of Nature, in accordance with which the entire world itself also is administered.<sup>8</sup>

But it is likely that Diogenes the Cynic was first to use the word.<sup>9</sup> When asked which city he was from, Diogenes famously replied, ‘*Kosmopolitēs*’: “I am a citizen of the world”. Scholars still disagree on what he meant by this: whether his ideal was a ‘positive’ one of an alternative order to the established political order or a ‘negative’ one of a rejection of any sort of political order. Perhaps Diogenes only meant by *kosmopolitēs* that he was “a homeless exile, to his country dread, a wanderer who begs his daily bread”—*apolis*, without a city, *aoikos*, without a home.<sup>10</sup> But it is clear that he divided cities into two. Other men lived in the *polis*, but Diogenes’s *polis* was the *kosmos*. He is said to have used a famous argument:

All things belong to the gods. The gods are friends to the wise, and friends share all property in common; therefore all things are the property of the wise. [...] The only true commonwealth [*politeia*] was, he said, that which is as wide as the universe [*kosmos*].<sup>11</sup>

This argument was quite possibly influenced by later Stoic philosophy—since no one definitively knows how much old Cynic argument has been overlaid by Stoicism or how much

old Stoic argument is in fact Cynic. But it is the same argument that is found in Seneca. There are two worlds or cities. In one (the lower and yet plural world of cities) every man is included, and in the other (the higher and unitary world of one city) not every man is included: man forms a community with the gods. The same argument is used by Cicero:

Since there is nothing better than reason, and since it exists both in man and god, the first common possession of man and God is reason. But those who have reason in common must also have right reason in common. And since right reason is Law, we must believe that men have Law also in common with the gods. Further, those who share the Law must also share Justice; and those who share these are to be regarded as members of the same commonwealth [*civitas*].<sup>12</sup>

Romans, like Cicero, sometimes identified this *civitas* with Rome,<sup>13</sup> but, as Marcus Aurelius more properly understood, this higher city was neither to be identified with Rome nor with all humanity. Schofield explains:

The ideal city of Zeno's *Republic* is indeed in a sense a universal community, whose citizens are (as Diogenes the Cynic claimed of himself) *kosmopolitai*. However, it is universal not in that it includes all mankind, but because it is made up of gods and sages wherever they may be: not a wider community, but a wholly different sort of 'community'. When Chrysippus uses words like 'city' and 'law' he intends a radical transformation of their meaning, robbing them of anything ordinarily recognisable as political content. In other words, political vocabulary is depoliticised.<sup>14</sup>

That is one way of putting it. Another way of putting it is to say that in classical cosmopolitanism the universe was politicised. But whichever way one puts it, one sees a division of two cities,

two polities, two worlds. The higher city which resulted was exclusive: not everyone was a citizen, only the gods and men who were like gods—because they were wise and good. As Plutarch said, this divided the world into two: cosmopolitans were told to look on good men as their kinsmen and the bad as foreigners.<sup>15</sup>

So, in short, in ancient cosmopolitanism there were two worlds, or two cities: a first, unitary, in which some men and the gods were together, and the second, a plurality, in which all men lived. No one ever said that all men composed one city.<sup>16</sup>

## **II. Monotheistic Cosmopolitanism**

Christianity is almost always ignored by modern theorists of cosmopolitanism, since they ignore everything between Seneca and Kant.<sup>17</sup> The reason for this is perhaps that Christian writers used ‘kingdom’, ‘city’ and ‘church’—and never used cosmopolitan language itself. Or perhaps because the emphasis on God does not appeal to a secular sensibility. And yet Christians sketched a vision of the world which bore marked similarities to the Cynic or Stoic vision.

The religious language of the Bible was highly political. The idea of a ‘kingdom of God’ separate from other kingdoms is evident in some Old Testament writings, e.g. in Daniel: “In the days of these kings shall the God of heaven set up a kingdom, which shall never be destroyed: and the kingdom shall not be left to other people, but it shall break in pieces and consume all these kingdoms, and it shall stand for ever.” (Dan. 2.44.) In Christianity this idea was made universal—so that this city was now seen as higher than any ordinary city. The Jews had always considered Jerusalem the ‘holy city’, but in the New Testament it was exalted so it became *anó Ierousalém*, ‘Jerusalem above’ (Gal. 4.25), or, in the Apocalypse, famously,

the 'New Jerusalem' of the vision *tén polin téh hagian polin lerousalém kainén eidon*, "I saw the holy city, new Jerusalem..." (Rev. 21.2) It was clear this was a higher city, as it came out of heaven, 'as a bride adorned for her husband'.

Jesus ignored the division of men into different earthly cities. His commandments were universal: simply that "thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind, and with all thy strength" and that "thou shalt love thy neighbour as thyself". (Mark, 12.29-31.) The most important political saying of Jesus was "Render... unto Caesar the things that are Caesar's; and unto God the things that are God's" (Matt. 22: 21), where he divided the world into two, one of Caesar and one of God. And when Pilate asked him whether he was the King of the Jews, he said, "My kingdom is not of this world [*kosmos*]." (John 18.36.) There was an ambiguity about whether this kingdom was something to come, or something which already existed.<sup>18</sup> On the one hand: "The kingdom of God is within you". (Luke 17.21) Yet on the other: "For here have we no continuing city, but we seek one to come." (Heb. 13.14) But what was important was that it was only through Christ that one could become part of this higher city.

There were two major differences between this cosmopolitanism, if we may call it that, and the older Stoic one. One was that there were not many gods, but one God, so that it was through one's relation to the one God (and not through law, reason, nature etc) that one entered the higher city. As Paul wrote, "There can be neither Jew nor Greek, there can be neither bond nor free, there is neither male nor female, for ye are all one in Christ Jesus." (Gal. 3:28) And the second was that faith replaced wisdom as the criterion of inclusion. "Hath not God made foolish the wisdom of the world? For seeing that in the wisdom of God the world through its wisdom knew not God, it was God's good pleasure through the foolishness of

the preaching to save them that believe. Seeing that Jews ask for signs, and Greeks seek after wisdom: but we preach Christ crucified, unto the Jews a stumbling-block, and unto Gentiles foolishness;... God chose the foolish things of the world, that he might put to shame the wise." (1 Cor. 1:20-27.) As a criterion of inclusion, faith was clearly broader than wisdom—but, of course, never wholly inclusive, for it excluded those who did not have faith, just as wisdom excluded those who did not have it.

This doctrine of two cities, a higher one in which man is related to God, and a lower one in which man is related only to other men, and the related doctrine that one belongs to the higher city not through reason—which the Stoics thought man shares with the gods—but through faith, hope and charity—which the Christians thought man owed to God—was given clear development by Augustine. "Two cities, then, have been created by two loves," he wrote.<sup>19</sup> There was a higher love, the love of God (and therefore the love of the neighbour), and the love of self (and therefore what Kierkegaard was to call all 'preferential' love).<sup>20</sup> The higher love was commanded of us even though it was impossible for us. Ought did not, in this case, imply could. Hence Christ's crucifixion: which was God's concession to us. But all this theology apart, it should be clear that in Christianity, there were two worlds, or two cities: a first in which some men and the one God were together (the 'kingdom of God' or 'New Jerusalem' which was, on earth, anticipated by *ekklesia*, the 'church' or 'community'), and the second in which all men lived. And, again, the higher could not be established by force.

### **III. Atheistic Cosmopolitanism**

So in polytheistic cosmopolitanism there was a higher city in which some men and the gods had reason in common,

and in monotheistic cosmopolitanism there was a higher city in which some men had faith in God. Both distinguished the higher city, which was exclusive, from the lower city, or cities, which were inclusive. But they did so in terms of man's relation to the gods (through reason) or God (through faith). Modern cosmopolitanism is atheistic, anthropological rather than theological, and so, lacking gods or God, has no way of distinguishing the higher city, not of this world, from the lower city of this world. The two cities are, as a consequence the same: and yet they are not. This is the real 'paradox' of modern cosmopolitanism.

Accounts of modern cosmopolitanism often begin with Kant. It is not said often enough that Kant is a highly ambivalent figure. In *Perpetual Peace*, written in 1795, he certainly distinguished *Staatsrecht*, political right, and *Völkerrecht*, international right, from *Weltbürgerlichrecht*, cosmopolitan right: which considered man from a 'universally philanthropic' point of view: where *Menschen und Staaten*, or individuals and states, could be regarded as *Bürger alles angemainen Menschenstaats*, or citizens of a universal state of mankind.<sup>21</sup> Most modern cosmopolitans admire this but lament that Kant only took cosmopolitan right as far as 'universal hospitality'—rather than further into universal justice.<sup>22</sup> But to see Kant as the first modern cosmopolitan (in so far as he advocated a sort of cosmopolitan order which could be established in the world of man) is to ignore the fact that he can be seen as the last Stoic or Christian cosmopolitan (in so far as he advocated a higher city which existed only in relation to God). Just as Christians spoke of the 'Kingdom of God', Kant famously spoke of the 'Kingdom of Ends'.

This was part of his characterisation of the categorical imperative. If we were to act according to the categorical imperative, Kant argued, this would be to belong (depending on

how one translates *Reich der Zwecke*) to a 'Realm' or 'Empire' or 'Kingdom' of Ends—a 'systematic union of different rational beings through common laws'.<sup>23</sup> This could only exist if everyone followed the moral law. So far, so secular. But there is evidence that Kant thought the Kingdom of Ends could only exist in relation to God. "Woe to the legislator who would establish through force a polity directed to ethical ends! For in so doing he would not only bring about the very opposite of an ethical polity but [would] also undermine and make unstable his political polity."<sup>24</sup> Scholars still cannot agree on whether Kant's Kingdom of Ends was metaphysical, in which case it was only a secularisation and minimisation of older Stoic or Christian ethical ideals, and of conscientious significance only, or whether it was political, in which case, as he saw, the unanswerable question of how it was to be established was raised.<sup>25</sup>

Modern cosmopolitans do not, like Kant, seek a criterion such as the categorical imperative by which inclusion in a higher city can be achieved. For they are atheistic, have abandoned any criterion of inclusion which would be an exclusive inclusivity, and seek to do something no cosmopolitan ever did before which is unify the higher city and the lower city. I have already mentioned Bartelson's point that modern cosmopolitans abandoned reason—and faith—to attempt to establish the universal in terms of some inclusive 'human' quality such as sociability.<sup>26</sup> But sociability in itself cannot explain why humans should be considered to live in a higher, united city, when their sociability is expressed perfectly well in lower, disunited cities. The entire problem is a consequence of the fact that modern cosmopolitans want *both* to claim that there is one city, *and* to claim that there are two.<sup>27</sup> So they leave us eternally torn between a higher city which is exclusive, and a lower city which is inclusive—while claiming at times that these two cities are the same. This is not only paradoxical:

it is impossible. But modern cosmopolitan theorists call the impossibility a difficulty and claim that it can be ‘overcome’.

We see what forms this overcoming can take in two recent books both entitled *Cosmopolitanism*, one by a well-known liberal theorist and one by a well-known radical theorist. (A liberal, loosely, is someone whose theories emphasise the individual, take legal form, and derive policies from principles. A radical, loosely, is someone whose theories emphasise some sort of collective, take sociological form, and advocate some sort of practice—or *praxis*.)

Held, in his *Cosmopolitanism*, claims to recognise the paradox of modern cosmopolitanism, but seems also to suppose that by recognising it he has solved it. He distinguishes two worlds, a higher one of universal, abstract principles and a lower one of actual traditions. And he says that while his theory “aims at being universal, it tries to address cultural and political specificity seriously”.<sup>28</sup> It does this in the form of a compromise which Held calls a ‘layered cosmopolitanism’—a ‘mix of regulative principles and interpretive activity’.<sup>29</sup> In this way he can defend the imposition of the universal on the particular and yet at one and the same time deny the imposition of the universal on the particular. Somehow his imposed order of a set of ‘metaprinciples’, ‘principles’ and ‘policies’ is meant to have specificity built into its universality.<sup>30</sup> But only at the cost of contradiction. Anyone who asserts that “the principles of cosmopolitanism are the conditions for taking cultural diversity seriously” cannot also assert without contradiction that “the meaning of cosmopolitan regulative principles cannot be elucidated independently of an ongoing discussion in public life”.<sup>31</sup> But this is exactly what Held does.

Harvey, in his *Cosmopolitanism*, takes far more seriously than Held the question of ‘why seemingly noble universal projects and utopian plans so often fail’.<sup>32</sup> He is critical of

Held and other 'New Cosmopolitans'—Nussbaum, Beck, Appiah and others—who advocate an 'ethereal and abstracted universalism' while making concessions to particularity which are incompatible with it.<sup>33</sup> He observes, for instance, that Held's 'caveat [about particularity] has immense implications' for his universalism, since it means that every universal principle could be interpreted in 'any which way'.<sup>34</sup> Harvey sees that most cosmopolitan theorists want to overcome and yet cannot overcome the contradiction of the universal and the particular.<sup>35</sup> He claims, probably rightly, that the particular is usually "opportunistically appealed to [by such theorists] in order to discredit unfavoured or promote favoured universal positions".<sup>36</sup> This is all exemplary. But when Harvey turns to his own suggestions we find, again, the same belief that the difficulty can in principle be overcome.

Whereas Held advocates a singular 'layered cosmopolitanism', Harvey advocates a more pluralistic vision of 'subaltern cosmopolitanisms'.<sup>37</sup> Unlike Held, he has no principles or policies to suggest: instead he says that "the task... is to work across different scales".<sup>38</sup> He tells us that the 'cosmopolitan project' needs "a dialectic, process-based, and interactive approach to world historical geography"—whatever that means.<sup>39</sup> All we can take it to mean is that whereas Held sees the solution to the paradox of cosmopolitanism as lying in a static legal framework which lays down the conditions for particularity, Harvey sees it as lying in some sort of dynamic practice which is itself always particular. But this is even less of a solution than Held's. If Held's cosmopolitanism fails to overcome the contradiction between universality and particularity, at least it embodies it. Harvey's cosmopolitanism overcomes the contradiction by ignoring it: by disposing of universality altogether, and recognising only particularity. But a cosmopolitanism which recognises only particularity is not cosmopolitanism at all.

Neither Held nor Harvey offers an even slightly convincing vision of world community. Held's theory is a barrage of suggestions which cannot conceal a fundamental theoretical contradiction. Harvey's theory is an attempt to dignify the emptiness left behind after relentless criticism of the contradiction. And there is a sense that both theorists would silently have to appeal to some sort of force to achieve their cosmopolitan order.<sup>40</sup> This would be either the *Weltstaat* which Kant wanted to avoid, and which Held wants to avoid mentioning, or the revolutionary *praxis* which Harvey wants to avoid mentioning. As cosmopolitan theorists they are right to avoid mentioning force, for force, or will, or power—unless it is that of God or the gods—can never be a principle of a higher city. But without force there is simply no necessity in anything either Held or Harvey says, unless we consider them to be merely writing scripture for rival atheistic religious cults.

The confusion Held and Harvey could cause us can only be avoided if we see that cosmopolitanism, in its older and proper form, distinguished a higher and a lower city, and claimed that the higher city was 'not of this world', even if it was in some sense in the world and of it. The higher city was a community of the wise, or a community of the faithful, and so excluded those who were not wise, or those who were not faithful. What modern cosmopolitans want is the destruction of the distinction between the higher and the lower city, so that all men—without regard to wisdom or faith—may be members of one city. But they also want this city to be in some sense a higher city, and this requires them to restore the distinction between higher and lower which they reject. This contradiction is a consequence of adopting an atheistic metaphysics. For without God, or the gods, there is no meaningful higher city to which men can aspire: there is only the one and only city, the city of all cities, which is a totality, and contains good and bad alike. The older

cosmopolitans—whether Stoic or Christian, and even at times Kantian—recognised that the higher city will be identical with the lower city only at the end of history. Until then, and without God, and for us, it remains only an ideal of no necessity.

The contradiction can be stated in short order. Modern cosmopolitans postulate the existence of two cities, and then postulate the existence of only one. This contradiction is so blatant that it may seem remarkable that there is such a thing as modern cosmopolitanism. That there is such a thing is because modern cosmopolitans treat this contradiction as a difficulty rather than as a demonstration of impossibility.<sup>41</sup> Modern cosmopolitan theorists should ask, 'Is cosmopolitanism possible given its contradiction?', to which the answer would be, 'No'. But instead they ask, 'How is cosmopolitanism possible given its apparent contradictions?' to which their answer is, 'By some form of compromise'.<sup>42</sup> Which can then be written about *ad infinitum* in terms of a 'layered', or 'moderate', or 'partial', or 'balanced' cosmopolitanism.<sup>43</sup> No amount of adjectival cosmopolitanism is ever going to conceal the contradiction. Scheffler says that cosmopolitanism at first seems either 'platitudinous' or 'implausible'.<sup>44</sup> But it *is* both platitudinous and implausible—because it is fundamentally contradictory.

Only theistic cosmopolitanism resolves the contradiction. For it is only if one has a conception of God or the gods that one can reconcile the universal and the particular. And this is because a god embodies both law and power. The irony of atheism is that it is Manichaeian: for law and power fall apart when only 'of this world'. All modern political theories in the absence of God emphasise either the priority of law over power or the priority of power over law. Consider Kant and Nietzsche; consider Kelsen and Schmitt; consider Rawls and, say, Geuss. If one is cosmopolitan and emphasises law over power, then one has an empty ideal 'which exists God knows where—or, rather

of which we can very well say that we know where it exists, namely in the errors of a one-sided and empty ratiocination'.<sup>45</sup> In which case cosmopolitanism is an empty, abstract, forlorn hope.<sup>46</sup> But if one emphasises power over law—as any practical cosmopolitan eventually has to do—then the ideal is, as critics of cosmopolitanism always say, imperial rather than cosmopolitan.<sup>47</sup> In which cosmopolitanism establishes not a higher city, but only a vast lower city, like the Rome of St. Augustine. Modern cosmopolitans are those of us who think that that the city of earth *is* the city of god, or *should be*, or *must be*. They repeat Constantine's error. But Constantine had an excuse, for in his world, law and power were one, derived from God. Modern cosmopolitans have no excuse for their error, since in their world, law and power are theoretical antitheses: and it is only *hope* which leads them mistakenly to call the impossibility of reconciling the universal and the particular a difficulty, and to continue writing about cosmopolitanism as if its contradictions can be overcome.

Nozick wrote that "a philosophical argument is an attempt to get someone to believe something, whether he wants to believe it or not".<sup>48</sup> And I think that philosophical argument here—brought to consciousness by historical analogy—indicates that modern cosmopolitanism is impossible, whether we want to believe it or not.

## NOTES

- <sup>1</sup> Jens Bartelson, *Visions of World Community* (Cambridge: Cambridge University Press, 2009), p. 2.
- <sup>2</sup> *Ibid.*, p. 5.
- <sup>3</sup> *Ibid.*, p. 181. For sociability as a criterion, see p. 139.
- <sup>4</sup> See Ulrich Beck, *Cosmopolitan Vision* trans. Ciaran Cronin (Cambridge: Polity Press, 2006), pp. 45-46, for the three 'moments' of the Stoics, then Kant and then Arendt and Jaspers. The third moment is the humanitarian one. Beck, like Derrida, interprets this as concerning crimes against humanity. Pogge—extending Rawls's abstractions to the world—interprets it as concerning poverty. See Thomas Pogge, *World Poverty and Human Rights: Cosmopolitan Responsibilities and Reforms* 2<sup>nd</sup> ed. (Cambridge: Polity Press, 2008).
- <sup>5</sup> See, for instance, David Held, 'Principles of Cosmopolitan Order', in *The Political Philosophy of Cosmopolitanism* eds. Gillian Brock & Harry Brighouse (Cambridge: Cambridge University Press, 2005), pp. 10-27, at pp. 10-11. Nussbaum has a lineage running from Cicero, through Aquinas, Suarez, Gentili, Grotius, Wolff and Pufendorf, to Kant. See Martha Nussbaum, 'Duties of Justice, Duties of Material Aid: Cicero's Problematic Legacy' in *The Journal of Political Philosophy* 8 (2000), pp. 176-206, at pp. 178-9. Most serious commentators begin (and often end) with Kant: their works are nothing but meditations on Kant's 'perpetual peace'. See, for instance, Jürgen Habermas, 'Kant's Idea of Perpetual Peace: At Two Hundred Years' Historical Remove' in *The Inclusion of the Other* (Cambridge: Polity Press, 1998), pp. 165-201.
- <sup>6</sup> Bartelson, *Visions of World Community*, p. 16.
- <sup>7</sup> Seneca, 'On Leisure', 4.1, quoted in Malcolm Schofield, *The Stoic Idea of the City* (Cambridge: Cambridge University Press, 1991), p. 93.
- <sup>8</sup> Philo, 'On the Account of the World's Creation Given by Moses', 3, in the Loeb edition *Philo I* trans. F.H. Colson and G.H. Whittaker (Cambridge, Mass.: Harvard University Press, 1929), p. 7.
- <sup>9</sup> 'Philo or his Stoic sources must have got the world from somewhere and the Cynics were renowned for their verbal resourcefulness, including coinages.' John Moles, 'The Cynics', in *The Cambridge History of Greek and Roman Political Thought* eds. Christopher Rowe and Malcolm Schofield (Cambridge: Cambridge University Press, 2000), p. 424.
- <sup>10</sup> Diogenes Laertius, *Lives of Eminent Philosophers*, 6.38, in the Loeb edition trans R.D. Hicks (Cambridge, Mass.: Harvard University Press, 1925), Vol. II, p. 39.

- <sup>11</sup> Diogenes Laertius, *Lives of Eminent Philosophers*, 6.72, in the Loeb edition, p. 73.
- <sup>12</sup> Cicero, *De Legibus*, 1.23, in the Loeb edition *Cicero* trans. Clinton Walker Keyes (Cambridge, Mass.: Harvard University Press, 1928), Vol. XVI, pp. 321-3.
- <sup>13</sup> As Plutarch identified Zeno's *kosmopolis* with Alexander's empire. See Plutarch, 'On the Fortune or the Virtue of Alexander', 329B in Plutarch, *Moralia* trans. Frank Cole Babbitt (Cambridge, Mass.: Harvard University Press, 1936), Vol. IV, p. 397.
- <sup>14</sup> Malcolm Schofield, 'Social and Political Thought' in *The Cambridge History of Hellenistic Philosophy* eds. Keimpe Algra et al (Cambridge: Cambridge University Press, 1999) p. 768. C.f. Schofield, *The Stoic Idea of the City*, p. 97.
- <sup>15</sup> Plutarch, 'On the Fortune or the Virtue of Alexander', 329C, p. 399.
- <sup>16</sup> Not even Cicero. But for the claim that Cicero had a more 'generous Stoicism' than Zeno see Thomas Pangle, 'Socratic Cosmopolitanism: Cicero's Critique and Transformation of the Stoic Ideal', *Canadian Journal of Political Science*, 31 (1998), pp. 235-262.
- <sup>17</sup> One slight exception is Derek Heater, *World Citizenship and Government: Cosmopolitan Ideas in the History of Western Political Thought* (London: Macmillan, 1996). Bartelson tends to secularise his history, even when discussing Augustine, Dante and Las Casas. One has to go to older writers to find a full recognition of the religious element in cosmopolitanism. See, for instance, Max Hildebert Boehm, 'Cosmopolitanism', *Encyclopaedia of the Social Sciences* eds. Edwin Seligman (London: Macmillan, 1931), Vol. 4, pp. 460-1.
- <sup>18</sup> The latest view is that it is difficult to systematise references to the 'kingdom' as, say, Oscar Cullman attempted. See *Exegetical Dictionary of the New Testament* eds. Horst Balz and Gerhard Schneider (Edinburgh: T. and T. Clark, 1990), Vol. I, p. 205.
- <sup>19</sup> Augustine, *The City of God Against the Pagans*, 14.28, in R.W. Dyson ed. (Cambridge: Cambridge University Press, 1998), p. 632.
- <sup>20</sup> Søren Kierkegaard, *Works of Love* trans. H.V. and E.H. Hong (Princeton: Princeton University Press, 1995), pp. 52-53.
- <sup>21</sup> Kant, 'Perpetual Peace', in *Political Writings* ed. Hans Reiss (Cambridge: Cambridge University Press, 1991), pp. 98 & 105. See Jeremy Waldron, 'What is Cosmopolitan?', *The Journal of Political Philosophy* 8 (2000), pp. 227-43, for a useful emphasis on Kant's 'juridical' cosmopolitanism.
- <sup>22</sup> See Held, 'Principles of Cosmopolitan Order', p. 26. See also Jacques Derrida, *On Cosmopolitanism and Forgiveness* 1997 trans. Mark Dooley and Michael Hughes (London: Routledge, 2001).

- 23 Kant, *Groundwork*, 4.439, in the translation of Lewis White Beck, *Foundations of the Metaphysics of Morals* (New York: Liberal Arts Press, 1959), p. 51.
- 24 Kant, *Religion Beyond the Bounds of Mere Reason* quoted in John Atwell, *Ends and Principles in Kant's Moral Thought* (Dordrecht: Martinus Nijhoff, 1986), p. 159.
- 25 For the view that the Kingdom of Ends was metaphysical, see Katrin Flikshuh, 'Kant's Kingdom of Ends: Metaphysical not Political' in Jens Timmermans ed. *Kant's Groundwork of the Metaphysics of Morals: A Critical Guide* (Cambridge: Cambridge University Press, 2009), and for the view it was political, see Christine Korsgaard, *Creating the Kingdom of Ends* (Cambridge: Cambridge University Press, 1996).
- 26 Bartelson, *Visions of World Community*, pp. 123-30.
- 27 This is something which recognised by many modern cosmopolitan theorists and then forgotten. The most distinctive instance of this I have come across is Lu, who recognises the 'duality', but, after recognising it (only as a difficulty), assumes that a will-to-overcome-difficulty is sufficient to overcome it. See Catherine Lu, 'The One and Many Faces of Cosmopolitanism', *The Journal of Political Philosophy* 8 (2000), pp. 244-67, at p. 257.
- 28 David Held, *Cosmopolitanism: Ideas and Realities* (Cambridge: Polity Press, 2010), p. 16
- 29 *Ibid.*, p. 80.
- 30 For the policies, see *ibid.*, pp. 249-52. Held's style is almost continually if ambiguously stipulative. E.g., in relation to Islam he says: 'Like all major cultures, Islam can find, internally, the resources to meet cosmopolitan ideas and aspirations.' (p. 22) This assertion is typical of his style: for it sounds like a possibility (Islam may find the resources) but also like a command (Islam has to find them). Held is not alone in this. Most modern cosmopolitan theorists have an ambiguously indicative-subjunctive-imperative style.
- 31 *Ibid.*, pp. 76. & 49.
- 32 David Harvey, *Cosmopolitanism and the Geographies of Freedom* (New York: Columbia University Press, 2009), p. 1.
- 33 See *ibid.*, chapter 4, 'The New Cosmopolitans', pp. 77-97, and esp. p. 80.
- 34 *Ibid.*, p. 85.
- 35 *Ibid.*, pp. 105-6.
- 36 *Ibid.*, p. 107.
- 37 *Ibid.*, p. 97.

- <sup>38</sup> *Ibid.*, p. 229.
- <sup>39</sup> *Ibid.*, p. 247.
- <sup>40</sup> C.f. Nagel: 'The most likely path towards some version of global justice is through the creation of patently unjust and illegitimate global structures of power that are tolerable to the interests of the most powerful current states'. Quoted in Bartelson, *Visions of World Community*, p. 34.
- <sup>41</sup> C.f. David Hume, *Treatise of Human Nature* ed. L.A. Selby-Bigge (1981), Bk. 1, part II, sect ii, p. 31. 'Nothing can be more absurd than this custom of calling a *difficulty* what pretends to be a *demonstration* and endeavouring by that means to elude its force and evidence.'
- <sup>42</sup> Stove shows how Kant's philosophy depending on asking 'How is p possible given q?' instead of 'Is p possible given q?' David Stove, 'Robert Nozick's War Wounds', in *The Plato Cult and Other Follies* (Oxford: Blackwell, 1991), pp. 43-59, at pp. 48-9.
- <sup>43</sup> For 'layered' see Held, *Cosmopolitanism: Ideas and Realities*. For 'moderate' see Kok-Chor Tan, *Justice Without Borders: Cosmopolitanism, Nationalism and Patriotism* (Cambridge: Cambridge University Press, 2004). For 'balanced and constrained' see Samuel Scheffler, 'Conceptions of Cosmopolitanism', *Utilitas* 11 (1999), pp. 255-76. For 'partial' see Kwame Anthony Appiah, *Cosmopolitanism: Ethics in a World of Strangers* (London: Allen Lane, 2006). For Beck's extensive list of different cosmopolitanisms see *Cosmopolitan Vision*, p. 2.
- <sup>44</sup> For 'implausible' and 'platitudinous' see Scheffler, 'Conceptions of Cosmopolitanism', p. 262.
- <sup>45</sup> G.W.F. Hegel, *Elements of the Philosophy of Right* trans. H.B. Nisbet (Cambridge: Cambridge University Press, 1991), preface, p. 20.
- <sup>46</sup> See Catriona McKinnon, 'Cosmopolitan Hope' in Brock and Brighouse eds. *The Political Philosophy of Cosmopolitanism*, pp. 234-49.
- <sup>47</sup> This supports Beiner's comment, 'Scratch a cosmopolitan and you'll find an imperialist just below the surface,' quoted in Lu, 'The One and Many Faces of Cosmopolitanism', p. 251. It is not hard to find an imperial (or imperative) tone in, say, Brian Barry, 'Statism and Nationalism: A Cosmopolitan Critique', *Global Justice* eds. Ian Shapiro and Lea Brilmayer in *Nomos* (New York: New York University Press, 1999), pp. 12-66, or in works by Pogge and Nussbaum. But the imperative mood is usually 'balanced and constrained' by indicative and subjunctive moods.
- <sup>48</sup> Robert Nozick, *Philosophical Explanations* (Oxford: Clarendon Press, 1981), p. 4.

# COSMOPOLITAN RIGHT AND UNIVERSAL CITIZENSHIP

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The status and role of cosmopolitan right in Kant's philosophy of right is a matter of deep contention. What is essential in understanding cosmopolitan right is, however, the distinction of it from international right. It is only when we view cosmopolitan right as something different from international right that we can come to see that it is the means Kant has to address the difficulty of a state of nature problem that is rarely attended to, the problem, that is, of how to overcome the state of nature that exists between states, a state of nature that puts citizens of any given state into a precarious position whenever

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they are beyond the bounds of that state. Further, the possibility of commercial transactions between citizens of distinct states is complicated by the problem of how to guard against cultural domination, as Kant makes clear in demarcating cosmopolitan right in such a way as to rule out colonialism. When we set cosmopolitan right in this three-fold perspective of being distinct from international right, as being concerned with a state of nature problem and as part of a critical response to colonialism, we are able to rise to the level of seeing cosmopolitan right as a basis for a view of universal citizenship. However it is still the case that in viewing cosmopolitan right in this way we have to relate it not merely to the notion of provisional right that Kant uses in his more familiar story about the state of nature but also to his model of enlightened reason.

### **Cosmopolitan Right and International Right**

The first difficulty, then, in discussing cosmopolitan right is distinguishing it clearly from the notion of international right, something made difficult by the way in which contemporary political philosophers, particularly in the wake of the publication of John Rawls' *The Law of Peoples*, have tended to conflate the two. The basic reason why there is this tendency in contemporary political philosophy is, however, due to the notion that cosmopolitan thought is concerned with global justice, where such justice is conceived of as part of a quest for redistribution of resources in the form of a moral egalitarianism.<sup>1</sup> This moral egalitarianism focuses on the welfare of individuals setting this against the concern with states and effectively arguing for a re-shaping of the political by means of a greater attention to trans-individual concern with well being.

Kant's model of cosmopolitan right is quite different from the type of thinking that is at work in such contemporary political theory. To begin with, cosmopolitan right is not conceived of

by Kant in terms of “global justice”, if, by this phrase, we mean a theory of global politics that is principally concerned with distribution of resources in an egalitarian fashion. This is because cosmopolitan right is part of Kant’s philosophy of right, not his philosophy of virtue, with the result that cosmopolitan right should be seen as indicative of a binding legal commitment, not as an ethical duty, whether perfect or imperfect.<sup>2</sup>

So, to capture the specific sense of cosmopolitan right in Kant’s sense is to view right in a specific way as both normatively grounded and yet distinct from the demands of ethics.<sup>3</sup> This specific character of right is indicated in the universal principle of right that governs all of Kant’s philosophy of right and which he states as follows:

Any action is *right* if it can coexist with everyone’s freedom in accordance with a universal law, or if on its maxim the freedom of choice of each can coexist with everyone’s freedom in accordance with a universal law (Ak. 6: 230).

Noticeably the formula defines two ways in which something can be right, firstly referring to how actions can be so and then how maxims of actions can be so. However, both ways the formula is stated converge on a reference to outward conduct and this is what is essential to whether something is *right*. That which is right is that which is governed by a universal law that regulates the free relations we have with each other. So the universal principle of right is a principle that realises external freedom by means of restricting it or performs a kind of practical schematization of such external freedom.

Kant subsequently explains the division within the formulation of the supreme principle of right when he argues that the adoption of the universal principle of right as a *maxim* is required of me by ethics but not by right itself (Ak. 6: 231) as right itself merely requires that my action be governed by this

principle without this meaning I need take it as a consciously explicit goal to be so governed. So the principle of right can be given an ethical justification without action in accord with it requiring explicit reference to such a justification.<sup>4</sup> Just as Kant also restricted and realised freedom in the basic statement of the universal principle of right so this is also furthered when he connects right to the authorisation of coercion. Coercion is justified in a somewhat indirect way as a response to a previous act that would disrupt the reciprocity that is involved in what is right. Since right involves a reciprocal use of external freedom, what is wrong is that which would hinder such reciprocity and this hindrance is thus itself, in hindering such reciprocity, a source of resistance of freedom to freedom. It is thus part of the consistent self-regulation of freedom that it should include reference to the need for coercion, as this would be the means of hindering the hindrance to freedom, a hindering that is itself a restoration of freedom's self-consistency.

If the philosophy of right can thus be seen as a philosophy of authorised coercion in terms of the self-regulation and self-consistency of freedom then the state of nature problem that exists at the primary level and authorises the formation of a state of right is merely an extension of the authorisation of coercion in the general sense. To the general argument concerning such authorisation Kant adds the further point that the limited spherical surface of the earth has provided a necessity that communities be formed, something that effects the original justified right each of us has to possession of land. (Ak. 6: 262).<sup>5</sup> When Kant formulates the nature of public right in general he subsequently distinguishes it into three parts in the following way:

Under the general concept of public right we are led to think not only of the right of a state but also of a *right of nations (ius gentium)*. Since the earth's surface is not unlimited but closed,

the concepts of the right of a state and of a right of nations lead inevitably to the idea of a *right for a state of nations* (*ius gentium*) or cosmopolitan right (*ius cosmopoliticum*). So if the principle of outer freedom limited by law is lacking in any one of these three possible forms of rightful condition, the framework of all the others is unavoidably undermined and must finally collapse. (Ak. 6: 311).

It is important to note here that the three forms of right distinguished are all parts of the general concept of right. Within the general concept of right we separate out questions that are specific to the right to a state, the rights of states in relation to each other (which Kant here terms the right of nations but elsewhere views as international right) and cosmopolitan right (here also termed a “right” for a state of nations).

When we move on to looking at the distinct way Kant characterises international right by contrast to cosmopolitan right what emerges is a second form of state of nature, distinct from that which is invoked generally as the basis of the right to form a state. International right concerns the relations between states and states considered as distinct entities are in a state of nature with regard to each other. So international right consists of rights that regulate war and peace.<sup>6</sup> This is why Kant formulates international right as concerned with rights to go to war, rights in war and rights after war. By contrast, cosmopolitan right concerns the right to peaceful community that emerges from the constant likelihood, given the sphericity of the earth, of interaction and concerns the right to offer to engage in commerce with each other. As Kant puts it: “each has a right to make this attempt without the other being authorised to behave toward it as an enemy because it has made this attempt” (Ak. 6: 352). There is, then, on Kant’s view a *right*, not an ethical duty, to attempt community with others, a right that carries with it a corresponding obligation on others to treat

one with hospitality. Since this is a matter of right there must also be a way in which it can be clearly explicated in terms of the types of ways it can be regulated and it must emerge in some way from the general concept of right, must, that is, be shown as something that there is a need for, just as the state of right itself was shown to be needed by reference to the state of nature that would otherwise befall us. Cosmopolitan right thus is related to international right in one key sense which is that if international right governs the state of nature that exists between states in terms of regulating their conduct and policing their actions, so cosmopolitan right ensures a realm of rights for citizens of different states in interaction with each other, a pattern of interactions that is not part of a international right as it is precisely presumptively peaceful. This presumption of peacefulness will, in fact, be part of what forms a guardrail around the application of cosmopolitan right.

### **Cosmopolitan Right and Provisional Right**

If the relationship between states is one in which there is a state of nature and thus a continuously open possibility of war, it is with regard to international right that there is a state of nature problem. The problem Kant runs into here is well stated by Katrin Flikschuh who refers to what she calls a “sovereignty dilemma” which consists in the difficulty that between states there is a demand for the intrinsic coercion that accompanies right in order to ensure reciprocal use of freedom and yet on the other hand each state is also a juridical individual with manifest right to determine its own affairs and there can be no right to coerce its action.<sup>7</sup> This “dilemma”, cast at the level of international right, is part of the reason for Kant’s shifting arguments in different texts about the question of how to ensure that relations between states can be given lawful form. The basic response to this question is, however, distinct from that

which can apply to the state of nature in which individuals are placed precisely because states are, each considered separately, rightful entities. This is why there is no ground in Kant's theory of international right for a view that will enable decisive supersession of the state of nature between states.

However, even within the state of nature there is a form of right, which Kant terms "provisional right". It is referred to, for example, when at the conclusion of the first chapter of the *Doctrine of Right*, Kant discusses possession in a state of nature and declares that it can be provisionally right. Kant here declares:

the way to have something external as one's own *in a state of nature* is physical possession which has in its favour the rightful *presumption* that it will be made into rightful possession through being united with the will of all in a public lawgiving, and in anticipation of this holds *comparatively* as rightful possession (Ak. 6: 257).

Here the status of provisional right is one that applies to something held only empirically and not intelligibly and it is only a comparative form of right, which, furthermore, has this presumption of right in virtue of a relation it possesses to something anticipated. However, in the relationship between states there is little ground for imagining that the basis of a provisional right would be held only by means of such restraints as the supersession of the states themselves would require suppression of something whose existence is rightful and would, thus, be wrong. So, if there is a state of nature that does not permit an evident solution of the kind that is available for individuals, then the law that must regulate relations here would have to be a provisional one, even though there is no clear means of superseding the wrongful condition that a state of nature always consists in.

Because of the peculiarity of the situation at the level of international right Elizabeth Ellis formulates a principle that Kant explicitly uses himself only for right during war and takes it to present the basis of provisional right in the case of international right. This is the principle: "Always leave open the possibility... of entering a rightful condition" (Ak. 6: 347).<sup>8</sup> However to give this principle as the overall means of regulating international right has a number of drawbacks. Firstly, such a principle, formulated by Kant for a very different purpose to the one that Ellis is urging, is not descriptively accurate in relation to the situation of international right. There are rightful conditions operative within each state so the opening that has to be left open is not one towards a "rightful condition" but rather towards a condition that expands the sphere of rightfulness. Secondly, Ellis' principle is only negative and does not help to clarify what kinds of relations between states would enhance the chances of conduct conformable to right increasing. Thirdly, and most importantly for my purposes, the principle given by her is not specific enough in clarifying the status of the relationship between citizens of different states and their means of communicating and trading with each other.

Rather than adopt Ellis' proposal, I suggest we take instead the universal principle of right itself as providing the form of provisional right that is applicable and that conduct which does not conform to it is conduct that incurs the application of coercion as part of the self-regulating economy of outer freedom. And, it is something like this suggestion, I think, that enables us to make more sense of the role of cosmopolitan right. If cosmopolitan right is a means in which relations between individuals who are citizens of different states can come into rightful contact, then, what follows from it, is that such contact should conform with universal conditions of freedom, be peaceful in intent and, in encouraging relations

between different publics, also encourage mutual interaction between states. When seen in this setting, cosmopolitan right, whilst not sufficient to overcome the “dilemma” Flikschuh points to, is, nonetheless, part of what enables there to be law-governed peaceful conduct that points ideally beyond the state of nature between states without requiring suppression of rightful entities.

### **Cosmopolitan Right and Peace**

If we see cosmopolitan right in the way I am suggesting, however, then it is centrally important to work through an understanding of it that shows both the means by which it can promote peacefulness and the ways of regulating it to guarantee such peacefulness. In the *Doctrine of Right* Kant presents the thoroughgoing community of all nations on the earth as a rational idea of peaceful relations, which need not be exactly friendly. The central conception of it is presented there as a right to offer to engage in commerce with others that should not be responded to with the automatic suspicion that would be correctly aimed at an enemy. As he summarises it: “This right, since it has to do with the possible union of all nations with a view to certain universal laws for their possible commerce, can be called *cosmopolitan right*” (Ak. 6: 352). Similarly, in *Perpetual Peace*, the third definitive article defines cosmopolitan right as consisting in conditions of universal hospitality, based on a right to visit other lands, a right explicitly related both there, and in the *Doctrine of Right*, to the right of possession in common of the earth’s surface.

The right that is guaranteed in cosmopolitan right restricts both the conduct of the visitor and of those who are visited. Let’s take the conduct of the hosts first. There is nothing that prevents the host from refusing to engage with the visitor should they choose though this is balanced by the right the visitor has

to have the conditions of being able to live at all respected. This is why Kant indicates in *Perpetual Peace* that the visitor cannot be turned away if the consequence of this would be their destruction. But if this is a constraint on the host's ability to practice non-engagement, there is also a clear distinction between the right to visit that the foreigner possesses and a right to settle. The former is guaranteed as part of cosmopolitan right, but the latter is not. What is given to a member of an alien community, as a part of right, is the ability to present themselves as worthy for engagement, the right, as Kant puts it, "to present oneself for society" (Ak. 8: 358). It is this that is traced back to the original possession in common of the earth's surface as originally no one had any more right than another to a particular place on it. So the right to the earth's surface is a right held in common and with this right comes the always-open possibility of offering trade with inhabitants of a given place. This indicates that the right that is given in cosmopolitan right is, as Kant states in *Perpetual Peace*, a "natural" right as it does not arise from contractarian agreements but is simply there as a given condition of the common right of possession that is original.<sup>9</sup>

If cosmopolitan right is thus guaranteed, in its minimal form of a right of visitation, and this constrains the behaviour of those who are visited, so that hostility to the visitor is outlawed, then this prevents those visited from being able to exercise force upon the visitor, provided the visitor is peacefully engaging in an offer of trade. This is thus the basis of Kant ruling out responses to the visitor that involve piratical behaviour on the part of the hosts or behaviour that could lead either to the destruction or enslavement of the visitor. But if the inhabitants of the area visited are thus constrained in terms of the way they can meet with the visitor, the visitor is likewise constrained in terms of the behaviour they can exercise towards those visited.

The visitor has a right to seek commerce but they do not have a right to have this offer accepted. This curtailment of the behaviour of the visitor prevents the visitor from arriving in the area they go to as simple conquerors who could count the inhabitants of the place visited as if they lacked worth. The curtailment of the behaviour of the visitor is the basis of what I would term the “Japanese exemption”, as Kant refers in *Perpetual Peace* to the way the Japanese closed their borders, and prevented entry to their land to foreign visitors, without denying all access to trade, but preventing the foreign traders from engaging with the general population. This exemption from engagement is in accord with right since there is nothing that says the people visited have to accept the offer of trade or that they need even to engage with the visitors. Further, the Japanese in the situation spoken of, did not treat the visitors with “hostility” since they did not endanger their lives and, what is more, did allow access to trade. So, formally, despite preventing the visitors from engaging with their general population, the Japanese did nothing here wrong and, Kant indicates that, given the colonial temperament of visitors to the lands of the Orient, the restrictions the Japanese imposed on these visitors were not merely in accordance with right, but also entirely understandable.

Similarly, in the *Doctrine of Right*, Kant states that visiting other countries is liable to provide the occasion for “troubles and acts of violence”, particularly when the point of such visits is to create establishments that will relate back to the original country from which the visitors have come. The abuses that are always open as arising from the process of such visitation do not themselves suffice, however, to prevent such visitation as there is no way that the right of citizens of the world to try to establish community with all can be over-ridden. Again, however, this right is itself limited since it is not, as Kant explicitly states, a

right to “*make a settlement* on the land of another nation” as such a right would require a specific contract, something, that is, over and above the provisions of cosmopolitan right alone as it would involve engagement with the law of the state visited and would be regulated by the law of such a state.

If these are the mutual conditions under which cosmopolitan right is constrained, the next point worth consideration concerns the sense Kant gives cosmopolitan right with regard to the possibility of peaceful relations between peoples. For Kant does not just consider cosmopolitan right as only guaranteed through conditions that specify peaceful relations, and it is as well that he does not, since this would only indicate that cosmopolitan right conforms to the general requirements of right. No, he also suggests that the practice of cosmopolitan right *expands* the prospects for peace in general. In *Perpetual Peace* Kant describes cosmopolitan right as “a supplement to the unwritten code of the right of a state and the right of nations necessary for the sake of any public rights of human beings and so for perpetual peace” (Ak. 8: 360).

The reason why the “supplement” that cosmopolitan right represents is necessary for the sake of any public rights of human beings is not difficult to seek. Cosmopolitan right guarantees that if a citizen of one state is within the borders of another that they cannot be rightfully deprived of life or the means of life and, alongside the rules of international right that govern conduct in relation to war, it is a guarantee to such citizens of a recognition of their rights that is independent of their relationship to the laws of their own land. Such recognition of their status is a basis for visiting other countries and for both communicating and trading with citizens there. Since such engagement is permitted in so far as it is peaceful we can see that it also conforms to a wish for peace. It is less clear, however, how it *promotes* the ideal of perpetual peace.<sup>10</sup> At this point Kant’s argument has an unusual

turn, which draws upon his hopes for a kind of “ruse of nature” by which we are driven towards moral conduct even by means that themselves have nothing necessarily or distinctively moral about them.

At the conclusion of the first supplement of *Perpetual Peace* Kant refers to the “spirit of commerce” and writes:

Since the *power of money* may well be the most reliable of all the powers (means) subordinate to that of a state, states find themselves compelled (admittedly not through incentives of morality) to promote honourable peace and, whenever war threatens to break out anywhere in the world, to prevent it by mediation, just as if they were in a permanent league for this purpose...In this way nature guarantees perpetual peace through the mechanism of human inclinations itself... (Ak. 8: 368)

This larger argument, whilst not part of the strict case for cosmopolitan right, is, nonetheless, an indication of the importance of the conduct guaranteed by it. The argument is that trade is not merely something that is legitimate in conditions of peaceful exchange but that it is a practice that facilitates peace between nations, so much so, in fact, that it is a means by which the goal of international right of establishing a law-governed realm between states, is given a certain automaticity of application. Each state finds it within its interest to prevent war in order that the trade guaranteed as a matter of cosmopolitan right can be continued to the advantage of each state. So the practice of guaranteed peaceful trade, within the boundaries of cosmopolitan right, has a tendency to promote peace in the more general sense and thus to help bring about a relation between states that moves them, at least in practice, beyond the condition of a state of nature that their separate existence theoretically condemns them to.

## **Cosmopolitan Right and Enlightened Reason**

The suggestion that emerges from consideration of Kant's view of cosmopolitan right is that it is within its consideration we can find, if not a resolution of what Flikschuh views as Kant's "sovereignty dilemma", at least a different vantage upon the problem of how to supersede the state of nature that operates internationally. Looked at from the standpoint of cosmopolitan right the activities that have the most potential for promotion of peace are ones that are carried out not by the means of states but rather by means of actions of citizens of distinct states coming into communication with each other on a common ground of guaranteed right. Another reason for thinking that it is by this means that the best Kantian picture of peace can be given concerns the relationship between cosmopolitan right and the universal practice of enlightened reason.

In his essay on enlightenment Kant posits a distinction between public and private uses of reason, which has an initially paradoxical air about it. Citizens of a state, whilst engaging in occupations for others, are engaged in "private" uses of reason, Kant writes here and he contrasts this with a "public" use of reason, as carried out by the writings of one who addresses the world at large. In engaging in such writing the one who addresses the public at large is treated by Kant as a member of "the society of citizens of the world" (Ak. 8: 37). The reason for this is that the writer has left behind all specific occupations and is thinking from the standpoint of universality, which enables him to "think for himself".<sup>11</sup> This universal communicative possibility that emerges from writing, links it to the "secret" article for perpetual peace, where Kant suggests that public speech about "universal maxims of waging war and establishing peace" should be consulted by rulers (Ak. 8: 369). The link is that the universal maxims are themselves, as public, available

and stated in the same public form as the writings referred to in the essay on enlightenment.

The universal communicative possibilities of reason are ones that enable transcendence of the specific private statements of officials and employees. Going beyond these statements of private reason they presage a universal relation between persons as citizens of the world. This is a different level of cosmopolitan thinking but it is surely related to the conception of cosmopolitan right in a number of ways. Firstly, the “secret” article of *Perpetual Peace* presents the public statements of philosophers as permitted statement by states and available for consultation by them. This public availability of the maxims of universal reason is formally akin to the universal hospitality of cosmopolitan right and indicates that just as persons cannot be turned away if the result would be loss of life so the counsels of reason concerning the rightful means of waging war have to be consulted. Openness to the visitor and openness to the counsels of reason are formally akin in their universality. Secondly, the nature of the statements of universal reason incorporates the statement of universal hospitality itself, as it is such reason that states the right of universal hospitality. So the statement of universal hospitality arises from the unrestricted thought of enlightened reason. Thirdly, and most conclusively, the universal right of philosophic reason to examine and state its precepts and have them taken into consideration by rulers is akin to the right to have the offer of trade taken seriously as one presents oneself for society. The statements of reason are likewise presented to society for its consideration and ask no further and can be granted no guarantee of acceptance. Just as the “Japanese exemption” shows the basis for restriction of the rights of visitors without incurring the censure of being wrong, so, likewise, rulers can, following their own laws, take only

partial cognisance of reason as long as they continue to follow the general rules of right.

If it is the case that there is a general relationship between cosmopolitan right and enlightened reason it also follows that enlightened reason is not a reason that accepts or authorises colonialism. It is precisely the opposition to colonialism and the acceptance of careful guard-rails around the right of hospitality that provides a basis for viewing the opening to peaceful relations between peoples as grounded on a law that is a form of right whilst deliberately not being a forced resolution of the so-called “sovereignty dilemma”. Rather than seeing relations between states as the core problem of global reasoning it is the lesson of Kant’s conception of cosmopolitan right that it is rather the relations between citizens and the openness of them to communication and trade with each other that is the ground of progress towards perpetual peace.

## NOTES

- <sup>1</sup> John Rawls distinguishes his notion of the “law of peoples” from such an idea of “cosmopolitanism” and in this respect at least his view is closer to Kant’s. See John Rawls (1999) *The Law of Peoples* (Harvard University Press: Cambridge, Mass), §§ 11.1 and 16.3. The earlier citation also makes clear the position of moral cosmopolitans in his view citing as it does the work of Thomas Pogge, in particular. For a clearer view of the positive statements of Pogge see T. Pogge (1992) “Cosmopolitanism and Sovereignty”, *Ethics* 103, pp. 48-75.
- <sup>2</sup> Seyla Benhabib, for example, errs in her understanding of cosmopolitan right as imposing an “imperfect moral duty”, an error all the more surprising given that she has recognized that Kant does not view it as a part of a theory of philanthropy but as something that is owed by right. See S. Benhabib (2004) *The Rights of Others: Aliens, Residents and Citizens* (Cambridge University Press: Cambridge), p. 36.
- <sup>3</sup> In attempting to articulate a notion of law that is both normatively grounded and yet distinguishable from the ethical Jurgen Habermas is following the Kantian model of understanding right although he often writes as if his account has left behind its Kantian background due to his overarching commitment to “discourse ethics”. See J. Habermas (1996) *Between Facts and Norms* (Polity Press: Cambridge) and for critical reflections on this work see R. Von Schomberg and K. Baynes (eds.) (2002) *Discourse and Democracy* (SUNY: Albany).
- <sup>4</sup> When viewed in this way it becomes clear that there is not a specific problem with incorporating the *Doctrine of Right* within Kant’s ethical system. There is, however, a lot more to be said than can be here about the full philosophical rationale for distinguishing right from virtue, a rationale that would make clearer the substantive distance between Kant’s philosophy of right and utopian positions that attempt to incorporate into right conditions that properly only belong to virtue.
- <sup>5</sup> The spherical form of the earth’s surface is not itself a justificatory premise of a normative sort in Kant’s argument but is rather akin to what Rawls terms a “circumstance of justice” since it is a constraint on action of a sort that is not chosen and which shapes what it is to be able to choose. Notably the spherical form of the earth, even if it assures us of the fact of communities, would itself alone give no guarantee of the rightful nature of any such communities so is rather only another way of indicating the “unsociable” need for sociality that is a general premise of Kant’s pragmatic anthropology. For a slightly different view, however, that suggests that Kant is committed in the

*Doctrine of Right* to a different kind of anthropology to the pragmatic see O. Höffe (2001) *Kant's Cosmopolitan Theory of Law and Peace* (2006 trans. by A. Newton, Cambridge University Press: Cambridge), pp. 102-6.

- <sup>6</sup> Once this is noted we can see that the previously cited work of Höffe states in its title something false since Kant does *not* articulate a “cosmopolitan theory” of law and peace but rather an “international” theory of law and peace, as it is not part of his account of cosmopolitan right to explicate the theory of law and peace.
- <sup>7</sup> Katrin Flikschuch (2010) “Kant’s Sovereignty Dilemma: A Contemporary Analysis”, *The Journal of Political Philosophy* 18:4, p. 482. Flikschuch contrives to present a resolution of the “dilemma” in question through a systematic analysis of Kant’s texts which, however, retains a bias in favour of the juridical supremacy of individual states. Flikschuch, despite initially also attending to the difference between international right and cosmopolitan right, says little, however, about the prospects for tackling the dilemma in question by means of an appeal to cosmopolitan right.
- <sup>8</sup> Elizabeth Ellis (2005) *Kant’s Politics: Provisional Theory for an Uncertain World* (Yale University Press: New Haven), pp. 112 and 133.
- <sup>9</sup> This point that cosmopolitan right is a “natural” right is another way of showing that it is governed by the notion of provisional right but, since Kant elsewhere is clear that the only “innate right” is the right to freedom it surely follows that the law governing cosmopolitan right must be the basic law of external freedom, namely, the universal principle of right.
- <sup>10</sup> This is regardless of the question of the status of this ideal which appears to change from *Perpetual Peace* to the *Doctrine of Right*.
- <sup>11</sup> In accord with my suggestion of a relationship between enlightened reason and cosmopolitan right Peter Niessen describes cosmopolitan right as incarnating a communicative right. See P. Niessen (2007) “Colonialism and Hospitality” *Politics and Ethics Review* 3.1: pp. 90-108.

# THE PROBLEM OF THE “RIGHT TO COMPEL” IN THE PRESENT PERSPECTIVE OF A COSMOPOLITAN LAW

Alessio CALABRESE\*

## 1. Origin and limitations of the “right to compel” in a republican state

What is the limitation of the “right to compel” in the Kantian perspective of cosmopolitan law? In this paper, proceeding from the moral foundation of the Kantian republic, I will attempt to analyze the consequences that such a turning point has had on

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modern international law and finally to trace the framework of the current, contemporary juridical-political situation.

As is well known, the constituent concept of the republic is represented by the separation of legislative power from executive power. Whenever this should not be the case, we would be under a despotic *forma regimis* and, as in the case of Rousseauian-inspired direct democracy, faced with a real juridical “*Unform*” in which the possibility exists of all deliberating on one.<sup>1</sup>

Ultimately, the republic is for Kant the only ordered and structured form of political organization in which *law*, *force* and *freedom* are coordinated, subordinated and united. Therefore, as guarantor of this connection between freedom and the law, the republic may legitimately act co-actively towards those who use their particular freedom to undermine the universality of juridical law.

But how is the relationship between law and politics characterized in the Kantian republican system? And in particular, what are the origins and the legitimate limitations of political action as a “right to compel?” Let us say immediately that in Kant’s framework, the argument on the legitimacy and the legal coercion of the State stems, on the one hand, directly from the denial of the right to resistance and, on the other hand, from the Kantian formulation of the concept of right.

As regards the first aspect, the reasons leading Kant to decry, in no half measure, regicide as a “*crimen immortale, inespiable*” are emblematic.<sup>2</sup> This means that regicide is not considered a particular crime but rather as an extreme case of the exercise of the right of resistance by the people – a revolutionary act that translates into the dismissal and denial of the current juridical order, restating *temporarily* the state of nature. Therefore, should the right of resistance be legitimized, the coercion of the state itself would not have the power and

authority which allows it to ensure its citizens protection and at the same time to guarantee freedom for all. Hence, for Kant, the juridical meaning of state coercion has its origins in the need to overcome the temporary condition of the laws established by the *jus gentium*, which is characteristic of a state where there is no *public justice*. Escaping this state of *iniustus*, typical of natural societies, is therefore a moral duty which humanity must accept in order to achieve a *legal state*.

Secondly, the meaning and limitations of the coercive state in a republican perspective should be found in the transcendental formulation of the concept of right. To this end, Kant, in *Perpetual peace*, states that the origin of the republic “springs from the pure concept of right”,<sup>3</sup> or rather from an *interest* in freedom that belongs to legislative reason which operates in the juridical and political sphere. Therefore, the condition legitimizing the republican model is the formulation of the concept of right “in its double meaning of ‘idea of freedom’ and ‘authorization to use coercion’”.<sup>4</sup>

Despite this, in *Metaphysics of Morals* Kant frequently claims the equivalence between right and constriction and he seems to leave in shadow the indissoluble relationship between legal phenomena and the “Kingdom of Ends”.

However, in *Perpetual peace* there is a *mitigation* of this equivalence thanks to the construction of the republican cosmopolitan order. In fact, the latter can be achieved only through politics as the *art of prudence and wisdom* which is mandated with the task of balancing the two faces of the juridical phenomenon, freedom and constriction.

According to critical method, two different spheres of competence belong to law and politics: they are not disconnected because there is an indissoluble bond that binds the political sphere to the universality of moral imperatives and, specifically, to those that concern the external freedom of the individual.

Therefore, if the task of politics is the application of juridical principles, then politics is no other than *realized right*. Yet, Kant maintains that it is necessary for whoever governs in the republic to *integrate* moral observance with knowledge of *pragmatic anthropology*, which is the way people behave *concretely* following their empirical inclinations. Thus, from this *integration*, the “moral politician” will learn a theorization of prudence which will help him to apply better, in practice, what is imposed by moral theory.

So, in a republican perspective, on one hand, the legal coercion by the state comes from the need to overcome the state of nature, on the other hand, the use of force finds its own limitations in the idea of freedom which is present in the transcendental formulation of the concept of the right.

## **2. The “right to compel” in the cosmopolitan order**

In the two years separating the writing of *Über den Gemeinspruch: Das mag in der Theorie richtig sein, taugt aber nicht für die Praxis* from *Perpetual peace*, Kant perfected the concept of republic becoming the “theorist of a representative democracy extended to all its citizens and extended to all the peoples of the earth in a cosmopolitan perspective”.<sup>5</sup> The republican state, in fact, legitimizing its authority in order to safeguard the principles of external freedom for citizens, brings about the concept of right which for Kant consists “in the possibility of connecting universal reciprocal coercion with the freedom of everyone”.<sup>6</sup>

As we said before, this idea of an agreement between freedom and constriction defines the Kantian concept of right which, though distinct from ethics, remains indissolubly tied to morality. From this point of view, it is possible to affirm with Habermas that

the cosmopolitan law is a logical consequence of the idea of the constitutive rule of law; it is established for the first time a symmetry between the juridification of social and political relations both within and beyond the state's borders.<sup>7</sup>

In other words, just as the republican state is the overcoming of a condition in which individuals live in a state of nature, in the same way the construction of legitimate cosmopolitan law represents the overcoming of *jus gentium* based on the legal recognition of war between sovereign states. In prevailing international law, the relationships between nations are viewed as being in the condition of *wild freedom* that, if not deprived of right, remains a perpetual *jus belli*, or rather, legal status without *jurisdiction* (*iustitia vacuus*). And not just this: since laws are established and agreed between sovereign states, they have a positive and "temporary" character being the fruit of circumstances of the moment.

So, according to Kant, coming out "of such an abject condition",<sup>8</sup> should be the fundamental interest of the states themselves since they are always exposed to the danger of war. On the contrary, by *moralizing* their policies, the states would have both the opportunity to put an end to a situation of permanent belligerence between them and the chance to modify their own constitutions, directing it towards the *republican spirit*. Cosmopolitan law, in fact, has a "durable" nature because its validity is not established through international agreements but rather is the direct result of pure reason in its practical use.

Indeed, the necessity to overcome the *jus gentium* as *jus belli* did not prevent Kant from oscillating sometimes in favor of a "federation of nations", other times in favor of a Republican "State of nations";<sup>9</sup> in both cases the progressive transformation of international law into cosmopolitan law inevitably carries along with it the overcoming of the State as the only source of right.<sup>10</sup>

However, as members of a “federation of nations”, the states can at any time rescind such a contract, being only *morally* obliged to remain together for the civil resolution of any possible controversy or for the abolition of war. On this argument Habermas states that Kant

cannot have legal obligation in mind here, since he does not conceive of the federation of nations as an organization with common institutions that could acquire the characteristics of a state and thereby obtain coercive authority.<sup>11</sup>

Conversely, the hypothesis of a “world-republic” brings about not only the progressive and complete cessation of the sovereignty of each nation’s *jus ad bellum*, but also their submission to a central government whose aim is to ensure, using force at times, long-lasting global peace.

What would happen though, if some states refused to adhere to a similar universal federal system and rejected both hypotheses? Clearly denying the possibility of using military force to impose their participation, Kant responds that the construction of world federal community would take place only through stipulating treaties and through the ability of republican forms to spread themselves, thanks to the force of example.<sup>12</sup> Besides being founded on extraordinary faith in the “infallible ability of public opinion to become enlightened”,<sup>13</sup> such an answer seems to be the expression of the knowledgeable use of tools of political diplomacy. More precisely, the role played by “moral politicians” requires their being able to manage, especially in the cosmopolitan sphere, the correct mediation between freedom and constriction aimed at bringing about *perpetual peace* between nations.

Consequently, despite his numerous turnabouts<sup>14</sup> and his monistic plan for his cosmopolitan project, Kant strongly condemns every type of punitive war (*bellum punitivum*) and

extermination (*bellum internecinum*) towards another state. Even when the latter threatens peace and world stability, he claims that

the states are called upon to unite against such misconduct in order to deprive the state of its power to do it; but they are not called upon *to divide its territory among themselves* and to make the state, as it were, disappear from the earth, since that would be an injustice against its people, which cannot lose its original right to unite itself into a commonwealth.<sup>15</sup>

In other words, if from a *moral* point of view Kant justifies the building of a political project that unites all the people of the earth as “an immediate duty”,<sup>16</sup> from a *juridical* viewpoint he remains fixed upon certain principles of *jus publicum europaeum* and, first of them, the *principle of non-interference in the internal affairs of another state*.

Therefore, in my opinion, international law as the “right to compel” through military intervention or simply through humanitarian interference, is in no way justifiable nor even less compatible with a cosmopolitan perspective. Nowadays in fact, the question on whether it is still possible to achieve political unity in the world requires us to keep in mind that the two transcendental conditions of the Kantian plan are still unsatisfied. That is to say, firstly, the conviction that the republican model of modern democracy has in itself fostered the peace process; secondly, the overturn of the *principle of non-interference* (*Charter of the UN*, art. 2, § 7, Chapter I) in an alleged *right of intervention* by the International Community.

### **3. The idea of cosmopolitanism and the crises of contemporary democracy**

As far as regards the first point, it can be said that influential philosophers of law and politics of the XX<sup>th</sup> century (such

as Kelsen and Habermas) have frequently criticized the fact that Kant's *moral cosmopolitanism*, leaving untouched the Westphalian dogma of the sovereignty of states, has not been able to fully develop the idea of *juridical cosmopolitanism* in which there is a single superior authority enjoying a "monopoly on violence". On the contrary, Kelsen, after the First World War pronounced himself in favor of the construction of a *civitas maxima* governed by a single institution and regulated by *universal common law*, as well as under the jurisdiction of the International Court of Justice.<sup>17</sup> In other words, the Austrian jurist believed that maintaining a state's sovereignty, even though it were a republican form of government, constituted a legitimate impediment in the hands of individual governments since they could not be constrained to respect international legality.

However, according to Habermas, if it is *historically* true that the republican constitution (not only in the West) has undergone a marked nationalistic regression during the last two centuries, it has nonetheless contributed toward a modification of aggressive foreign policy, particularly by democratic states, and to conduct *different kinds of war* which favor the development of non-authoritative states.<sup>18</sup> For this reason, despite the indecision between world-republic and federation, "the moral universalism that informed Kant's proposal remains the authoritative normative intuition" for the construction of a future world society.<sup>19</sup>

Therefore, aware of having in front of his eyes a historical reality which was profoundly different from that of the XVIII<sup>th</sup> century, Habermas states that a necessary update of Kantian "intuition" requires, in the first place, the institutionalization of cosmopolitan law, through which the individual governments are compelled to respect international legality and in the second place, this update should deal with the institution of a global

government which gathers, under its own command, military force and police functions.<sup>20</sup>

In this sense, hoping for major reform in the Security Council of the United Nations, Habermas argues that it should be entrusted with the task of *global domestic politics* (*Weltinnenpolitik*) capable of achieving not so much the definitive abolition of war but rather an effective defense of human rights on a planetary scale. In fact,

the police actions of a politically competent and democratically legitimated world organization would better merit the title of a 'civil' regulation of international conflicts than would war, however limited. For the establishment of cosmopolitan order means that violations of human rights are no longer judged and combated immediately from the moral point of view, but rather are prosecuted, like criminal actions within the framework of a state-organized legal order, in accordance with institutionalized legal procedures.<sup>21</sup>

In Habermas' terms, the historical evolution of the cosmopolitan idea as well as that of world institutional bodies and their application procedures, is based on the immediate legal validity of human rights which may be safeguarded or disregarded by national laws. Thus, the proposal of cosmopolitanism based on human rights seems to leave behind the crisis of the role of contemporary democracies: protected during the XX<sup>th</sup> century by the laws of nation-states, these rights nowadays are waiting to be recognized, in concrete terms, within a cosmopolitan legal project.

Despite strong calls for radical reforms of supranational bodies, to gamble on the fulfillment of a true "cosmopolitan democracy"<sup>22</sup> means, first of all, supporting the recognition of a *global rule of law*, or rather, to accomplish in a practical sense, the respect by each individual state, of certain fundamental

juridical rules, even in the absence of last instance coactive power.

However, in my opinion, the fulfillment of this *scenario* involves a greater problem of *ethical universalism*<sup>23</sup> and consequently requires a denunciation without appeal of the instrumental use of human rights which, in the last twenty years, the entire International Community has made use of with the aim of justifying real wars of aggression. One clear position regarding this point was completely unexpected, even by those, like Habermas, who maintain that it is possible to trace a clear line between a moral fundamentalism of human rights<sup>24</sup> and an authentic cosmopolitan spirit.

The human rights politics of a world organization – he states – becomes inverted into a human rights fundamentalism only when it provides a moral legitimization under the cover of a sham legal legitimization for an intervention which is in reality nothing more than a struggle of one party against the other. In such cases, the world organization (or an alliance acting in its name) engages in deception, because it passes off a military conflict between two warring parties as a natural police measure justified by enforceable law and by the judgments of a criminal court.<sup>25</sup>

In reality, as underlined by T.M. Frank, even by adopting rigorous, legal criteria, it seems impossible to be able to distinguish between “true” and “false” humanitarian interventions,<sup>26</sup> since human rights policies have overturned the principle of non-interference. Since resolution 688 of April 1991 regarding the 1st Gulf War, we have witnessed the first reformulation of the “prohibition on intervention”: the UN, in fact, appealed for a right of intervention (article 39, *The Charter of UN*) in the case of “a threat to international security” thus getting round the criticism of interfering in the internal affairs of a sovereign

state.<sup>27</sup> Since then, respect for international *legality* and the principle of non-intervention have lessened in the face of the need to affirm at all costs the *legitimacy* of armed intervention for humanitarian reasons.<sup>28</sup>

This distinction between the concepts of *international legality* and *legitimacy of intervention* has undergone further variation after the 1999 NATO-led war in Kosovo in which the *domestic jurisdiction* of a sovereign state was clearly violated. As Archibugi and Croce have written, “the NATO intervention was considered to be illegal under current international law since what happened in Kosovo was under the jurisdiction of a sovereign state, but legitimate in terms of its aim to prevent an imminent humanitarian calamity”.<sup>29</sup>

Therefore, military intervention, unauthorized by the UN Security Council, because it was not possible to establish whether or not there was a real “threat to international security”, was deemed necessary as it was supposed that violations of human rights were being carried out in Ex-Yugoslavia. And so a few jurists on this occasion, though considering NATO’s military intervention “illegal”, proposed to update international law by introducing new laws allowing for the juridical discipline of armed intervention for humanitarian reasons. One of these jurists was A. Cassese, who, recognizing that NATO had committed a violation of the United Nations Charter by attacking the Republic of Serbia, argued however, that the use of force was legitimate because the war in Kosovo was the proof that a “new legitimization of international law for the use of force” was being created.<sup>30</sup>

During subsequent wars in Afghanistan and in Iraq, these two forms of legitimization of armed intervention, “threat to international security” and “violation of human rights”, were alternated and superimposed, up to the point that it was claimed that all those states that did not respect human rights,

constituted *potentially*, a threat to world stability. So, the waiver of the principle of non-intervention may include the presumption of authorization for “coercive regime change” within the so-called “failed states”.<sup>31</sup> In this context, Kofi Annan and the other members of the *High Level Panel* together argued, in December 2004, that the use of force by the Security Council, covered by Chapter VII of the *Charter of UN*, should also include “*the collective international responsibility to protect*”.<sup>32</sup> It was therefore necessary to allow a new means of intervention, legitimized this time by the Security Council, against a state which violated the fundamental rights of its citizens, even though this did not compromise peace and geopolitical order.

From a legal point of view, this latter argument, put forward for the first time in 2001 by the Canadian government in its report *The Responsibility to Protect*, was finally included in UN resolution 1674 of 28 April 2006<sup>33</sup> in which articles 4 and 26 deal with the possibility of the Security Council having to treat violations of human rights by member states of the UN as if they were, *in themselves*, a threat to peace and international security and, by dint of this, consider itself legitimized to adopt appropriate measures.<sup>34</sup>

Nowadays, this path toward the “legalization” of the UN’s right to intervene, based on the doctrine of R2P<sup>35</sup> has been favorably met not only by the Catholic Church,<sup>36</sup> but also by others. A few months ago, in fact, this doctrine was cited as the *post factum* reason to justify intervention in Libya by the USA, UK and France. On the other hand, Germany, Russia, India, China and Brazil, affirmed that what was happening in Libya was an effect of a “civil war” which did not represent a threat to peace or world order. Conversely, with resolution 1973,<sup>37</sup> the Security Council offered an aspect of international legality to a war of aggression which is totally contrary to the United

Nations Charter. In this regard it is worthwhile restating that the Security Council, according to the Charter of the United Nations, has neither the competence to promulgate new norms of international law, nor may it behave as if it were a real “Council of War” which can arbitrarily decide *where* and *when* to intervene. Should this be the case, one might legitimately wonder why the UN have decided not to intervene in those areas of the world where, for years, there has been well-documented ethnic cleansing. Palestine immediately comes to mind.

Therefore, the doctrine of the R2P seems like a sort of juridical astuteness which comes dangerously close to including the right to interfere in international law. From this point of view of much greater seriousness is the fact that the use of such a doctrine risks provoking greater instability in international relations and, at a political-philosophical level, distorting the profound meaning of the cosmopolitan proposal, thus reducing it to a purely intellectual posture through which imperialistic maneuverings are legitimized and which, instead of resolving conflicts, creates them, erecting new *borders* between peoples instead of bringing them into democratic *boundaries*.

Consequently, in my opinion, reinvigorating the cosmopolitan project, means today, more than supporting a generalized right/duty of intervention by the state, fighting for full recognition of “universal hospitality” since “the right to present themselves to society belongs to all mankind in virtue of our common right of possession on the surface of the earth”.<sup>38</sup>

It is thus a case of promoting a non-destructive alternative to the reformulation of the principle of non-interference in the internal affairs of a sovereign state; an alternative which would probably constitute an opportunity for contemporary democracies to give another meaning to the notion of “sovereignty is responsibility”.<sup>39</sup>

Nowadays, this opportunity seems to me nothing more than a hope, much more feeble than those held by many progressive-minded intellectuals following the fall of the Berlin Wall. However, this is not necessarily bad since the force with which it presented itself then, probably did not allow them to see what was in front of their eyes. In fact, the historic defeat of Communism in Russia did not so much open the doors to a new world republican order as offer the possibility of a new geopolitical division of the world.<sup>40</sup>

After twenty years the world scene appears noticeably changed: the characteristic enthusiasm of the early 1990s to construct a lasting world peace has been replaced by a darker and more sinister feeling. However, the political realities and cynicism of the “new millennium” do not prevent a sincere declaration of faith in the progressive realization of that peaceful condition described by Kant that, although the last two centuries have not confirmed, “cannot even be denied”.<sup>41</sup>

## NOTES

- <sup>1</sup> KANT, I., *Zum ewigen Frieden* (1795), in Id., *Gesammelte Schriften*, hrsg. von Königlich-Preußischen Akademie der Wissenschaften, Berlin, 1902 sg., Bd. VIII, p. 352.
- <sup>2</sup> KANT, I., *Die Metaphysik der Sitten* (1797), in Id., *Gesammelte Schriften*, hrsg. von Königlich-Preußischen Akademie der Wissenschaften, Berlin, 1902 sg., Bd. VI, p. 321.
- <sup>3</sup> KANT, I., *Zum ewigen Frieden*, p. 351.
- <sup>4</sup> KANT, I., *Die Metaphysik der Sitten*, p. 232.
- <sup>5</sup> MARINI, G., *La filosofia cosmopolitica di Kant*, Laterza, Roma-Bari, 2007, p.93.
- <sup>6</sup> KANT, I., *Die Metaphysik der Sitten*, p. 232.
- <sup>7</sup> HABERMAS, J., "Kant's Idea of Perpetual Peace: At Two Hundred Years' Historical Remove", in Id., *The Inclusion of the Other: Studies in Political Theory*, MIT University Press, Cambridge, 2000, p. 199.
- <sup>8</sup> KANT, I., *Zum ewigen Frieden*, p. 354.
- <sup>9</sup> KANT, I., *Zum ewigen Frieden*, p. 353.
- <sup>10</sup> Kant underlines that as far as the first hypothesis is concerned, that of a "permanent congress of states," this should not be conceived of as a model of that of the United States of America in which each of the states is constrained to maintain the stability of the alliance through being obliged coercively by the presence of a common public constitution. It is clear that by criticising this structure Kant has in general tried to save the autonomy of sovereign states that, even in a despotic form, possess a domestic constitution and juridical structure and thus are something more than just a state of nature (Cf. Kant, I., *Die Metaphysik der Sitten*, p. 350).
- <sup>11</sup> HABERMAS, J., "Kant's Idea of Perpetual Peace", p. 169.
- <sup>12</sup> KANT, I., *Zum ewigen Frieden*, p. 355.
- <sup>13</sup> SCHMITT, C., *Die geistesgeschichtliche Lage des heutigen Parlamentarismus* (1923), Duncker & Humblot, Berlin, 1985, p. 49.
- <sup>14</sup> Emblematically is the ambiguous definition of the "unjust enemy" (Cf. KANT, I., *Die Metaphysik der Sitten*, p. 347-351). In regards to the Kantian doctrine of "unjust enemy" on the development of the Nineteen Century War Theory, see SCHMITT, C., *Der Nomos der Erde im Völkerrecht des Jus Publicum Europaeum* (1950), Duncker & Humblot, Berlin, 1974, pp. 140-143.
- <sup>15</sup> KANT, I., *Die Metaphysik der Sitten*, p. 349.
- <sup>16</sup> KANT, I., *Zum ewigen Frieden*, p. 355.

- <sup>17</sup> See Kelsen, H., *Das Problem der Souveränität und die Theorie des Völkerrechts. Beitrag zu einer reinen Rechtslehre*, J. C. B. Mohr, Tübingen, 1920.
- <sup>18</sup> HABERMAS, J., "Kant's Idea of Perpetual Peace", p. 169.
- <sup>19</sup> HABERMAS, J., "Kant's Idea of Perpetual Peace", p. 188.
- <sup>20</sup> HABERMAS, J., "Kant's Idea of Perpetual Peace", p. 188.
- <sup>21</sup> HABERMAS, J., "Kant's Idea of Perpetual Peace", p. 193.
- <sup>22</sup> These political reforms should include the establishment of a global parliament, a global judicial system and the reform of the Security Council (Cf. ARCHIBUGI, D., "From the United Nations to Cosmopolitan Democracy", in D. Archibugi, D. Held (eds.), *Cosmopolitan Democracy: an agenda for a new world order*, Polity Press, Cambridge, 1995, pp. 121-162).
- <sup>23</sup> Since I cannot here develop this argument in detail, referring to the analysis of Danilo Zolo for which the need for a *global rule of law* must be balanced with the maintenance of certain strategies such as the *jus gentium* bilateral agreements (Cf. ZOLO, D., "Universalismo etico e pacifismo cosmopolitico nella tradizione kantiana. Una critica realista", in L. Tundo, A. Colombo (eds.), *Cosmopolitismo contemporaneo: moralità, politica, economia*, Morlacchi Editore, Perugia, 2009, pp. 39-62).
- <sup>24</sup> In my opinion, expression of this fundamentalist view of human rights is the position taken by M. Walzer (Cf. WALZER, M., *Just and Unjust Wars*, Basic Books, New York, 1992).
- <sup>25</sup> HABERMAS, J., "Kant's Idea of Perpetual Peace", p. 200.
- <sup>26</sup> Cf. FRANK, T.M., "Interpretation and change in the law of humanitarian intervention", in J.L. Holzgrefe, R.O. Keohane (eds.), *Humanitarian Intervention*, Cambridge University Press, Cambridge, 2003, pp. 204-231.
- <sup>27</sup> United Nations Security Council, S/RES/0688 (1991).
- <sup>28</sup> Cf. IGNATIEFF, M., *Human Rights as Politics and Idolatry*, Princeton University Press, Princeton, 2001, pp. 37-48.
- <sup>29</sup> ARCHIBUGI, D., CROCE, M., "Legality and Legitimacy of exporting democracy", in R. Falk, M. Juergensmeyer, V. Popovski (eds.), *Legality and Legitimacy in World Politics*, Oxford University Press, Oxford, 2011 (forthcoming).
- <sup>30</sup> Cf. CASSESE, A., "Ex iniuria ius oritur", in *European Journal of International Law*, 10, 1, (1999), pp. 23-25.
- <sup>31</sup> OREND B., *The morality of war*, Broadview Press, Toronto, 2006, p. 190.

- <sup>32</sup> *A more Secure World: Our Shared Responsibility*, Report of the High-level Panel on Threats, Challenges and Change, United Nations, 2004.
- <sup>33</sup> United Nations Security Council, S/RES/1674(2006).
- <sup>34</sup> ICISS, *The Responsibility to Protect. Report of the International Commission on Intervention and State Sovereignty*, 2001.
- <sup>35</sup> See BANDA, M., *Crystallising R2P: the evolution, interpretation and implementation of the responsibility to protect*, University of Oxford, Oxford, 2006; COOPER, R.H., VOINOV KOHLER, J. (eds.), *Responsibility to Protect: The Global Moral Compact for the 21st Century*, Palgrave Macmillan, New York, 2009; PATTISON, J., *Humanitarian Intervention and the Responsibility to Protect*, Oxford University Press, Oxford, 2010.
- <sup>36</sup> *Address of His Holiness Benedict XVI*, Meeting with the members of the General Assembly of the United Nations Organizations, New York, Friday, 18 April 2008 ([http://www.vatican.va/holy\\_father/benedict\\_xvi/speeches/2008/april/documents/hf\\_ben-xvi\\_spe\\_20080418\\_un-visit\\_en.html](http://www.vatican.va/holy_father/benedict_xvi/speeches/2008/april/documents/hf_ben-xvi_spe_20080418_un-visit_en.html)).
- <sup>37</sup> United Nations Security Council, S/RES/1973(2011).
- <sup>38</sup> KANT, I., *Zum ewigen Frieden*, p. 356.
- <sup>39</sup> Cf. ICISS, *The Responsibility to Protect*, cit.
- <sup>40</sup> Cf. Bush, G. (The President of the United States), *National Security Strategy of the United States*, Washington, The White House, 1991.
- <sup>41</sup> MARINI, G., *La filosofia cosmopolitica di Kant*, p. 209.

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# **PATHWAYS TO COSMOPOLITANISM IN POLAND: A SOCIOLOGICAL ANALYSIS**

Sarah GRUNBERG\*

Poland is witness to a sudden rise in migration from both European and African nations, an event which increasingly puts people of different races and cultures in close contact. A demographic consequence is a mini-boom in biracial families in Poland. In a globalizing Europe where national borders are increasingly permeable and individuals increasingly intermarry, the idea of cosmopolitanism has become the subject of much spirited public and academic debate (Hall 2002; Hannerz 1996; Held 2002; Tomlinson 1999; Urry 2000b; Vertovec and Cohen 2002). Cosmopolitanism continues to be a contested term that means different things to different disciplinary fields; blurry lines between cosmopolitanism and internationalization, globalization, transnationalism and universalism add to the definitional complexity (Beck & Sznaider 2006; Pichler 2008, Saito 2011; Skrbis et al. 2004). Many argue that cosmopolitanism is “associated with a conscious openness to

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the world and to cultural differences” (Skrbis et al. 2004, 116). Due to nationalism, xenophobia and racism, there are many challenges to acceptance of cosmopolitanism in a racially homogenous environment (Mikulska 2011; Ząbek 2009). If the cosmopolitan assumption is that all humans belong to a single community, and that even strangers with weak connection to one another can share a common worldview, a critical question arises: *How can Polish society adopt a cosmopolitan view, if the racially dominant group sees and treats racial minorities as socially, culturally, and biologically different?*

In this paper I explore sociological definitions of cosmopolitanism and major, inter-related determinants of societal acceptance of cosmopolitanism in Poland. I explore two main paths toward cosmopolitanism for Polish society: acceptance or rejection. Theoretically, I examine the role of national context and the emergence of racial diversity amidst racial homogeneity. Methodologically, I analyze race as presented in Polish traditions and the mass media to interpret how cosmopolitanism is culturally perceived. Individuals who society perceives to be racially different are not the whole story of race, cosmopolitanism and Polish society; biracial individuals and families both represent and embody the tension between the national context and emerging racial diversity. In the attempt to understand pathways to cosmopolitanism in Poland, I focus on historical perceptions of both African and biracial<sup>1</sup> individuals.

Poland is a crucial case for examining this phenomenon in that it is a useful example of a society that in the recent past has been racially and ethnically homogenous, but presently

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<sup>1</sup> A note on terminology: some prefer the term “multiracial” or “mixed race” to biracial, but I focus specifically on two socially constructed racial categories – Black and Caucasian – that have strong meaning in contemporary Poland.

experiences a boom in migration from various parts of the world. New forms of racial inequality are becoming apparent which have not existed in the recent past and this poses many questions for cosmopolitanism in Poland (Mikulska 2011; Ząbek 2009). Although there has been some research on cosmopolitanism (and also “Europeanization”) in terms of European identity (Pichler 2008, 1121), the concept and empirical study of cosmopolitanism in everyday life has only recently made its way into the social sciences and struggles with definition and clarity (Beck 2004). There has been very little sociological research done on the concept in Eastern Europe and Poland, specifically.

### **Cosmopolitanism in Sociological Debate**

The concept of cosmopolitanism, traditionally rooted in philosophical studies, has received an upswing in interest among social scientists. Philosophers understood that cosmopolitanism projects the idea that all human beings, regardless of race, ethnicity, or gender, belong to a single community. This “love for humanity”, philosophy of universal inclusion, blindness to particularity, and ability to share a common worldview based on moral responsibility to all human beings is key in the cosmopolitan ideology. As suggested by Skrbis (2004), cosmopolitanism is often perceived as an “ideal” rooted solely in universalism and philosophy, however today it has resurfaced as a conceptual way “of understanding the consequences of increased social interactions across cultural and political boundaries...[with] focusing questions related to globalization, nationalism, population movements, cultural values and identity” (Skrbis et al., 131). Many others have also commented on cosmopolitanism as a valuable analytical concept and call for a “cosmopolitanism sociology” (Pichler 2008; Beck 2004; Skrbis et al. 2004). There have also been many discussions regarding the nationalism and cosmopolitanism debate, and

the attempt to understand how states are being changed and reformulated in a more cosmopolitan way (Beck & Sznaider 2006, 20-21). In recent years many scholars have attempted to separate cosmopolitanism from the purely philosophical ideal and root it in “concrete social realities” (Beck & Sznaider 2006, 7). There are many different cosmopolitanisms as well as the empirical phenomenon of cosmopolitanization (Saito 2011; Beck & Sznaider 2006; Beck 2004). Still, many insist empirical research on “actually existing cosmopolitanism” should be a priority (Pichler 2008; Lamont & Aksartova 2002).

### **Attempts at Conceptual Clarity**

Cosmopolitanism finds itself intertwined with a variety of concepts and theories and many have made attempts to differentiate and define them. A primary distinction is between cosmopolitanism and internationalism. While both cosmopolitanism and internationalism suggest openness to other cultures, internationalism indicates that the “nation” is a part of the equation and that nations have commonalities, whereas cosmopolitanism eliminates national boundaries and instead insists on a single moral community. Beck (2004) details the difference between the two concepts and outlines that although cosmopolitanism may presuppose internationalism, they do not pursue the same idea (143). This is the case as internationalism draws boundaries between “us” and “them”, the national and the international, whereas cosmopolitanism redraws and opens boundaries

transcending or reversing the polarity of the relations between us and others and...by rewriting in cosmopolitan terms the relationship between state, politics and nation and goes beyond the ‘either inside or outside’ distinction between national and international and is instead ‘both inside and outside’ (Beck 2004, 143).

Cosmopolitanism must also be differentiated from concepts such as universalism and globalization. Universalism projects a worldview of a universal identity, often in contrast to religious distinctions and particularism. Universalism and cosmopolitanism share the idea of moral responsibility for all human beings, however universalism neglects to acknowledge cultural differences in the world that remain an important part of cosmopolitanism. Beck and Sznaider (2006) suggests that cosmopolitanism differs from universalism because “it assumes that there is not just one language of cosmopolitanism, but many languages, tongues, grammars” (14). They emphasize that cosmopolitanism should be inclusive rather than exclusive of universalism, nationalism, and transnationalism in its practices as these concepts are both the make up of cosmopolitanism as well the approaches that make it distinguishable (Beck & Sznaider 2006, 19). Pichler (2008) expands on this idea by arguing that particularism and universalism act as poles in overemphasizing difference on one end and neglecting difference on the other, whereas “Cosmopolitanism considers both similarity and difference in understanding the need for enclosure and the possibility of multiple identities and affiliations to groups on the one hand and individualism on the other” (1110).

Cosmopolitanism scholars attempt a conceptual division between cosmopolitanization and globalization with varying success. Beck and Sznaider (2006) define cosmopolitanization as a “globalization from within” or “internalized cosmopolitanism” (9). In this way, the authors suggest that local-global phenomena can be explored through suspending the assumption of the nation-state and through framing questions “...so as to illuminate the transnationality that is arising inside nation-states” (Beck & Sznaider 2006, 9). Saito (2011) takes this a step further and insists that “globalization, consisting of the institutionalization of world society and the transnational circulation of foreign

people and objects, leads to cosmopolitanism as a subjective orientation of openness to foreign others and cultures” (124). Globalization is then the diffusion of ideas, culture, and languages across space and cosmopolitanism is the feeling of openness within society that occurs as a result of this diffusion. Conceptual clarity is still necessary in many cases, as these terms seem to share more than they do not, and in this way, cosmopolitanism seems to both encompass these concepts as well as differ from them in slight respects.

Nationalism can have a profound influence on individual and societal acceptance of cosmopolitan thinking through the connections it has with racism and xenophobia. The debate over nationalism and cosmopolitanism appears in this context specifically in the influence that nationalism may have on cosmopolitanism in a homogenous society. Cosmopolitan ideology may be either reinforced or refused depending on the context, and societies may make it more or less difficult for individuals to adopt a cosmopolitan view of the world, a situation which influences the diffusion of cosmopolitanism. Nationalism, ethnic and racial homogeneity, and lack of contact with other cultures, play a significant role in the difficulties behind maintaining a cosmopolitan ideology for society as a whole. However, with an increase of cross-national contacts, and the attendant increase in racial diversity, cosmopolitanism becomes a central, and contested, philosophy.

### **Cosmopolitanism in the Polish Context**

Under travel-restricted Communist-era Poland, contact with individuals of different races and ethnicities were rare. Because Poland does not have an extensive modern history of relations with individuals from Africa, most of the notions of the “black other” are informed by a uniquely Polish African mythology (Kłokowska 1962; Chodubski 2005; Ferreira 2002; Mol 2004).

For example Julian Tuwin's (1923) children story "Murzynek Bambo", found in many preschools and homes throughout Poland, tells the story of a "happy little negro" who climbs trees and is afraid to bathe, as it will "bleach" his "black" skin, and has resulted in much controversy due to the inconsistency of what are argued to be Polish intentions versus African interpretations (Kłokowska 1962; Chodubski 2005; Ferreira 2002; Mol 2004). On one end it is argued that the this poem promotes anti-African stereotypes while from on the other it is said to be a means of accustoming readers on an elementary level with individuals from different cultures and different parts of the world. Still, the word "Bambo" has in recent years acquired negative connotations as an invective term used to insult individuals with darker skin in Poland (Mikulska 2011). The term "murzyn", or its diminutive form "murzynek", is also a topic of debate in Poland as its definitions range from "black person" to "negro" and depending on the context of its use, it can have many negative connotations (Ząbek 2009).

Studies of African-Polish relations have emphasized that problems between "whites" and "blacks" as Africans in Poland are perceived through the prism of race, rather than through their nationality or ethnicity, and that stereotypes are change resistant (Ząbek 2009). In the post-communist context, emerging racial heterogeneity and racial institutions impact development of cosmopolitanism in Poland on individual and societal levels. Nationalism and racism push toward rejection of cosmopolitanism, while the positive experiences of Polish-African families can lead to a strengthening of it.

### **Polish Nationalism and Cosmopolitanism**

Generally, the debate between nationalism and cosmopolitanism brings about a great deal of discussion (Saito 2011; Pichler 2008; Beck & Sznaider 2006; Cheah 2006;

Skrbis et al. 2004; Beitz 1983). Beitz highlights one of the clear distinctions between nationalism and cosmopolitanism in his statement that

According to the national ideal, foreign policy should 'promote interests of a determinate group of human beings, bound together by the tie of a common nationality'; according to the cosmopolitan ideal, it should strive impartially to promote the interests of everyone (Beitz 1983, 591-592).

According to cosmopolitanism, nationalism excludes those who are not members of the nation. Cosmopolitans claim that "home" or a "nation" provides a substantive identity, such as claiming that one is Greek or French, while a cosmopolitan may say, "I am a citizen of the world" and employ many different cultures into his or her lifestyle. As Voltaire so aptly states, "So this is the human condition: to want your own country to be great is to wish your neighbors ill. The man who would want his homeland never to be larger, or smaller, or richer or poorer would be a citizen on the world" (Voltaire 1994, 29). Clearly nationalism challenges cosmopolitanism as it implies that the nation is to come first, and that everything else is to come second. Nussbaum (1996) further discusses this point, explaining the dangers of choosing the nation, what she considers a "morally irrelevant characteristic", before considering one's responsibility to the rest of the world. She states,

Once someone has said, I am an Indian first, a citizen of the world second, once he or she has made that morally questionable move of self-definition by a morally irrelevant characteristic, then what, indeed, will stop that person from saying...I am a Hindu first, and an Indian second, or I am an upper-case landlord first, and a Hindu second? (5)

Moral responsibility to all human beings is a fundamental element of the cosmopolitan ideology and is contested when the nation demands that citizens be morally responsible first and foremost to the nation and its fellow citizens. In homogenous societies this seems to be an especially powerful agent to exclusion, even in the exclusion of citizens who simply look different.

Beck and Sznaider (2006) argue that societal relations are becoming "...distinct from the nation-state" and that "'Society' no longer appears under anyone's control" (20). They suggest that "the new agenda does not intend to "throw the state back out" but instead aims to explore "how states are being transformed in the cosmopolitan constellation, how new non-state actors arise and a new type of cosmopolitan states might develop" (Beck & Sznaider 2006, 20-21). Cheah (2006) warns however, that "we cannot automatically assume that experiences of a globalizing world where people, things, and events have become more and more connected necessarily lead to and form the substrate for a cosmopolitan form of politics that displaces that of the nation-state" (Cheah 2006, 491).

When it comes to Polish national identity, and who Poles consider a part of their national community, physical difference plays a significant role. Nowicka (2004) develops the hardships of biracial individuals in Poland who choose to identify only with their Polish parent and states:

The self-definition of Polishness leaves no room for physical difference (Nowicka and Łodziński 2001). According to surveys conducted on various samples, only 13% of the Poles are willing to admit a coloured foreigner to the Polish national community. According to the vast majority of the Polish people, physical difference makes it impossible to cross this barrier (Nowicka, 76).

Another Polish Public Opinion poll (2004) shows that Poles see the “presence of people from the former USSR (with the exception of Lithuanians), the Vietnamese, Turks, Arabs and Africans...as rather disadvantageous...most (83%) believe that Poland does not need more immigrants” (Polish Public Opinion, 2004, 2).

Polish nationalism seems to make it all the more difficult to have a cosmopolitan worldview. It is not easy however to say whether public opinion polls reflect nationalism or xenophobia, or what exactly leads to these forms of exclusion from the nation. Jasińska-Kania (2009) argues that education and socioeconomic status influence perceptions of exclusion and tendency to exclude. She states, “younger people, the better educated, the better off, and those living in big cities...are more tolerant and open toward national minorities and immigrants” (Jasińska-Kania 2009, 36). Similar results have come from recent empirical studies of cosmopolitanism as cited by Saito (2011) suggesting that “...age and education have statistically significant effects on cosmopolitanism as openness to foreign others and cultures: younger and better-educated respondents are more likely to express cosmopolitan orientations” (Mau et al. 2008; Olofsson and Öhman 2007; Phillips and Smith 2008; Pichler 2008, 2009; Schueth and O’Loughlin 2008 in Saito, 127). It is clear however that the majority of Poles still finds it difficult to adopt a cosmopolitan view of the world, and instead is more likely to exclude rather than adopt a common worldview.

### **Media and Cosmopolitanism**

“Monkey,” “black monkey,” “asphalt,” “Bambo,” “gorilla” are the types of invectives that nearly all interviewees of African origin reported hearing. Individuals who stand out for their darker skin and/or are of Asian origin reported hearing

insulting epithets such as “black”, “nigger” or “yellow.” Foreigners frequently hear comments that they are not welcome in Poland and should go back to their countries” (Mikulska, *Helsinki Foundation*, 2011).

The Helsinki Foundation 2011 study entitled “Racism in Poland” explores racism toward immigrants and children of mixed marriages. The increase of cross-national contacts and immigration to Poland has certainly had an influence on how race is culturally perceived. Physical difference is a marker that has not been a positive determinant of what it means to be “Polish” according to the Polish people.

While biracial and African individuals in Poland are clearly in the minority and often encounter a great deal of discrimination due to their appearance, many of Poland’s beloved celebrities are biracial. This “exotic” physical difference in a way gives some biracial individuals a “status” that cannot be achieved by the ordinary Pole, and this is something that seems to have changed in recent years. These celebrities are often referred to by Poles as “our strangers”, affirming that although they are different, they are in fact, Poles.

A recent article in *Wprost*, a popular Polish weekly news magazine, began with the subheading,

“When they walk down the street, they hear: Bambo, nigger, or asphalt. People with different color skin do not have an easy life here. But we are convinced that we are extraordinarily tolerant” (Bojar & Renata 2010, 48).

Within this article examples are given of how Poland’s most well known “racially different” individuals experience Polish racism. Richard Mbewe, A well-known actor and economist from Zambia who came in Poland in 1983, recaps an experience shopping with his young daughter in a shopping mall. His

daughter ran through the aisles and one man, apparently unhappy with her behavior, exclaimed, "Behave yourself little nigger, this isn't Africa!" (Bojar & Renata 2010, 48). Although he says that he has gotten used to being called "Murzynek Bambo" on the streets, he explains that it still upsets him to hear that he is taking someone else's job.

Another experience with racism in Poland comes from Ola Szwed, a well-known biracial Polish actress whose father is Nigerian. She begins by describing how an older woman "spit at her feet" only weeks before her interview with *Wprost*. The actress recalls what she views as a "funny" experience, rather than a sad one, when young children would look at her and ask their parents, "Why is that woman so tan?" (Bojar & Renata 2010, 49). She says that this experience is not sad for her because she knows that "these little ones have probably never seen a person with darker skin" (Bojar & Renata, 2010, 49). She explains however that when she was a teenager she did experience a moment that really frightened her. She speaks about how she was approached by a group of skinheads on the bus and how "vulgar" and "aggressive" they were, which scared her, however she explains that she will never forget the moment when one of the passengers hid her from the skinheads and helped her off of the bus. In the end she says "Thanks to the fact that I acted on the TV show, everyone knew me, for them I was 'swoją obcą' [our stranger], different but accepted" (Bojar & Renata 2010, 48).

According to the article, another well-known Polish-Ghanaian weather woman reports that she was a victim of racism before she was even born, claiming that upon finding out that her mother would birth a biracial child the nurses said they would not deliver the baby (Bojar & Renata, 2010, 48). Another woman from Angola remembers when a Polish man in the bus told her "Don't sit here, blacks don't have the right to sit"

(p. 48). Jacek Purski, an activist for an antiracism campaign in Poland called “Never Again” claims that most of the racism that occurs in Poland occurs at soccer games at Polish stadiums. He gives an example explaining that “the referee comes up to the dark-skinned soccer player who has just been injured and asks him: Are you going to get up or should I give you a banana?” (Bojar & Renata 2010, 50).

In a more recent incident, in January 2012 *Gazeta Wyborcza*, a leading Polish newspaper, reported that Polish MP Marek Suski was recorded speaking about John Godson, Poland’s first Nigerian MP, to a member of Godson’s party saying, “Your little black man will vote with you” (“Wasz murzynek głosuje razem z wami”). Suski’s use of the term “murzyn”, a contested term in itself, in its diminutive form, as well as his use of the term in the context of ownership, through the use of the word “your”, caused a considerable reaction from many people in Poland. When Suski was questioned about his comment soon after, he explained himself in saying that the story “Murzynek Bambo is in Polish literature a nice little poem”. In response to this, Godson insisted that the incident “is an issue of one’s level of intercultural intelligence”. An altered image of Suski, posted by MP Cezary Tomczyk, surfaced on Facebook shortly after the incident. The edited photo showed a dark skinned Suski, with a play on words from the poem “Murzynek Bambo”: “Little black boy Suski lives here in Poland, he has weak jokes, this friend of ours”. Later in the evening, MP Godson posted the photo on his own Facebook page with the heading and emoticon, “:-)”. It was not long before the image accumulated 584 “likes” and 70 comments. The image was commented on by Poles subscribed to Godson’s Facebook page. Comments ranged from short statements of support such as, “SUPER!”, “BRAVO!”, to more lengthy discussions of race in Poland. One

comment in particular, which accumulated the most “likes” from other users, stated

Mr. Godson, If only our ‘white’ politicians had even 1/10 the intelligence, diligence, perseverance, and if they did even 1/20 for us that you have for your district, then in our country the things that we see on television and read on the internet or the newspapers would not happen.

Through the social power of in-group solidarity, a homogenous environment makes it very easy to voice prejudice; it is only when these views are challenged that they may change. For cosmopolitanism to exist in such societies, citizens must have much more exposure to different cultures, and to put aside racist views and stereotypes. It seems that in recent years Polish media has come to notice the contradictions behind stating that Poland is becoming more and more tolerant but at the same time sensing and seeing that there is still a deep cultural tendency to exclude.

## **Discussion**

This paper addresses a critical question: *How can Polish society adopt a cosmopolitan view, if the racially dominant group sees and treats racial minorities as socially, culturally, and biologically different?* I argue that considering the recent past and current culture of Poland with reference to racial others, there are two major pathways at a societal level for cosmopolitanism to go: rejection or acceptance. In the case of Poland it is clear that it has been, and is still, very difficult to maintain a cosmopolitan philosophy on a societal level. The rejection of cosmopolitanism through nationalism and racism appear to be the most obvious and the strongest counterexamples to cosmopolitanism. Because Poland is

a country that has historically witnessed countless periods of oppression and has experienced a constant struggle with maintaining a Polish national identity under its many occupations, nationalism now proves to be a very important force in Polish society (Kłoskowska 1994). The way in which Poles perceive foreigners and whether or not they accept them into their national community continues to change, yet this still seems to be a force that rejects cosmopolitanism.

There are some signs that Poland may be moving in the direction of accepting cosmopolitanism in the growing number of multiracial celebrities as well as in electing individuals of different backgrounds, such as Godson. However as noted earlier, when public figures, such as Suski, who are meant to represent Poland, use offensive language, this also poses questions about cosmopolitanism in Poland. The reaction from Godson's side brought light to this issue but also served as a means to challenge the current dialect between individuals of different races and ethnicities in Poland. As seen in the distinction of "our strangers" it is possible to be accepted as a Pole, even when physically different such as in the case of multiracial Poles, however this does not apply to all individuals, and still does not show a complete implementation of cosmopolitanism.

Is education the path toward acceptance of cosmopolitanism? Pogge (2007) discusses how the works of Nussbaum (1996) and Rorty (1998) develop cosmopolitanism in the form of education: "children should be taught that foreigners, too, are citizens of the world, equal to us in dignity and human rights. And they should also be taught concretely about foreigners, about the history, culture, problems and prospects of their societies" (Pogge 2007, 328). Tuwim's poem cannot continue to serve as the primary tool to educate youth in Poland about individuals of different cultures. A step has been made to change this by

authors such as Mamadou Diouf, a native of Senegal and Polish citizen, in his children's book "The Little Book About Racism" ("Mała Książka o Rasizmie"). In this way, it is still difficult to say which path Poland will take.

Because very little empirical research has been done in terms of studying actually existing cosmopolitanism in Eastern Europe, it would be beneficial to continue this study through an empirical look at African-Polish families actually living in Poland. It would also be useful to do similar studies in other countries, including more racially diverse societies where cosmopolitanism may be more or less accepted or rejected. More research in Poland on views of cosmopolitanism, both on the societal level and within Polish families would be instrumental in determining which direction Poland may take in terms of cosmopolitanism. Lamont & Aksartova (2002) also discuss "anti-racist rhetorics" in comparing black workers in the United States and North African and white workers in France, which could also be developed further and compared in racially homogenous contexts such as Poland. Generally much more empirical research is necessary when it comes to contextualizing cosmopolitanism in the social sciences.

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# REPUBLICAN CITIZENSHIP AND PUBLIC USE OF REASON FROM A COSMOPOLITAN POINT OF VIEW<sup>1</sup>

Kostas KOUKOUZELIS\*

## I. Introduction

Here is a simple thought. It is true that nowadays globalization either in economics, culture or environment is considered to be a mere fact. Civilization and technology have contributed a lot to such a thing. Yet, what has not been globalized, in fact, what has been rather fiercely pushed away, is politics. How can we experience a globalized world – ‘one world’, according to Peter Singer – nevertheless, remain politically in a situation of nation-states still trying to negotiate their own sovereignty? A globalized world is not at the same time a cosmopolitan one, and a cosmopolitan world does not ipso facto entail the abolition of all state boundaries. On the contrary, the argument of the present essay will be that cosmopolitanism provides the conditions of the possibility of forming a democratic – in

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Kant's own terms a 'republican' – state. Such a thing cannot be based on the narrow state logic of exercising self-determination, a Westphalian world already left behind, but on a higher political structure being in place, that is, a cosmopolitan civil society, which indirectly and non-coercively *could* influence internal state constitution absent direct representation.<sup>2</sup> After I present what I take it to be Kant's cosmopolitan concept of philosophy, I will focus on what it means to make a public use of one's reason and what it means to enjoy the status of republican citizenship. I will try to argue that both should have a cosmopolitan scope, although they should be limited to a certain dimension, what I will call, following Philip Pettit's use of the term, the 'editorial' dimension of democracy: the capacity to challenge and contest.

## **II. Kant's cosmopolitanism**

Immanuel Kant's philosophy famously rests on a conception of reason that in principle demands a cosmopolitan in scope political framework in order to be realized. This is not just Kant's idiosyncratic view of reason, but reflects his distinct idea of a cosmopolitan concept of philosophy itself, something rarely mentioned in literature.<sup>3</sup> In his *Lectures on Logic* Kant draws the distinction between the scholastic and the worldly concepts of philosophy [*in sensu cosmico*]. Philosophy, according to the scholastic concept can turn out to be an intellectual game, for it is merely 'a doctrine of skill', whereas, according to the worldly concept it is a 'doctrine of wisdom' or a 'science of the highest maxim for the use of our reason.'<sup>4</sup> This is further clarified in the *Critique of Pure Reason*, where he turns from this scholastic concept [*Schulbegriff*] in its sense of 'a system of cognition [...] as a science' to the cosmopolitan concept [*Weltbegriff*] of philosophy as 'the science of the relation of all cognition to the essential ends of human reason'.<sup>5</sup> Reason for Kant is a matter

of setting and pursuing ends of one's own, which is also one of the definitions of humanity [*Humanität*].

The reference to the 'essential ends of human reason' might invite fierce criticism from anti-metaphysical thinkers, yet, one should stress here that what is important is not some kind of metaphysically objective ends, but freedom. On the one hand, ends are not given in things in themselves, but in agreement with the Copernican revolution, issue from subjectivity itself.<sup>6</sup> Given that, there remains the relation to freedom. There can be no science of (natural) human ends, but, instead, the widest possible scope of freedom to use reason.

Freedom [carries] with it the right to submit openly for discussion the thoughts and doubts with which we find ourselves unable to deal, and to do so without being decried as troublesome and dangerous citizens. This is one of the original rights of human reason, which recognize no other judge than that universal human reason *in which everyone has his say*. And since all improvement of which our state is capable must be obtained from this source, such a right is sacred and must not be curtailed.<sup>7</sup>

What is then required for people to learn to think for themselves is the freedom to make public use of reason.<sup>8</sup> But what does public use might mean? In his famous essay 'An Answer to the Question: What Is Enlightenment?' one of Kant's own examples refers to tax officials who command: 'Don't argue, but pay!' Such an example though implies that tax officials make a private instead of a public use of reason, not because they communicate their message in private, in fact their command is public, but because they are 'employed to expound in a *prescribed manner* and in the name of another', that is, the state's own authority. The same counts for the clergyman example who delivers his catechism and says 'Do

not argue, but believe!'. By comparison, making a public use of reason means the opposite: using one's own reason freely means trying to express one's own conviction about the truth of a matter. Moreover, if one believes she has found the truth (Kant calls it 'inner religion' in the clergyman example) she would have to resign from his office!<sup>9</sup> Making a private use of reason here has to do with the *form* of the relationship between guardian and ward rather than the content of one's views. The authority exercised by the guardians encourages the habitual abandonment of critical thinking.

I have argued elsewhere that this form is partly, albeit essentially triggered by reason's feeling of its own need, reason's insight into its own lack of objective grounds for guiding judgment when it leaves experience, something that applies to moral law as well through the feeling of respect. Ultimately, reason is not given to itself as an object, but needs to present itself to itself in the process of gaining clarity. In that sense it disconnects subjectivity from a fixed, historical conception of identity, which comes along with a certain motivational baggage. Publicity then is equivalent to also giving form to subjectivity by making a public use of our reason, instead of taking such a need as a rational insight into the essence of things, something that can cause enthusiasm or make one 'superstitious' through reliance on facts. The latter is true of our contingent identities – in our example here attached to or already constituted by a particular statist logic or religious authority.<sup>10</sup> Therefore, even reasoning publicly within the bounded society of a single state might constitute a private use of reason. Kant argues then that reason's need applies to *all* finite rational beings and should therefore be opened up to the 'world at large'. The scope of the public use of reason cannot be a closed, or a bounded society, but 'a complete commonwealth or even a cosmopolitan society'.<sup>11</sup>

Therefore, Kant's cosmopolitan concept of philosophy referring to wisdom is linked to the public use of reason. It is through publicity that freedom is basically structured, it does not obey objective meta-rules, and is not based on what is called common sense. The latter choice of common sense belongs to John Rawls's supposedly Kantian conception of public reason. Rawls's conception of public reason is based on the concept of 'reasonableness' defined as 'a willingness to listen to what others have to say and being ready to accept reasonable accommodations or alterations in one's own view',<sup>12</sup> but which already presupposes a democratic culture, a common sense as part of the content of public reason, that serves to apply substantive principles properly and identify laws and policies that match them.<sup>13</sup> There is no coincidence therefore that Rawls's conception is explicitly anti-cosmopolitan and confines his theory within a bounded, democratic society when he talks about the use of public reason, whereas Kant is preoccupied with the *public use* of reason.<sup>14</sup> Even his account of 'global public reason' is simply an extension of his theory of the liberal state, because it once again presupposes a minimal catalogue of human rights.

Now, a significant part of Kant's focus on the public use of reason rather than public reason as a special category of reason is that reason's need carries with itself a right [*Recht des Bedürfnisses*], that is, the right of reason's need as a subjective ground for presupposing and assuming something which reason cannot know through objective grounds, nevertheless it has to be communicated for we need a *criterium veritatis externum*. Now this claim is a juridical and not a teleological or prudential one. Kant argues that '[t]he claim of reason is never anything more than the agreement of free citizens, each of whom must be able to express his reservations, indeed, even *his veto*, without holding back'.<sup>15</sup> In other words, Kant recognizes a right

to dissent, to contest as an essential, although negative way of testing maxims. Dissent and disagreement mark a difference in orientation and unveil through being made public the principle of making a judgment, involve, in other words, the principle of self-reflection, the mode of reflection.<sup>16</sup> Such a juridical transformation of reason's own need marks a fundamental aspect of the use of public reason in a cosmopolitan frame for a number of reasons. For such a conception of public reason to be realized we have to take seriously Kant's reference to a republican concept of citizenship. What does such a reference require from us?

### **III. The content of republican citizenship**

In the previous section we acknowledged, along with Kant, that the public use of reason involves our self-reflection and the constitution of our subjectivity unveiled in reason's need. One of the essential aspects of publicity is exactly our capacity to dissent, to even express one's veto on decisions made or policies proposed by others. Such a capacity though is inextricably linked with one's membership in a democratic polity, one's membership in a commonwealth as a citizen. And citizenship entails equal standing. This is absolutely crucial if one is to use her reason publicly, that is, also autonomously. What does this mean? In this section I will try to argue that essentially Kant's reference to citizenship requires a specific version of cosmopolitanism, which I will call 'republican cosmopolitanism'.<sup>17</sup> Making public use of reason presupposes having equal standing or being free in a republican sense.

What does being free in a republican sense mean? On Kant's own view, public reason and enlightenment are interconnected. One place to see this is Kant's famous dictum *Sapere aude!*, which means to have courage to use your own understanding, or to think for yourself at all times, something that can be done only

when communicating our thoughts to others. Enlightenment is an other-directed activity, a social process. Now, Kant's public use of reason is a demand, which, together with its crucial role it plays in exercising one's autonomy, that is, her internal freedom, is a mark of a political relation towards others. In other words, it points to the form we ought to stand to one another as citizens in a polity. In that sense it involves what Kant calls our external freedom. To have courage means not to be afraid to express who one is in public, fearing that she might be accused of being dangerous or unreasonable. Getting courage now is inextricably linked with having a particular standing, the standing of being a full and equal member of a commonwealth.

Such a standing corresponds to the standing of citizen of a republican state, defended by Kant, but also recently elaborated by Philip Pettit.<sup>18</sup> Kant's reference to the standing of a citizen is mainly based on the much neglected *Metaphysics of Morals*, especially his *Doctrine of Right*, where he refers to the *one* innate right as "[f]reedom (independence from being constrained by another's choice), insofar as it can coexist with the freedom of every other in accordance with a universal law, is the only original right belonging to every man by virtue of his humanity". Such a right carries also "innate *equality*, that is, independence from being bound by others to more than one can in turn bind them; hence a human being's quality of being *his own master (sui iuris)* [...] and finally, his being authorized to do to others anything that does not in itself diminish what is theirs [...] such things as merely communicating his thoughts to them".<sup>19</sup> Now, this innate right to freedom is a right one has by virtue of one's humanity, that is, her capacity to set and pursue ends of one's own, and is grounded on our in principle interdependence regarding freedom itself, not de facto interdependence.

To make clear, such a right to freedom should be interpreted neither as mere absence of interference (negative freedom), nor only as self-determination within a bounded society (positive freedom). It is structured around the idea that to be free is not to owe one's existence to another person's arbitrary power, which may or may not be exercised. For example, one is still under domination/slavery if, because of his master's kindly disposition, ends up doing whatever the latter pleases. This would be a condition of servitude, dependence or else domination.<sup>20</sup> Therefore, on the one hand, non-interference is simply not enough to guarantee freedom when others could interfere at their pleasure – there is no need of actual interference, possible interference is simply enough. On the other hand, self-determination within a state might already presuppose and prescribe a certain mode of reflection through a common identity, for example Rousseau's general will acting as a collective agent. For Kant political freedom conceived as 'independence' can be realized only within a system where we have established relations of right. For Kant what is a priori presupposed is not a catalogue of natural rights but *citizenship* in a community. The thrust of the argument here focuses not on natural rights, but on citizenship, the status of equal membership. Kant's talk of innate right has the meaning of *having the right to have rights*.<sup>21</sup>

I now want to argue that the scope of such a republican citizenship should be cosmopolitan. Nowadays, the interdependent nature of global social interaction means that it is no longer possible to demarcate political communities as self-legislating or enjoying freedom as self-rule or self-determination. There is a sense that republican freedom points to the *obligation* to establish relations of Right with all peoples and individuals, wherever they happen to be located on the earth's spherical surface, which is not unlimited, but closed [*globus terraqueus*].<sup>22</sup>

Kant's talk then of innate right as the right to have rights refers to membership in the world at large. It also explains better Kant's cosmopolitan right to hospitality in its current context, which, points exactly towards a cosmopolitan public sphere that forms the conditions of possibility for constituting a republican state/people, or so I would argue.

#### **IV. The cosmopolitan scope of citizenship and the importance of contestation**

*Quod omnes tangit ab omnibus  
tractari et approbari debet*<sup>23</sup>

Contrary to common assumptions republican citizenship does not necessarily have to be attached to bounded or national citizenship, but, if public reason has to address the 'world at large' the scope needs to be cosmopolitan. Now, if one dismisses the prospect of establishing a world republic by dissolving current states, a prospect Kant also rejects, cosmopolitan citizenship makes sense only within a cosmopolitan public sphere. This is what Kant means by cosmopolitan law [*Weltbürgerrecht*] as the third category of public law. Such a category refers to the right of hospitality, which involves the right to *present oneself* to others and to try to establish contact with other people, something that involves free communication and free trade through the status of individuals in their dealings with states of which they are not citizens. This is not a novel claim, but it has been defended by quite a few thinkers on many grounds.<sup>24</sup> Andrew Linklater, for example, thinks that cosmopolitan citizenship is linked to the notion of a dialogical community, that is, a global public sphere of critical judgment and deliberation, something already established through a global web of digital technologies that cross boundaries and a global web of commercial and cultural exchanges.<sup>25</sup> Yet,

although Kantian in spirit, such a view of public sphere, which conceives of public reason as being merely dialogical, misses the point, for we need more than simple dialogue of already constituted subjectivities on a cosmopolitan level – we need to engage our modes of reflection. This is because the public use of reason is not only dialogical, that is a product of actual dialogue, but self-reflective (reflexive).

Staying within our previous analysis of the public use of reason the cosmopolitan scope of republican citizenship would entail the following things:

1. The public use of reason, as we have seen above, carries with itself the right of reason's need, which is translated into a right to dissent. Such a juridical right should have a cosmopolitan scope for it does not presuppose a bounded society of democratic self-determination. It rather corresponds to cosmopolitan democratic institutions that allow people to *contest* decisions that affect their freedom as rational agents. First, it has to be noted that republican citizenship based on non-domination corresponds to a democratic system that has two dimensions, one authorial and the other editorial, according to Pettit.<sup>26</sup> On the one hand, the authorial dimension gives citizens an electoral control of government's decisions, it demands a single agent and sees citizenship as active control through voting, that is, self-legislating. On the other hand, the editorial dimension corresponds to something like a virtual control of what is proposed as a law or policy. The distinction describes roughly the different, yet interconnected roles of both author and editor – the latter can reject what is written by the former. The lesson of this two-dimensional structure of democracy is that people have to be able to determine both the content of

the policies and the modes of policy implementation.<sup>27</sup> Therefore, Pettit talks about a crucial link between republican citizenship and contestation.

There is of course a crucial question to be answered here. Does the editorial dimension presuppose the authorial/electoral dimension or, in other words, does giving one's explicit consent – trying to establish agreement – lie at the basis of the public use of reason, making contestation only a secondary issue in relation to such an effort? Citizenship, for example, is akin to the right to vote.<sup>28</sup> Nevertheless, voting or the authorial/electoral dimension presupposes the status of non-domination, of being independent in the sense of not being at the mercy of anyone else. If this presupposition does not exist voting itself might be seriously compromised, because one might still be the mouthpiece of others. The two dimensions correspond to will and reflection respectively. Therefore, there is a sense the editorial dimension, that is, self-reflection, comes prior to the authorial one, that is, the expression of the will.<sup>29</sup> There is finally a last question: what are the limits of contestation? Kant even talked about using one's veto power, as we saw above, although Pettit thinks it is a too strong and infeasible mode of public decision-making not allowing for the possibility of compromise.<sup>30</sup>

Now, this authorial dimension corresponds to freedom conceived as self-legislation and is attached to its having territorial bounds, the existence of a general will legislating in one voice. Presupposing a collective subject through global legislation, that is authorial or electoral democratization at a global level, is indeed both infeasible and undesirable, therefore has to be rejected. But the editorial dimension, i.e. contestation, should and could have a cosmopolitan scope,<sup>31</sup> for enjoying the standing to contest policies or imposed obligations does not necessarily entail the presence of a global state, but of a public

sphere, which is meant to be the negative substitute for the infeasibility of coercive civil law at such a level.<sup>32</sup> What we need is an effective public sphere where one could exercise virtual control as editor who can amend or reject what is written or passed as a law or policy. The Roman legal maxim mentioned at the beginning does not therefore mean that what affects all ought to be decided by all, only that what affects all ought to elicit the considered approval of all.

2. The effective exercise of such a right to dissent must be based on the status of enjoying basic non-domination as being a world citizen. We should therefore pursue the distributive aim of securing the capability of democratic citizenship at least in this negative dimension of the right to contest. For this people should enjoy whatever capabilities are necessary to enable them to avoid domination, that is, to have access to sufficient resources to assure adequate levels of nutrition, education, housing, health care and access to information.<sup>33</sup>
3. There have been a number of proposals regarding the institutionalization of cosmopolitan republican citizenship. One of them is the creation of a second civil assembly integrated into the UN structure, which would create a political forum for contestation. This would be based not on appointed by national governments representatives, but on directly elected ones. Such an assembly would potentially challenge the statist logic of most intergovernmental relations in the Security Council and elsewhere in relation to human rights or, for example, WTO agreements that impose obligations. From a cosmopolitan point of view that might also be of great interest is the activity of transnational advocacy

networks. Such networks link activists all over the world interested in human rights or environment. Domestic activists when faced with unresponsive or corrupted governments can work together and put pressure on their home governments, which in turn can put pressure on the originally unresponsive states.<sup>34</sup>

To recapitulate and conclude: contrary to both communitarians and liberals, the scope of such a republican citizenship should be cosmopolitan. Cosmopolitan republican citizenship ought not to be a matter of all the peoples of the world finally coming to have enough similar beliefs and a unified culture or common identity to enter into a world republic. It should be a matter of achieving the conditions under which a plurality of persons can inhabit a common space of independence. It also explains better Kant's cosmopolitan right of hospitality, which, points exactly towards a cosmopolitan public sphere that forms the conditions of possibility for constituting a republican state/people. To be sure, this is not an empirical claim. Most people nowadays argue that insofar as globalization extends the scheme of cooperation beyond the nation-state we should also extend the concept of citizenship on a global scale. However, Kant's claim is not empirical, but is based on putting forward the a priori conditions for perpetual peace. Perpetual peace is not a goal to be achieved by a confederation of sovereign states, whatever their constitution, but of a federation of republican – democratic in our sense – states. But the conditions of their possibility should not again be based on the narrow state logic of exercising self-determination, which Kant claimed could entail a private use of reason, but on global civil society, which indirectly and non-coercively influences government absent direct representation. Kant's conception of freedom conceived as non-domination provides

the normative basis for an interactive universalism in that it establishes the right of communication and the capacity of outsiders to contest and initiate deliberation in the public spheres of separate states. Let us remind ourselves that public use of reason is reflexive, that is self-correcting.

One last remark should be made here about the public use of reason and the cosmopolitan concept of philosophy itself. The distinction between private and public use is not a distinction between individual and community, but a distinction between one's prescribed identity and one's openness to change through public self-disclosure at the world at large. The cosmopolitan concept of philosophy has the task, I think, not to provide us with solutions to already prescribed questions - and prescribed questions can dominate more than prescribed answers. On the contrary, it is about formulating the proper questions, and the proper questions can be formulated when one is testing publicly, that is also from a cosmopolitan point of view, assumed authorities, given identities, and fixed boundaries.<sup>35</sup>

## NOTES

- <sup>1</sup> Many thanks to the participants of the 'Cosmopolitanism and Philosophy in a Cosmopolitan Sense' conference in Bucharest for providing an ideal forum for discussion and to Ioannis Natsinas for written comments on an early draft
- <sup>2</sup> Nevertheless, the political question is not a matter of equal scale, but of form. For globalization see Held D. and McGrew A., *Globalization/Antiglobalization*, Cambridge: Polity Press, 2002.
- <sup>3</sup> With the exception of Höffe O., *Kant's Cosmopolitan Theory of Law and Peace*, translated by Alexandra Newton, Cambridge: Cambridge University Press, 2006, chapter 12.
- <sup>4</sup> Kant I., *Lectures on Logic*, translated and edited by J. Michael Young, Cambridge: Cambridge University Press, 1800/1992, p. 537 (references are also in *Kants Gesammelte Schriften*, edited by the Royal Prussian (then German) Academy of Sciences (Berlin: Georg Reimer, later Walter de Gruyter and Co., 1900- , Vol. 11, pp. 24-25).
- <sup>5</sup> Kant I., *Critique of Pure Reason*, translated by Werner Pluhar, Indianapolis/Cambridge: Hackett Publishing, 1781/1996, B866, which reflects J.-J. Rousseau's influence on Kant's view about the primacy of the practical.
- <sup>6</sup> See Höffe, *op. cit.*, p. 224
- <sup>7</sup> Kant, *Critique of Pure Reason*, *op. cit.*, A752/B780 emphasis added.
- <sup>8</sup> Kant I., "An Answer to the Question: What Is Enlightenment?" in The Cambridge Edition of the works of Immanuel Kant, *Practical Philosophy*, trans. and edited by Mary J. Gregor, Cambridge: Cambridge University Press, 1996. p. 17, (Vol. 8, p. 36)
- <sup>9</sup> Kant, "What Is Enlightenment?", *op. cit.*, p. 19, (Vol. 8, p. 38); See also the discussion in Ellis E., *Kant's Politics: Provisional Theory for an Uncertain World*, New Haven and London: Yale University Press, 2005, esp. pp. 18-22.
- <sup>10</sup> On reason's need see Kant I., "What does it mean to orient oneself in thinking?" in The Cambridge Edition of the works of Immanuel Kant, *Religion and Rational Theology*, translated and edited by Allen Wood and George di Giovanni, Cambridge: Cambridge University Press, 1996. I have tried to develop this idea in Koukouzelis K. "Kant on Reason's need and publicity" in Valerio Rohden, Ricardo Ribeiro Terra, Antonio de Almeida (eds.), *Akten des X Internationalen Kant-Kongresses/Proceedings of the X International Kant Congress*, Berlin, New York: Walter de Gruyter, 2008, Band 4, pp. 469-478
- <sup>11</sup> Kant, "What Is Enlightenment?", *op. cit.*, p. 18, (Vol. 8, p. 37)

- <sup>12</sup> Rawls J., *Political Liberalism*, paperback edition with a new introduction, New York: Columbia University Press, 1996, p. 253.
- <sup>13</sup> *Ibid.*, pp. 223-227.
- <sup>14</sup> For an extensive account of their differences see Koukouvelis K., "Rawls and Kant on the public use of reason" in *Philosophy & Social Criticism*, Vol. 35, no 7, 2009, pp. 841-868.
- <sup>15</sup> Kant, *Critique of Pure Reason*, *op. cit.*, B766f.
- <sup>16</sup> See Koukouvelis, "Rawls and Kant", *op. cit.*, p. 856ff for a more detailed account of this argument.
- <sup>17</sup> I think James Bohman has mostly used this term. See for example Bohman J., "Republican Cosmopolitanism" in *The Journal of Political Philosophy*, Vol. 12, no 3, 2004, pp. 336-352, also his *Democracy across Borders: from demos to demoï*, Cambridge, Mass.: The MIT Press, 2008.
- <sup>18</sup> On the relation between Kant and modern republicanism see Koukouvelis, "Rawls and Kant", pp. 859-860 and Hodgson L.-P., "Kant on the Right to Freedom: A Defense" in *Ethics*, Vol. 120 (July), 2010, pp. 791-819. Although I disagree with some aspects of Hodgson's approach I find his analysis quite to the point, so I will leave Kant's and Pettit's differences to the side here.
- <sup>19</sup> All quotations from Kant I., *Metaphysics of Morals* in The Cambridge Edition of the Works of Immanuel Kant, *Practical Philosophy*, *op. cit.*, pp. 393-394, (Vol. 6, pp. 237-238).
- <sup>20</sup> For the conception of freedom as non-domination see Pettit P., *Republicanism: A Theory of Freedom and Government*, Oxford: Clarendon Press, 1997.
- <sup>21</sup> For such an interpretation of Kant see also Hodgson, "Kant on the Right to Freedom", *op. cit.*, p. 817.
- <sup>22</sup> Kant, *Metaphysics of Morals*, *op. cit.*, p. 489, (Vol. 6, p. 352). For an excellent account of the Kantian view, which is different from both contractarian and natural law traditions see Flikschuh K., *Kant and Modern Political Philosophy*, Cambridge: Cambridge University Press, 2000, chapter 5. Kant ultimately opted not for the positive idea of a "world republic", but for a federation of republican states. Nevertheless, "world republic" remains a regulative idea of reason. For an interesting overview of the link between public reason and global governance see Smith W. and Brassett J., "Deliberation and Global Governance: Liberal, Cosmopolitan, and Critical Perspectives" in *Ethics and International Affairs*, Vol. 22, no 1, 2008, pp. 69-92.

- 23 A secular Roman legal maxim: "what concerns all must be discussed and approved by all".
- 24 For this interpretation of Kant see Kleingeld P., "Kant's Cosmopolitan Law: World Citizenship for a Global Order" in *Kantian Review*, Vol. 2, 1998, pp. 72-90 at 80. Kleingeld stresses the fact that, according to Kant, when communicating one's thoughts to others it is up to them whether to accept or reject what is being said. However, one can derive the right to present oneself to others, which still leaves the addressee at liberty to refuse the request.
- 25 Linklater A., "Cosmopolitan Citizenship" in Hutchings K. and Dannreuther R. (eds.), *Cosmopolitan Citizenship*, London: MacMillan Press, 1999, pp. 35-59.
- 26 For Pettit's distinction between the authorial and editorial dimensions of democracy see Pettit P., "Democracy, Electoral and Contestatory" in Shapiro I. and Macedo S. (eds.), *NOMOS XLII: Designing Democratic Institutions*, New York: NYU Press, 2000, pp. 105-146. For the significance of contestatory democratization at an international level see Pettit P., "Democracy: National and International" in *The Monist*, Vol. 89, no 2, 2006, pp. 301-324.
- 27 Pettit, "Democracy, Electoral and Contestatory", *op. cit.*, p. 126.
- 28 Actually this is true of Kant as well; See Kant, *Metaphysics of Morals*, *op. cit.*, p. 458, (Vol. 6, p. 314).
- 29 One could argue that we are talking about deliberation here, when we are talking about the editorial dimension. Bohman is explicit when equating deliberation or the 'right to initiate deliberation' with self-reflection (reflexivity) and regarding it as the essence of communicative freedom. However, he disagrees with Pettit's insistence on contestation arguing that contestation is based on the more fundamental power to initiate deliberation. Although I do think that the power to initiate deliberation is inclusive of contestation, the latter still is analytically distinct and comes prior, making deliberation possible; see Bohman, *Democracy across Borders*, *op. cit.*, p. 53-54. J. Dryzek talks about the importance of contestation at a transnational level; See Dryzek J., *Deliberative Democracy and Beyond*, Oxford: Oxford University Press, 2000, pp. 74-80
- 30 Pettit, "Democracy, Electoral and Contestatory", *op. cit.*, pp. 118-119
- 31 Chung R., "The Cosmopolitan Scope of Republican Citizenship" in D. Weinstock and C. Nadeau (eds.), *Republicanism: History, Theory and Practice*, London/Portland: Frank Cass, 2004, pp. 135-154.

- <sup>32</sup> Bohman J., "The Public Spheres of the World Citizen" in James Bohman and Matthias Lutz-Bachmann (eds.), *Perpetual Peace: Essays on Kant's Cosmopolitan Ideal*, Cambridge, Massachusetts: The MIT Press, 1997, pp. 179-200
- <sup>33</sup> See Bertram C., "Global justice, moral development, and democracy" in G. Brock and H. Brighouse (eds.), *The Political Philosophy of Cosmopolitanism*, Cambridge: Cambridge University Press, 2005, esp. pp. 80-84. In the case of information, lacking the infrastructure in one's country to enjoy access to the internet leaves one almost illiterate. Yet, one should be clear here that for Kant public use of reason is *not* information gathering.
- <sup>34</sup> See Ellis, *Kant's Politics*, op. cit., p. 155ff.
- <sup>35</sup> Žizek S., "Philosophy, the 'unknown knowns', and the public use of reason" in *Topoi*, Vol. 25, 2006, p. 141.

# A COSMOPOLITAN DEFENSE OF STATE SOVEREIGNTY

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Cosmopolitan normative commitments are often considered incompatible with the recognition of state sovereignty as a basic principle of international law. Although cosmopolitans do not necessarily reject the normative importance of sovereignty completely, there is a tendency among contemporary cosmopolitans to ascribe to it a mere derivative significance, dependent on its instrumental value for protecting human rights. Based on the idea that every person is an equal unit of concern generating obligations on every other person, they advocate international legal reform in a decisively individualistic direction: away from an order based on the sovereign equality of states toward an order where respect for basic human rights serves as the exclusive criterion for the legitimacy of political and legal institutions.

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In this paper, I argue that there is a stronger connection between the rights of individuals and state sovereignty. Taking a conception of justice informed by Kant's philosophy of right as a point of departure, I claim that state sovereignty is intrinsic to the recognition of individuals as units of ultimate concern. Justice among persons, understood as each person's right to be independent from subjection to other person's arbitrary choices, presupposes that interaction is regulated by coercive public institutions (i.e., state authorities). Accordingly, sovereignty, entailing norms such as non-intervention and self-determination, should be seen as a necessary correlate to respect for the rights of persons.

## I

By cosmopolitan normative commitments, I understand the implications of the core normative idea of so-called moral cosmopolitanism<sup>1</sup> – the idea that each person is to be recognized as an equal unit of concern generating obligations on every other person. Thomas Pogge has spelled out this idea by identifying three features uniting diverging strands of moral cosmopolitanism: *individualism*: the ultimate units of concern are individual human beings rather than human groups; *universality*: the status of ultimate unit of concern attaches to every living human being equally; *generality*: persons are ultimate units of concern for everyone.<sup>2</sup>

There is no necessary conflict between cosmopolitanism thus conceived and an international legal order of sovereign states. The latter, sometimes dubbed a "statist" order, is an order where all states have legal standing and are recognized as equals, so that they are formally subject to the same general rights and duties, most importantly the right to self-determination and the correlative duty of non-intervention. In a statist order, sovereignty implies that a state has legal personality, and thereby

can be a subject of international legal process and a party entering into international treaties. It also implies the entitlement to organize domestic legislative, executive, and adjudicative institutions as it sees fit as well as the obligation to respect the territorial integrity of other sovereigns.

Despite the compatibility of moral cosmopolitanism and a statist international order in principle, an influential strand of contemporary cosmopolitanism advocates global reforms in a decisively individualistic direction: away from an order based on the sovereign equality of states toward an order where respect for basic human rights serves as the exclusive criterion for judging the legitimacy of political and legal institutions. Proponents of this anti-statist cosmopolitan view – which include philosophers like Brian Barry, Charles Beitz, Allen Buchanan, Simon Caney, Darrel Moellendorf, and Fernando Tesón – argue that there should be congruence between domestic and international or global principles of justice. Whatever principles of justice apply internal to states should also apply in the international realm. And since justice is usually conceptualized in terms of human rights, so “the core of justice, protection of human rights, should be a primary goal of the international legal system”,<sup>3</sup> much in the same way that protection of human rights should be the standard by which we judge domestic political systems. State sovereignty is thereby reduced to an instrumental value whose importance is relative to its effectiveness in promoting and protecting basic human rights.<sup>4</sup> Individuals, not states, should be recognized as the ultimate subjects of international law, whereas the international legal standing of states should depend on the legitimacy of their domestic orders.

An important implication of this view is rejection of non-intervention as a basic international norm. Given the normative primacy of individuals, protecting basic human rights is considered a just cause for intervention, including military

intervention. This is not to say that human rights violations taking place on the territory of a state either complicit in or incapable of preventing these violations provide sufficient justification for military interventions. The scope of cases where interventions are justified is limited by standard *jus ad bellum* constraints: the use of military force must have a reasonable prospect of success, be a means of last resort, stand in proportion to the injustice it is meant to rectify, etc. Yet, the norm of non-intervention is not recognized as a self-standing norm governing international relations. As Charles Beitz puts it, “there is a right against intervention, but ... it does not apply with equal force to all states”.<sup>5</sup> Sovereignty is derived from the more basic concern with justice to persons, and “only just states deserve to be fully protected by the shield of sovereignty”.<sup>6</sup>

By the same token, the weight of claims to self-determination, as raised by former colonies in the 20<sup>th</sup> century, depends on whether or not liberation would be favorable with regard to reducing injustice. People living under foreign rule can invoke no intrinsic right to govern themselves against colonial powers. Self-determination, like non-intervention, is no self-standing principle. It is just “a means to the end of social justice”.<sup>7</sup> Only if there is reason to believe that decolonization will lead to a less unjust society is there a right to self-determination.

It seems reasonable to say that anti-statist cosmopolitans belong to what Gerry Simpson has called a tradition of “liberal anti-pluralism” characterized by “lack of tolerance for non-liberal regimes”.<sup>8</sup> Transforming sovereignty into a function of a state’s human rights record in effect implies discrimination between states on the basis of their internal features. Concretely, such discrimination comes to expression in various ways. It is reflected in proposals that representation in the UN should be restricted to democratic states that respect human rights,<sup>9</sup> or that there should be established a coalition of democratic states that

can trump the UN Security Council with regard to authorization of preventive use of force.<sup>10</sup> It is also reflected in claims that regime change, or advancing justice in the basic structure of states, is a just cause for military intervention.<sup>11</sup>

In line with Jean Cohen, I consider this anti-statist trend among contemporary cosmopolitans to be “normatively flawed and politically dangerous”.<sup>12</sup> In practice, it risks becoming an imperial ideology of powerful states in need of an excuse for going to war and, more generally, seeking an exceptional status for themselves. According to Cohen, the mistake of the anti-statist cosmopolitans is that they seek cosmopolitan reforms without acknowledging the legitimacy of the sovereign state. They fall into a conceptual trap where sovereignty and human rights are construed as components of two mutually exclusive legal regimes.<sup>13</sup> With this, I agree. In the following, I will therefore suggest a way in which we can get around this trap.

## II

How is it possible to square human rights with state sovereignty? That is, how can the normative tenets of moral cosmopolitanism be reconciled with recognition of self-determination and non-intervention as fundamental principles of international law? An important first step, I believe, is to question what can be termed a distributive conception of justice implicit in, but not exclusive to, the anti-statist cosmopolitan view.<sup>14</sup> If I am not mistaken, it is precisely because they think of justice primarily in distributive terms that the anti-statist cosmopolitans cannot attribute more than an instrumental value to sovereignty.

Characteristic of distributive conceptions is that justice is defined in terms of fair allocation of certain “outputs”. Precisely what is regarded as relevant outputs does of course vary. For some, the output to be distributed is happiness. For some, it is benefits and burdens. Others again, consider rights belonging

intrinsically to every person *qua* human being to be the output that matters. As far as anti-statist cosmopolitans are concerned, the output is conceptualized as basic human rights grounded in human needs or interests. The idea seems to be that there are certain needs that must be fulfilled in order for any person to live a decent life. These needs are translated into the language of human rights in such a way that respect for these rights makes it possible to live a good life, whereas their violation makes it impossible.<sup>15</sup> Accordingly, requirements of justice are requirements referring to the conditions for living a decent life, as articulated by basic human rights, such as rights to life, security of the person, means of subsistence, freedom of movement and action, freedom of expression, freedom of association, religious freedom, etc. And whoever is committed to justice must seek to establish conditions that secure the non-violation of these rights.

This way of conceptualizing justice has impact on what role one ascribes to legal and political institutions, not least the institutions that make up a state. Insofar as one thinks of justice in terms of allocating morally desirable outputs, institutions can only serve as more or less useful means with which we approximate these outputs. Legal and political institutions are mechanisms or “tools for the indirect pursuit of something that can be fully specified without reference to them”.<sup>16</sup> The reason for establishing institutions exercising the powers of making, applying, and implementing laws is to make it more likely that the right results are realized, and the legitimacy of institutions depends on their effectiveness in this regard.

Such a view on institutions is easily traceable in the writings of the anti-statist cosmopolitans. It seems to be implied in the reduction of state sovereignty to an instrumental value, and is clearly expressed by Brian Barry: “the value of any political structure ... is entirely derivative from whatever it contributes to the advancement of human rights, human well-being, and

the like".<sup>17</sup> In a similar vein, Allan Buchanan emphasizes the "teleological" nature of moral reasoning about institutions. Even if it need not be guided by the goal of maximizing welfare or happiness, and even if all efforts at achieving morally worthy goals should be subject to deontological constraints, such reasoning is nevertheless fundamentally goal guided, in the sense that assessments of institutions takes the form of evaluating the institutions' effectiveness in achieving the pre-institutionally defined end they were made to achieve.<sup>18</sup>

There are at least three reasons why I think distributive conceptions of justice should be questioned. First, they tend to lose out of sight that justice is a concept that only applies to *relations* between persons. Whatever the requirements of justice are, they do not apply to persons living isolated from other persons. Yet this relational nature of justice is played down insofar as justice is conceptualized in distributive terms. If justice is understood primarily as a question regarding proper allocation of outputs, persons are first and foremost seen as *recipients* of justice. What persons have a right to is specified independently of their relations to other persons. Only in a second step do other people come into the picture as those against whom claims of justice can be raised. It therefore seems fair to say that distributive conceptions implicitly assume "a social atomism" where "individuals ... lie as nodes, points in the social field, among whom ... bundles of social goods are assigned".<sup>19</sup> This is to misrepresent what justice is really about.

The second reason we should question distributive conceptions of justice is that they blur important distinctions in a way that severs the link between demands for justice and actual injustice. A primary focus on outputs does not allow for distinguishing adequately between cases where people suffer as a result of natural events and cases where people suffer as a result of what other people do to them. Nor does it allow for

distinguishing adequately between cases of rights violations due to exploitation by other people and cases of rights violations implicating us. This is not to say that these distinctions cannot be recognized and assessed differently by adherents of a distributive conception. Yet inasmuch as justice is identified with a specific output it seems to follow that all of the cases raise justice-based demands on the 'supply-side'. Since what matters is the realization of a certain pattern of distribution, it is in each case a duty of justice to remedy the bad situation of those who suffer.<sup>20</sup> This is to confuse acts of solidarity with what we owe to others as a matter of justice.<sup>21</sup>

The third reason for questioning distributive conceptions of justice, at least in the specific form of ant-statist cosmopolitanism, is their insufficient attention to the issue of who can legitimately decide how abstract principles of justice should be specified, applied, and implemented in particular cases. Characteristic is a primary focus on what are appropriate principles of justice. What matters is that justice is done. The questions 'who is to determine what are justified claims?' and 'who is entitled to ensure that justice is done?' is either neglected or thought to rely on the extent to which the relevant agent meets objective standards of justice.<sup>22</sup> This is particularly unsatisfactory insofar as the demand for justice is linked to the use of coercive means, as in the case of military intervention. For the anti-statist cosmopolitan it becomes hard to identify any normatively significant difference between coercion by domestic political authorities and coercion by foreign governments.<sup>23</sup> Yet this is to ignore domestic context as the most important arena for specifying and concretizing what should count as each person's legitimate rights. With Raymond Geuss, one could describe distributive conceptions as "ethics first" approaches that "complete the work of ethics first, attaining an ideal theory of how we should act, and then in a second step ... apply that ideal theory to the action of political

agents".<sup>24</sup> This implies a problematic form of expert rule where political process and decision-making involving the rights holders themselves is replaced by normative reflection carried out by the moral philosopher.

### III

In view of the considerations brought forward above, it is worthwhile to consider whether there are better ways of conceptualizing justice. To my mind, a promising alternative is to think of justice in terms of what Kant calls a "right to freedom", defined as a right to independence from being subject to other people's arbitrary choices.<sup>25</sup> This idea squares well with the basic features of moral cosmopolitanism. It is individualistic in the sense that it recognizes individual human beings as ultimate units of concern. It is universalistic in the sense that the status of ultimate unit of concern attaches to every human being equally. And it is general in the sense that all persons are ultimate units of concern for everyone.

At the same time, conceptualizing justice in this way differs remarkably from conceptions articulating justice in terms of human rights protecting basic human needs. For one thing, it means holding the capacity for rational agency, and not human well-being, to be the ultimate ground for claims of justice. Although this does not rule out that public institutions should somehow be responsive to human needs, it implies that needs as such are insufficient for justifying claims against other persons. That someone is bad off is neither sufficient nor necessary for them being victims of injustice, and can therefore not give rise to duties of justice in other people. The normative baseline is that everyone should have the right to make choices of their own provided their exercise of this right does not encroach on anyone else's right to make free choices. Every claim of justice must somehow be founded in this right to equal freedom which

is an unconditional constraint on any effort at promoting other normatively valuable goals.

Moreover, the idea of equal freedom, as we find it in Kant, is not a distributive idea. It does not refer to the equal distribution of a pre-politically defined set of liberties or of an equal range of equivalent opportunities. Nor does it refer to freedom as one good among others that have to be promoted, possibly in competition with other goods, in order to secure human well-being. The idea is strictly relational, in the sense that it concerns the standing of persons vis-à-vis other persons. This standing should be one of mutual independence. Everyone should be free to decide for themselves what ends to pursue, and no one should be in position to impose their arbitrarily chosen ends on others. Justified restrictions on the right to pursue ends of one's own choice must be reciprocal and non-contingent. They must restrict everyone equally, and they must not merely represent the particular view of one person or group. Enabling relations of mutual independence is the rationale for establishing legal and political institutions, and the idea of such relations is the standard by which these institutions are assessed.

Since this conception of justice is relational from the outset, it avoids the social atomism of distributive approaches. Freedom is not a predicate that applies to persons considered individually. Rather than an output that can be specified without reference to one's relations to other people, it is a claim of each person against all other persons that they do not subject him or her to their arbitrary choice.

Importantly, the right to freedom is not only a principle for assessing the legitimacy of legal norms and institutions, but also an idea that requires a state authority. Understood as a system of reciprocal and non-arbitrary constraints, freedom is not possible to sustain in the absence of a public authority that organizes legislative, executive, and adjudicative public institutions. On this

conception, we can only interact in a fully rightful way in a civil condition, of which the state is constitutive. If one accepts that justice should be thought of in terms of a right to freedom, one should therefore reject the view that legal and political institutions are mere tools for promoting desirable outputs. They should rather be seen as constitutive of justice. For the same reason we should avoid thinking of state sovereignty as an instrumental value. If the state is a necessary condition for mutual independence, then recognizing the equal sovereignty of states is part and parcel of respecting each person's right to freedom.

#### IV

The reason why a coercive state authority is a necessary condition for interaction on just terms is that there are certain irresolvable problems of assurance and indeterminacy in a hypothetical state of nature. Although the problems are different, they refer to deficiencies that are parallel in their structure. In both cases the problem is that we unavoidably subject each other to arbitrary choice as long as there is not established a public institutional framework governing our interaction.<sup>26</sup>

The assurance problem is a problem regarding property right. In contrast to the right to freedom, which is innate, rights to property are acquired. Any legitimate legal system must permit such acquisition, because a general prohibition against it would be an arbitrary restriction of freedom.<sup>27</sup> Acquired rights must further be enforceable. Yet in a state of nature there is no one that can enforce these rights in a rightful way. Absent public authorities any coercive act is necessarily performed by a private agent, and such an agent cannot serve as a legitimate enforcer of justice. A private enforcer is what Kant calls a "unilateral will",<sup>28</sup> and is necessarily insufficient for establishing a system of reciprocal and non-arbitrary constraints. Rightful assurance is therefore not possible outside civil society.

The indeterminacy problem concerns how each person's sphere of freedom is to be demarcated from every other person's sphere of freedom. In part, this is a problem of specifying what abstract principles of justice prescribe generally. In part, it is a problem of applying general rules to particular cases. Since general rules and principles are always indeterminate, there can be a plurality of equally reasonable, yet incompatible interpretations of them. Although some cases are easy, many cases leave room for reasonable disagreement concerning the proper limits between mine and your freedom. As in the case of the assurance problem, the problem is that there is no rightful way in which we could resolve such disagreement in a state of nature, because any judgment about how to draw the distinction would be a private judgment. Whoever decides where the line should be drawn subjects others to one-sided restrictions, and this is incompatible with each person's right to freedom.

According to Kant, the only way to overcome the systematic dependencies that exist in a state of nature is to establish a state – that is, a public authority organizing legislative, executive, and adjudicative bodies. Inasmuch as one thinks that any justified restriction on freedom must be for the sake of freedom itself, I think one should agree with him on this point. The only way to create a system of reciprocal and non-arbitrary constraints is to create a public authority that represents the will of all citizens united. And if the state can reasonably be seen as the condition for possible realization of freedom, it seems mistaken to contrast human rights with state sovereignty, or to reduce sovereignty to an instrumental value. Sovereignty in the international realm should rather be seen as a correlate to each person's freedom as guaranteed by the state. To recognize the principle of non-intervention as a basic principle of international law is to approve of the state's role as an enabling condition for mutual independence among persons. By contrast, a right to military

intervention is the same as a right to jeopardize the freedom-enabling institutional framework of the state. It is a right to wage war, which in turn is to put the state sanctioned public order at risk. Hence, it is at odds with each person's right to freedom. Whoever is concerned with individual freedom should therefore be equally concerned with state sovereignty.

On Kant's view, the ideal constitution for the state authority constitutive of civil society is the republican constitution that binds executive power to the legislative will of the people. Yet there is nothing in the argument that I have put forward that makes a perfect republican constitution a criterion for recognizing the sovereignty of a state. The claim is that states are institutional frameworks that *enable* freedom, not that they guarantee the equal freedom of citizens as a matter of fact. *Qua* enabling frameworks they are structures where freedom can (but need not) take on concrete shape. Freedom is not a gift or something that can be imposed on a people from the outside, but a common practice, something which co-citizens must continuously strive for themselves. Such common practice further needs an arena where reciprocal ascription of rights can take place. States are such arenas. And these arenas, even when they are less than perfect, should be protected by the principle of non-intervention. Only to the extent that states are recognized as entities with legitimate claims to independence from foreign interference can there be talk of politically autonomous learning-processes toward what Kant calls a republican constitution. As Michael Walzer has put it, "the recognition of sovereignty is the only way we have of establishing an arena within which freedom can be fought for and (sometimes) won".<sup>29</sup> There is in other words no direct relation between the domestic and the international standing of states, which is to say that sovereignty cannot be graded in accordance with the internal features of a state.<sup>30</sup>

## NOTES

- <sup>1</sup> Moral cosmopolitanism is commonly distinguished from institutional or legal cosmopolitanism. To my knowledge, the distinction is due to Beitz 1994, who distinguishes between institutional and moral cosmopolitanism. Pogge 2002 speaks of legal rather than institutional cosmopolitanism in order to draw a further distinction between interactional and institutional *moral* cosmopolitanism.
- <sup>2</sup> Pogge 2002, p. 169. See also Barry 1999, pp. 35 f.
- <sup>3</sup> Buchanan 2004, p. 81. See also Caney 2005, pp. 265 ff.
- <sup>4</sup> Beitz 1999, pp. 69 and 83, and Tesón 1997, p. 40.
- <sup>5</sup> Beitz 1999, p. 191.
- <sup>6</sup> Tesón 1997, p. 40.
- <sup>7</sup> Beitz 1999, p. 104.
- <sup>8</sup> Simpson 2001, p. 539.
- <sup>9</sup> Tesón 1997, p. 25.
- <sup>10</sup> Buchanan and Keohane 2005, pp. 274 ff.
- <sup>11</sup> Moellendorf 2002, pp. 104, 118, and 159 f.; Tesón 2005.
- <sup>12</sup> Cohen 2006, p. 486.
- <sup>13</sup> *Ibid.*, p. 497.
- <sup>14</sup> Young 1990, p. 16 ff., criticizes current philosophical discourse on justice for being dominated by a “distributive paradigm” that “defines social justice as the morally proper distribution of social benefits and burdens among society’s members.”
- <sup>15</sup> Buchanan 2004, pp. 128 ff., Tesón 1997, pp. 4 f., and Caney 2005, pp. 72 ff.
- <sup>16</sup> Ripstein 2009, p. 9.
- <sup>17</sup> Barry 1999, p. 37.
- <sup>18</sup> Buchanan 2004, pp. 74 f.
- <sup>19</sup> Young 1990, p. 18.
- <sup>20</sup> Buchanan 2004, pp. 86 ff. argues that we have a “Natural Duty of Justice” to ensure that the basic rights of all other persons are protected irrespective of how we are related to them.
- <sup>21</sup> Cf. Forst 2011, p. 2.
- <sup>22</sup> The latter part of this disjunction is supposed to cover the view defended by Buchanan 2004, pp. 233 ff.
- <sup>23</sup> Beitz 1999, pp. 80 and 87.
- <sup>24</sup> Geuss 2008, p. 8.
- <sup>25</sup> Kant 1996, p. 393.
- <sup>26</sup> The next two paragraphs are highly condensed versions of accounts found in Hodgson 2010, Ripstein 2009, pp. 145-181, and Varden 2008.
- <sup>27</sup> See Ludwig 2002, p. 175 f. and Hodgson 2010, pp. 58 ff.
- <sup>28</sup> Kant 1996, p. 409.
- <sup>29</sup> Walzer 1977, p. 89.
- <sup>30</sup> On this point I fully agree with Walzer 1980, p. 212.

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# NEW READING OF IMMANUEL KANT'S PHILOSOPHY OF LAW: THE IDEA OF COSMOPOLITAN DEMOCRACY

Andrej MITIC\*

## Introduction

The idea of cosmopolitan democracy enters the social sciences scene at the end of the 20<sup>th</sup> century, when various “theories of present”, such as reflexive modernity, second modernity, global age, late capitalism, network society and world risk society were introduced to explain civilizational moment in which the world found itself.<sup>1</sup> It aims to be a representative expression, theoretical-political and legitimational formula of the new, post-cold war era, the era of tectonic shifts in social, political, scientific, and wider civilizational paradigms.

Trying to bridge the gap between *modern* values (whose antitraditional, enlightened system of identities introduced state, nation, secularity and the equality of citizens instead that of empire, ethnos, religion and hierarchy), and *postmodern* values which offered the pluralization of identities in the

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context of globalization and the “dissolution” of concepts such as state and nation in the light of the possibilities of new “postmodern Empires” and cosmopolitan citizenship – the idea of cosmopolitan democracy is a descriptive and prescriptive project at the same time.

Balancing between the universalism of the modern era and tempting postmodern inclination to discredit it, the idea of cosmopolitan democracy is a theoretical and symbolical expression of this quest, which fixes the transitional point of the world which is “out of joint”. By revalorizing long historical tradition of cosmopolitanism, its antique cynical and stoical impulses and modern enlightened ethos, it tries to present it as the new *Zeitgeist*, still searching for an adequate law, political and institutional form.

Theory of cosmopolitan democracy belongs to a new, broad political and intellectual interdisciplinary movement, with a distinctive research agenda-labelled “New Cosmopolitanism”.<sup>2</sup> Since the fall of the Berlin’s wall, “New Cosmopolitanism” has grown into a recognizable school of thought, which operates in a new “cosmopolitan paradigm” of the social sciences. As Robert Fine competently put it, “Its critical function is to emancipate social science from its bounded national presuppositions and construct new analytical concepts appropriate to globalizing times”.<sup>3</sup>

Mapping the theory of cosmopolitan democracy inside this scientific complex, leads us to its genus of *political cosmopolitanism*, the species of *institutional cosmopolitanism* as more exact differentia specifica.

Institutional design of the new *cosmopolitical* order is its first and utmost scientific and political goal. But, the institutional model of cosmopolitan democracy cannot be understood without pointing to the other-fundamental philosophical and scientific levels on which it stands. As a political theory it

functions not only on its empirical-analytical (descriptive) level, but on the normative-value (prescriptive) level as well. Entering the field of cosmopolitan *political philosophy*, it works on the revival of ideas of universal history, perpetual peace and cosmopolitan justice, which were essentially conceptualized by Immanuel Kant.<sup>4</sup>

Immanuel Kant's "Janus-like" conception of cosmopolitan order which was theoretically defined in twelve years period before and after the French bourgeois revolution (1785-1797), is exposed to permanent hermeneutic efforts and open to wide interpretative variations. Being influenced by two grand theoritacal traditions, that of natural law and *ius gentium* on the one side, and the "eternal peace" projects on the other, Kant was trying to find a theoretical passage between them, and establish his own original position in this great debate of the epoch.

Political theory of cosmopolitan democracy represents contemporary reception of Immanuel Kant's law and political philosophy. Original cosmopolitan conceptual core being of classical Greek or Roman, modern-Kantian, or contemporary provenance, is ethical. Standing especially on Kantian ethical fundament, theory of cosmopolitan democracy tries to re-contextualize it, facing new "cosmopolitan circumstances" of the "global age". In trying to "iron the inconsistencies"<sup>5</sup> in his law and political theory by a "structural adjustment" of the key elements of Kant's project of "Eternal Peace" to the new global circumstances, this theory transcends Kant's model of cosmopolitan order, and pleads for a global order with world-statelike performances.

Key steps in this direction are made by extending Kant's idea of cosmopolitan law to the level of cosmopoliatan *democratic* law, then, by transforming classic-Westphalian into *post-Westphalian* or *cosmopolitan* sovereignty, and finally by

projecting a cosmopolitan political order which would make of confederal *phoedus pacificum* a more centralized, semifederal global institutional arrangement.

By pushing all key points of Kant's vision of the cosmopolitan order further, theory of cosmopolitan democracy leaves his theoretical frame, and enters essentially *antikantian* value-field. Firstly, this is evident in constructing a supranational institutional building-level of governance which Kant tried to avoid being afraid of its despotic implications, and secondly in "applying" the cosmopolitan democratic law, by legitimizing "humanitarian military interventions" as a method of resolving conflicts. This thinking with "Kant against Kant".<sup>6</sup> effort to establish a "benevolent global Leviathan" twists Kant's primal intention, and becomes deformed cosmopolitanism, exposed to criticism from various theoretical and ideological points of view.

### **The idea of cosmopolitan (democratic) law**

The idea of cosmopolitan (democratic) law is the normative-value core of the theory of cosmopolitan democracy. As a theoretical update of Kant's law-political cosmopolitanism it searches to implement his cosmopolitan project into conditions shaped by globalization process. The concrete idea of "cosmopolitan law" which is in this context being functionalized is Kant's original "conceptual innovation".<sup>7</sup> Extrapolation of its very narrow content is still hermeneutically attractive.

*Cosmopolitan law* is the third part of Immanuel Kant's tripartite system of *public right*, which includes *domestic law* and *international law*. These three types of laws are designed to map possible relations between states and citizens.<sup>8</sup> Domestic law regulates legal relations between states and their citizens; international law treats relation between states; and

cosmopolitan law is directed towards relation between states and the citizens of other states and to the inhabitants of non-state communities as well.<sup>9</sup> These relations constitute key features of the definite articles of Kant's project of *Perpetual Peace*.

Although there is ongoing debate on the logical extent of Kant's cosmopolitan law, what is broadly accepted, is that Kant "sought to create a level of cosmopolitan law that would obligate both states and individuals to the hospitable treatment of all human beings regardless of their citizenship or national origin".<sup>10</sup>

In the third article it is said that cosmopolitan right should be limited to "conditions of universal hospitality".<sup>11</sup> And "hospitality" means "the right of a stranger not to be treated with hostility when he arrives on someone else's territory".<sup>12</sup>

The normativity of cosmopolitan law, its desirability and inevitability stems, in Kant's view, from pure empirical fact that the world is not an infinite plane, but a sphere where every individual should occupy its own place tolerating one another at the same time. To this natural fact Kant adds a specific "law quality",<sup>13</sup> that this physically closed space must be "closed" by a lawful condition too, one which would assure humans coexistence. As Kant proclaimed:

The peoples of the earth have thus entered in various degrees into a universal community and it has developed to the point where a violation of rights in *one* part of the world is felt *everywhere*.

Regarding Kant's intention, the concept of cosmopolitan law stipulates practical standards of hospitality which refer to all individuals without difference. That means that states cannot treat strangers only in their own interest, but always have to have in mind the interest of humanity as a whole. Thus, cosmopolitan law would admit lawful status to every individual,

at least regarding one question-hospitality. What is important to emphasize here is that cosmopolitan law is *not* meant to erase the distinction between citizens and not citizens that follows from the existence of states.<sup>14</sup>

This means that Kant doesn't abandon the idea of "westphalian" state sovereignty, but it is somehow questioned, since individuals become *subjects of law* outside their own domestic law order.

In spite of this, Kant does not make a step towards supranational institution building which would directly sanction breakings of cosmopolitan law. Consequently, this means that, although his idea of cosmopolitan law is imagined as *juridical* concept, it stays in the sphere of morals, "public use of reason", "dictate of reason" to function as moral and practical task for humanity which should be closing to the "eternal peace". Supposed status of "world citizenship" is a call, directed to all individuals to use their reason, and notice every breaking of cosmopolitan law. This "duty" belongs mostly to the philosophers, which have to become true "guardians" of the cosmopolitan law.

One of the main proponents of cosmopolitan democracy, David Held, makes an "extension" of Kant's argumentation on cosmopolitan law, broadens its content and seeks for a new frame of its realization.

Although he finds Kant's arguments in favour of "universal hospitality" very important, he finds them not adequate in specifying conditions for the "cosmopolitan society" today. Held is critical on Kant's conception of cosmopolitan law on these grounds. As he puts it, "formal commitments to allow each person to become part of a cosmopolitan society take no account of the complexity of power, power relations and inequality which turn 'the free realm of reason' all too often

into a market –driven sphere marked by massive inequalities of access, distribution and outcome”.<sup>15</sup>

In Held’s perception cosmopolitan law ought to be rethought as cosmopolitan *democratic* law, if freedom and autonomy are to be guaranteed for all. Centres of power could be local, national, but transnational and global too, and that is the reason why domestic democratic law is not sufficient anymore. Cosmopolitan democratic law is needed as a kind of democratic public law entrenched inside the states but between them too. In his perception Kant’s conception of cosmopolitan law is not sufficient since “participants in a cosmopolitan society of reason can find themselves entering a world of discourse often shaped by sectional interests, private priorities or particular substantive commitments”<sup>16</sup>, and finds Kantian conception “too weak to underpin the free movement of people and ideas”.<sup>17</sup>

In Held’s vision *cosmopolitan democratic law* represents the conditions of “universal hospitality” in contemporary globalized world. Thus, “hospitality” has to take into account “community of fate” at the global level which finds itself in the net of technological, economic, political, ecological and other interactions caused by globalization processes.

It urges Held to make a decisive, “qualitative” step from Kant’s delicate projection of cosmopolitan order, a step towards institutional capacities which would be “guardians” of cosmopolitan law today, and which would be a model of transposing Kant’s concept of cosmopolitan law from the sphere of morals, conscience and philosophical concern of “public use of reason” into the sphere of law and “global politics” by supranational institutionalization.

Held proposes a gradual evolutive agenda which would lead to a cosmopolitan polity to cover the globe. This agenda includes as its starting point reform of the UN

system, establishment of a Global Parliament and globally interconnected legal system; then, a “Boundary Court” for local, national, regional and cosmopolitan disputes of jurisdiction, and what is most important in our perception-an effective military force that would diminish reliance on national military power.<sup>18</sup> Cosmopolitan democratic law is meant to “hold the system together”, provide a “common structure of action”, protect peoples’s rights and secure possibility for democratic participation at a various levels.<sup>19</sup>

Constantly refusing to name this law and and political global frame as “world state”, cosmopolitan democracy model goes far beyond Kant would advocate, since national states would be *legally* subordinate to cosmopolitan democratic law.<sup>20</sup> Even more, in cosmopolitan polity sovereign nation-state ‘would in due cours “wither away”’.<sup>21</sup>

Thus, such a cosmopolitan democratic political community in Held’s vision rests on the idea of *cosmopolitan sovereignty*, and these themes we will try to reconstruct in the next part, although their full presentation goes far beyond frame of this article and capacity of this author.

### **Cosmopolitan sovereignty and the cosmopolitan democratic political community**

The idea of cosmopolitan sovereignty in the theory of cosmopolitan democracy functions on the descriptive and prescriptive level at the same time, gaining both empirical and normative status.

Empirical-analytical level of the theory of cosmopolitan democracy conceptualizes “global transition” in which world finds itself thanks to transformative potential of globalization processes. Descriptive insights in the nature of globalization and its impact on the reconfiguration of the structure of international order, and reshaping the power of the “Westphalian state”

caught in the net of the world interconnectedness, as well, sheds new light on the paradoxes and challenges confronting state sovereignty today, demanding its “structural adjustment” to the new “global” circumstances.

Taking globalization as *given*, postmodern “*fatum*”, objective process – which could be more or less directed or “tamed”, but which cannot be ignored or stopped, represents the key empirical presumption on which whole normative-institutional structure of cosmopolitan democracy is built.

Theory of cosmopolitan democracy belongs to the new scientific wave that tries to make traditional (“Westphalian”) concept of state sovereignty less “dogmatic”, and to adapt it to the new “cosmopolitan circumstances”.<sup>22</sup> In this optic, state sovereignty is historical phenomenon, which can and should change its content contextually. Since the nascent context of national state has changed, it should be followed by the shift in understanding of the concept of sovereignty today.

In order to make the idea of cosmopolitan sovereignty more understandable, we will try to reconstruct key steps in the argumentation on the empirical-analytical level of cosmopolitan democracy theory.

New, “cosmopolitan” sovereignty appears in the circumstances of “global politics”.<sup>23</sup> The idea of global politics is one that “challenges the traditional distinctions between the domestic and the international, the territorial, and the non-territorial, and the inside and the outside, as embedded in conventional conceptions of “the political”.<sup>24</sup> These circumstances are directing towards some form of “inner world politics”.<sup>25</sup> This is the moment of making post-Westphalian sovereignty possible, the conditioned, “fluid” sovereignty, which demand redefinition of state functions in these new cosmopolitan atmosphere.

Tectonic shifts made by globalization bring in new actors in global political arena. So, even if national states *de iure* stay as subjects of international law, *de facto* regulation on global level today includes new supranational and subnational organizations, global market sector and transnational civil society, which reshape and diminish the capacity of national state to reproduce its traditional functions.<sup>26</sup>

What authors of cosmopolitan democracy are trying to say is that we are moving from the point in international system where national states were epicenters of power to the global system where state power is disaggregated through the multilayered, multidimensional and multi-actor system called “global governance”.<sup>27</sup> States are becoming “too small for resolving big problems, and too big for resolving small problems”, so to speak.

The analytical concept of “global governance” pictures a system in which national states maintain important – but not so dominant – “Westphalian” role in the world system. Being far more “pooled”, state sovereignty in cosmopolitan vision is much more a “bargaining chip”, compelled to transfer its competencies upwards and downwards in order to gain the capacity for solving collective problems and to legitimize the order inside the state. In that manner, the modern state as we know it starts to lose its essence, becoming in higher degree “globalized” or “disaggregated”.<sup>28</sup>

What should be emphasized at this point is, that theory of cosmopolitan democracy, starting from the description of this empirical “cosmopolitan sovereignty” infers its *normative* status, as a goal to which new cosmo-political order should be directed. Cosmopolitan democracy model aspires to restructure global order by redefining the concept of sovereignty along the lines of cosmopolitan (democratic) law.

These principles are for an era in which political communities and states still matter, “but not only and exclusively” regarding to Held.<sup>29</sup> In this paradigm,

sovereignty can be stripped away from the idea of fixed borders and territories and thought of as, in principle, an attribute of basic cosmopolitan democratic law which can be drawn upon and enacted in diverse realms, from local associations and cities to states and wider global networks.

Cosmopolitan law demands the subordination of regional, national and local ‘sovereignities’ to an overarching legal framework,

but within this framework associations may be self-governing at diverse levels.<sup>30</sup>

Held *explicitly* asserts that in this conception, the nation state ‘whithers away’ and that it should be articulated and relocated within “an overarching cosmopolitan framework”.<sup>31</sup>

It is a type of sovereignty that is conditioned and limited by “responsibility” towards citizens, which means that it cannot longer be understood in the terms of unlimited state power. Since political power and authority are being “dispersed”<sup>32</sup> above, below and alongside the nation-state, legal and institutional instruments are needed to reflect this transformative shifts. Held points out that this process had already begun by human rights regime, diverse agreements of the arms control system, environmental regimes and plethora of legal instruments of the EU.<sup>33</sup>

Kant’s delicate theoretical position seeks its way inbetween absolute nation-state sovereignty and “world state” projection. It is law and political space which Kant wants to fulfill with an alternative cosmopolitan order which implies lawful relations

between states. This means, which would impose limits on the will of the “Westphalian” state, and which would not fall at the same time into the “souless despotism” of the world state. Oscillating between these two poles, Kant enters into an (impossible?) mission of realizing freedom limited by law.

Kant was highly critical of Westphalian model of sovereignty, since in his perception it only sought to justify and regulate the rules of warfare, and provided nothing to help to eliminate war as such.<sup>34</sup> Idea which opposes all wars, includes establishing a lawful *federation of states* anchored to perpetual peace by a commitment to universal law and the acknowledgment of public right to external freedom and universal coexistence.<sup>35</sup>

A terminological and conceptual clearing is need to be done here. Although Kant uses the term “federation”, what he has in mind, today would correspond more to the content of the concept of “confederation”, since community which he had in mind could be broke up “any time”. Thus, Kant’s cosmo-political order is the one that occupies the space between the Westphalian and the world state, space of confederal responsibility of states which are opposed to war and directed towards “eternal peace”.

Political community of cosmopolitan democracy tries to build on Kant’s fundament, but it “transcends” Kant’s concept of cosmopolitan order, seeking for a model that would be somewhere in between federal principle of the world state and a loose confederal principle without law obligations for the state members. That is the order, that would be more centralized than confederal, but not as centralized as federal one.<sup>36</sup> This model of cosmopolitan order could be find in transitional experiences of confederations which were moving towards federal models of governance.<sup>37</sup> In the cosmopolitan democracy model, this kind of community should not be just a temporary step towards federation, but it wants to make stable this transitional point from confederation to federation, and make it permanent.

As Mary Kaldor sees it, it would be

a layer of governance that constitutes limitation on the sovereignty of states and yet does not itself constitute a state. In other words, a cosmopolitan institution would coexist with a system of states but would override states in clearly defined spheres of activity.<sup>38</sup>

Despite cosmopolitan discourse which is built on “progressive” enlightenment ethos and Kantian idea of “eternal peace”, cosmopolitan polity is getting the contours of “world(like) state”. The method of resolving conflicts is of utmost importance, the point in which cosmopolitan polity shows its nature.

Since conflicts are even in this system unavoidable, cosmopolitans try to change the way of its interpretation. That means leaving behind the whole Westphalian “baggage” of international law and interpreting historical events in new cosmopolitan paradigm of “world inner politics”. Post-cold war epoch opened the era of proliferation of so called “humanitarian military interventions” filled with cosmopolitan pathos. Law, political and philosophical aspects of the “humanitarian military interventions” are cosmopolitan theme *par excellence*.

“The case” of Serbia is more than “interesting” in this context. In cosmopolitan perception, NATO aggression, so called “intervention”, in Federal Republic of Yugoslavia in 1999, by exceptional theoretical “looping”, represents symbolical “constitutional moment”,<sup>39</sup> of the newly imposed cosmopolitan order, time and place where international law became “cosmopolitan law.” Setting this cosmopolitan “ethics” above the international law has devastating effects not only on the idea of “eternal peace”, but on the very fragile peace that entered the world after the World War II.

Leaving Kant's deontological ethics cosmopolitan democrats are prone not to examine motives of the most powerful states, unless "humanitarian military interventions" demonstrate certain "cosmopolitan consequences". Thus, initial Kant's ethical cosmopolitan impulse is transformed into something very contrary to it-ethical consequentialism, which Kant actually despised. Proposing certain rules of the interventions could have palliative effect, but it cannot annulate this essential danger of making "war against war". The state of Serbia is first symbolic and material victim of this deformed cosmopolitanism.

## **Conclusion**

The most obvious distancing from Kant which can be seen in cosmopolitan democracy theory is very concrete effort on building supranational global level of governance. Kant left this institutional vacuum deliberately in his law-political conception of cosmopolitanism, being afraid of the world state scenario, foreseeing its despotic implications. Cosmopolitan democrats offer an idea of "benevolent Leviathan" with global *ius vitae ac necis*, keeping his strength chained with transnational net of cooperation. Ruining pacifistic pillars of Kant's cosmopolitan theory, leaving its antimilitaristic orientation, paradoxically entrance into "eternal peace" is trying to be made contrary to Kant's primal intention-through wars "in the name of humanity". This ideological level is probably the most problematic and less attractive part of this theory.

The idea of cosmopolitan democracy is "at its best" when it stands on the empirical-analytical level, and solid even in its normative-value level, but bridging the gap between present and future state was not made plausible in the cosmopolitan democracy governance model.

The problem with this revelation of cosmopolitan "conscience" is that cosmopolitanism has been shaped in

kantian, pacifistic, anti-militaristic tradition, in avoiding war as a method for resolving conflicts. Thinking about cosmopolitan democracy, we have to think twice about Carl Schmit's warning that "whoever invokes humanity wants to cheat"<sup>40</sup>, and we must not forget N.Trubetskoy's deep insight that chauvinism and cosmopolitanism, are "two levels, two aspects of the same phenomenon".<sup>41</sup> Unfortunately, "the withering of state" in cosmopolitan operationalization becomes much more "the withering of nations"-especially those that don't follow eurocentric matrix of history.

## NOTES

- <sup>1</sup> Chris Rumford, "Introduction:Cosmopolitanism and Europe", in: Chris Rumford (ed.), *Cosmopolitanism and Europe*, Liverpool University Press, Liverpool, 2007, pp.1-2.
- <sup>2</sup> Robert Fine, *Cosmopolitanism*, Routledge, London and New York, 2007, p. 1.
- <sup>3</sup> *Ibid.*, p. 6.
- <sup>4</sup> *Ibid.*, p. 4.
- <sup>5</sup> *Ibid.*, p. 6.
- <sup>6</sup> Our work operates in the theoretical frame installed by the authors which belong to the "cosmopolitan wave" in social sciences, such as: David Held, Danielle Archibugi, Andrew Linklater, Ulrich Beck, etc.
- <sup>7</sup> Daniele Archibugi, *Immanuel Kant, Cosmopolitan Law and Peace*, European Journal of International Relations, SAGE, London, Thousand Oakes, CA and New Delhi, Vol. 1(4),p. 429.
- <sup>8</sup> Pavlos Eleftheriadis, *Cosmopolitan Law*, European Law Journal, Vol.9, No.2, April 2003, Blackwell Publishing Ltd, Oxford, 2003, p. 245.
- <sup>9</sup> As "citizens of the world" these people from non-state communities had no civic status in the modern sense, and cosmopolitan law in Kant's perception should include them in lawful order and finnish iuridization of their status.
- <sup>10</sup> G.W.Brown, *State Sovereignty, Federation and Kantian Cosmopolitanism*, European Journal of International Relation, SAGE Publications and ECPR-European Consortium for Political Research, Vol. 11(4), p.510.
- <sup>11</sup> Pavlos Eleftheriadis, *op.cit.*, p. 244.
- <sup>12</sup> Immanuel Kant , "Perpetual Peace: A Philosophical Sketch", in H.Reiss(ed.), *Kant's Political Writings*, Cambridge University Press, Cambridge, 1970, p. 105.
- <sup>13</sup> Danilo Basta, *Vecni mir i carstvo slobode*, Plato, Beograd, 2001, p. 97.
- <sup>14</sup> Pavlos Eleftheriadis, p. 245.
- <sup>15</sup> David Held, "Cosmopolitanism: Ideas, Realities and Deficits", in: *Governing Globalization*, David Held and Anthony McGrew (eds.), Polity, Cambridge, 2002, p. 314.
- <sup>16</sup> *Ibid.*
- <sup>17</sup> *Ibid.* 315.
- <sup>18</sup> David Held, *Democracy and the Global Order: From the Modern State to Cosmopolitan Governance*, Polity Press, Cambridge, 1995, p. 279.
- <sup>19</sup> Adam Lupel, *Tasks of a Global Civil Society: Held, Habermas and Democratic Legitimacy beyond the Nation-State*, Globalizations, Vol.2, No.1, May 2005, p. 119.

- 20 Antonio Franceschet, *Popular Sovereignty or Cosmopolitan Democracy: Liberalism, Kant and International Reform*, European Journal of International Relations, SAGE Publications, London, Thousand Oaks, CA and New Delhi, Vol. 6(2), 2000, p. 292.
- 21 David Held, *Democracy and the Global Order: From the Modern State to Cosmopolitan Governance*, p. 233.
- 22 Complete argumentation can be found in: David Held, "Law of States, Law of Peoples: Three Models of Sovereignty", *Legal Theory*, 8, 2, 2002, pp. 1-44.
- 23 David Held, *Global Covenant*, Polity Press, Cambridge, 2004, p. 74.
- 24 David Held et al., *Global Transformations: Politics, Economics and Culture*, Polity, Cambridge, chs.1, 2 and 8, 1999.
- 25 Jürgen Habermas, *Postnacionalna konstelacija*, Otkrovenje, Beograd, 2002, p. 93.
- 26 J. Baylis and S. Smith (eds.), *The Globalization of World Politics*, Oxford University Press, Oxford, 2001, pp. 24-27.
- 27 David Held, *Global Covenant*, p. 79.
- 28 *Ibid.* p. 75.
- 29 David Held, *Global Covenant*, p. 178.
- 30 David Held, *Democracy and the Global Order: From the Modern State to Cosmopolitan Governance*, p. 234.
- 31 David Held, "Law of States, Law of Peoples: Three Models of Sovereignty".
- 32 Thomas Pogge, "Cosmopolitanism and Sovereignty", *Ethics*, 103, (October), 1992.
- 33 David Held, "Law of States Law of Peoples: Three Models Of Sovereignty", p. 22.
- 34 G.W. Brown, *op.cit.*, p. 498.
- 35 *Ibid.*
- 36 David Held, *Demokratija i globalni poredak*, Filip Visnjic, Beograd 1997, p. 267.
- 37 Daniele Archibugi, *The Global Commonwealth of Citizens*, Princeton University Press, Princeton and Oxford, 2008, p. 110 Political community which, in the eyes of the theorists of cosmopolitan democracy, is moving in this "middle" way is European Union.
- 38 Mary Kaldor, *New and Old Wars: Organized Violence in a Global Era*, Polity, Cambridge, 1999, p. 216.
- 39 Jean L. Cohen, "Whose Sovereignty? Empire Versus International Law", *Ethics & International Affairs*, 18, no. 3, 2004, p. 8.
- 40 Carl Schmitt, *The Concept of the Political*, University of Chicago Press, Chicago, 1996.
- 41 N. Trubeckoj, *Evropa i covecanstvo*, Logos, Beograd, 2004.

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# COSMOPOLITANISM AS A PARADIGM IN CONTEMPORARY POLITICAL THEORY

Ciprian NIȚU\*

## Introduction

Contemporary cosmopolitanism in political theory subscribes a series of themes and perspectives, problems and advanced solutions to these problems, concepts and theories. A short review of contemporary cosmopolitanism in political theory reveals a great diversity behind one single concept, that of “cosmopolitanism”. Thomas Pogge, for example, distinguishes between the following types of cosmopolitanism: **legal cosmopolitanism** (which supports the idea of a political society that is opened to all human beings), **social justice cosmopolitanism** (which considers that the global institutional structure has to be so projected that all peoples enjoy equal liberties and opportunities, and social and economic inequalities at global level can be justified only if they optimize the situation of the poor), **monist cosmopolitanism** (which considers, on the other hand, that projecting just global institutions is not enough and that global justice needs coordination of all human agents in all areas of human activity from culture and private association to political organizations), and, finally,

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**ethical cosmopolitanism** (which highlights the duty of impartiality towards all human beings regardless their degree of “closeness” or “familiarity”).<sup>1</sup> This “cosmopolitan diversity” can be further extended if we take into account, for example, the several variants of global justice cosmopolitanism that Gillian Brock identifies, each being based on a distinct theoretical perspective: utilitarian, human rights, Kantian or contractualist.<sup>2</sup>

Such a state of affairs raises the following question: is there something common in all this diversity or the term “cosmopolitanism” is used in different cases to signify different things? For somebody familiar with the contemporary literature on cosmopolitanism in political theory the adequate answer will probably be: there should be definitely something common to all perspectives which call themselves “cosmopolitan”. So appears the task to explain in a quite unitary manner this heterogenic field of academic interest.

My hypothesis is that contemporary political cosmopolitanism can be described as a “paradigm.”<sup>3</sup> “Paradigm” is the concept that brings together all varieties of cosmopolitanism and gives unity in the field. This hypothesis raises, however, further particular tasks. Firstly, to answer the question “is cosmopolitanism a paradigm in political theory?” it is necessary to see which the content of a paradigm in political theory would be. Secondly, supposing it is possible to offer a comprehensive description of paradigms in political theory, the question arises whether cosmopolitanism is a fully developed paradigm which has all the operationalised elements of a paradigm, or not?

In order to validate my hypothesis I will try to answer these two questions first.

### **Why “paradigm”?**

Why the option for the concept of “paradigm” and not for another one, such as perspective, school of thought, traditions,

theory, ideology, etc? My assumption is that the concept of “paradigm” can be operationalized more profitably than the concepts listed above, and thus it allows the analysis of cosmopolitanism following the main elements of a paradigm as they are operationalized below. Furthermore, cosmopolitanism reflects a complex phenomenon that will be better accounted for by the concept of “paradigm” than other concepts. The concepts of “perspective” or “point of view” are inadequate for describing cosmopolitanism. “Perspective” refers to the context that determines the beliefs and experience of a particular theorist. This context may change and so do the beliefs and experience of that researcher. “Paradigm”, on the other hand, suggests a greater stability that fits better for cosmopolitanism as conceptual and theoretical complex. Next, the concept of “school of thought” refers to a group of thinkers that have common characteristics, whereas “cosmopolitanism” comprises theorists with quite different theoretical background. Afterwards, the term “research tradition” is quite attractive but I left it aside in favor of “paradigm” mainly because the latter concept, as we shall see, has a critical component that is not very well highlighted by the former one. Finally, the terms “theory” or “ideology”, as long as they apply to cosmopolitanism, reflect only a part of the elements constitutive of cosmopolitanism.

### **“Paradigm”, political theory, and cosmopolitanism**

A paradigm is a remarkable theoretical achievement, a complex of conceptual, theoretical and methodological elements that permits varied particular research.

Even if some authors are skeptical about the existence of paradigms in other areas of research than natural science,<sup>4</sup> I will contrary consider that the concept of “paradigm” may be useful in political theory but it needs to be properly conceptualised and operationalised in order to be relevant in this field.

Conceptualisation is required firstly because paradigms, as long as we agree that there are paradigms in political theory, cannot be of the kind of paradigms in natural sciences, where they are “hegemonic”, *i.e.* they compete with each other and as a result of such competition an old paradigm will be defeated and a new one will replace the former. Political theory is “multi-paradigmatic”<sup>5</sup>, *i.e.* the paradigms in political theory coexist and tolerate each other. Furthermore, old traditions can be reactivated when social and political reality makes this necessary or useful.<sup>6</sup> Secondly, conceptualisation is necessary because, in political sciences in general and in political theory in particular, paradigm does not offer a model for resolving “puzzle problems” or “problems that have standard solutions”: some problems in political theory are problems very likely to not have solutions, as in the case of global justice or lasting peace.

Operationalisation is necessary in order to identify and analyze those constitutive elements of a paradigm that will eventually allow us to consider cosmopolitanism to be a paradigm. Two aspects of a paradigm are essential: the communitarian aspect, *i.e.* the group of researchers that share a paradigm, and the “cognitive” aspect. An integrated community of researchers appears if there is a consensus on the relevant objects of investigations, the methods used, and the concepts and theories developed. So, I will concentrate mainly on this “cognitive” aspect of a paradigm. The cognitive aspect of a paradigm refers to three elements situated at different levels:

1. At the most abstract level, a paradigm consists of “fundamental presuppositions” (implicit philosophy and the principles that guide all the research activity).
2. At a less abstract level, paradigm refers to “disciplinary matrix” (symbolic generalizations such as ideas, concepts, hypotheses, definitions, theories, causal relations etc.)

3. In the most concrete sense, paradigm represents something “exemplar” (it can be equated with the concrete example, it proposes solutions to specific problems, it shows “how things have to be done”).

Thus, I am going to concentrate on these operationalised elements that allow the analysis of a paradigm on three distinct levels and test the following additional hypothesis.

At a first level, identifying the common fundamental presuppositions of various theories that call themselves cosmopolitan is a first element that will allow us to speak about a distinct “cosmopolitan paradigm” in political theory. Fundamental presuppositions are essential in describing competing paradigms and are rooted in philosophical theories on the object of study. A first hypothesis is that cosmopolitanism, at a fundamental level, is a distinct moral-political philosophy that makes possible the adoption of distinct principles (moral and political).

At a second level, we have an ensemble of questions, hypotheses, concepts, theories and methods which form the “disciplinary matrix” of a paradigm. For being able to speak about the “cosmopolitan paradigm” is necessary to identify the new concepts (or the new meanings of some old concepts), the network of variables, the hypotheses and the theories that paradigm makes possible, as well as the possibility to undertake orderly and specific research within the paradigm. Several hypotheses can be formulated: cosmopolitanism aims at reconstruction of fundamental concepts in political theory; cosmopolitanism issues new hypotheses and theories on governance and justice; methodological, cosmopolitanism represents a distinct approach.

At a third level, it can be underlined the capacity of the “cosmopolitan paradigm” to resolve the problems it confronts with. “Solutions” mean in this context the ability of cosmopolitanism to propose institutional and policy models

on one hand, and, on the other hand, a kind of seeing and approaching the problems it confronts with (*Gestalt*). So the following hypotheses can be advanced: cosmopolitanism provides new institutions and policies (or adaptation of old ones) in order to give an adequate response to the common problems the individuals and groups confront with; cosmopolitanism shows a kind of “optimism” regarding the possibility to resolve that problems and the feasibility of the proposed solutions that makes contemporary cosmopolitans to speak, with a Rawlsian term, about cosmopolitanism as a “realistic” or “concrete” utopia.

An extensive research undertaken by me<sup>7</sup> in the field of cosmopolitan global governance and justice – that cannot be fully reproduced here – seems to confirm the assumptions set out above. I am going to present below only a few, more important elements of this research.

### **Cosmopolitanism as a distinct moral-political philosophy**

The cosmopolitans agree on the statement that all human beings are equal from a moral point of view. As Thomas Pogge observes,

cosmopolitanism involves not merely views about how things are, but primarily views about how things ought to be. Cosmopolitan positions centrally include evaluative and normative views; they assess and prescribe. The central idea guiding these moral assessments and prescriptions is that of *including all human beings as equals*. This central idea can be understood and employed in diverse ways, and a variety of cosmopolitan positions can therefore be distinguished.<sup>8</sup>

This fundamental statement of cosmopolitanism means four types of normative engagements: individualism (individual human beings are the main units of moral concern, not states, nations or ethno-cultural groups), impartiality (every human

being is situated symmetrically in relation to all other persons), inclusivity (no human being can be excluded from the moral evaluation or political decisions) and generality (every human being is the object of all other people's concern).<sup>9</sup>

This fundamental normative engagement of cosmopolitanism allows cosmopolitan political theorists to adopt a set of different political principles, which satisfy the criteria of normative individualism, impartiality, inclusivity and generality. I will refer briefly to some of them, namely the autonomy principle, the global difference principle, and the constitutionalization of international law principle.

The autonomy principle is at the center of cosmopolitan democracy project. Cosmopolitan democracy theorists consider that moral equality of humans is not enough protected inside national borders and claim for application of autonomy and equality principle beyond the borders of the nation-state. Individual autonomy, which is situated at the centre of the democratic project of modernity, represents the human beings capability to think, deliberate and act according with their beliefs and needs, not only in private life but also in the public life. But globalization alters the ability of democratic liberal states to realize the autonomy principle and so it is necessary a constitutional structure beyond nation-state in order to fully accomplish the application of this principle.<sup>10</sup> This constitutional structure would be accepted by all human beings only if it is so build up that it respects the four principles of moral equality (normative individualism, impartiality, inclusivity and generality). A constitutional structure that generates systematic inequalities of life chances and political opportunities (such as slavery or racial segregation) does not pass the test of the four principles of moral equality and will not be accepted in a rational deliberative thought experiment.<sup>11</sup>

Next, the global difference principle is a redistributive principle according to which, in the first instance, every person has the right to get a part from the total (global) available resources but, similarly to Rawlsian difference principle, deviation from this initial standard can be justified if resulting inequality is for the greatest benefit of the poor. The resources redistribution principle functions inside international society as difference principle functions at domestic level. Global reformulation of the social justice principle is necessary because, Charles Beitz thinks, in the context of global political and economic interdependence we may conceive a global mechanism of social cooperation and

[...] we should not view national boundaries as having fundamental moral significance. Since boundaries are not coextensive with the scope of social cooperation, they do not mark the limits of social obligations. Thus the parties to the original position cannot be assumed to know that they are members of a particular national society, choosing principles of justice primarily for that society. The veil of ignorance must extend to all matters of national citizenship, and the principles chosen will therefore apply globally.<sup>12</sup>

The global difference principle applies to individuals or groups of individuals who are less-advantaged and who need improvement of their living conditions. But, it is not necessary that such a group membership to be coextensive with a nation state membership. Thus, global difference principle

does not *necessarily* require transfers from rich countries as such to poor countries as such. [...If some reductions in inter-country distributive inequalities are required – N.T.], this would be because these inequalities are consequences of impermissible interpersonal inequalities.<sup>13</sup>

In this way global difference principle represents a warranty for persons in resources poor societies that they will be able to realize that economic condition sufficient for building up just social institutions and protecting human rights.<sup>14</sup>

Finally, cosmopolitans draw attention to the gap between the formal promoting of human rights at international level and the fact that people do not enjoy a satisfactory level of fundamental rights protection. Although the number of people that live currently in liberty has increased, a significant part of the world population does not enjoy fundamental rights for several reasons, such as: the existence of authoritarian and autocratic rulers; the existence of an impunity system at international level; the spread of intolerance towards certain religious ideas and beliefs; the existence of ethnic, religious and political divisions and conflicts, and the lack of dialog for resolving them; the unequal distribution of wealth and systemic corruption.<sup>15</sup> The principle of constitutionalization of international law insists on

resolving the split between human rights law and the gross violations of human rights [through] the construction of a rule of law in the international arena based on the principles of equal sovereignty, human rights and the authority of international law itself. It involves extending the scope of international law, increasing its range of authority and distancing it from the immediate consent of states. It declares that the norms of international law [should] function as a higher law vis-à-vis that of states; that they include prohibitions on torture, genocide, crimes against humanity, disappearances and other such activities.<sup>16</sup>

Understood this way, the principle of constitutionalization of international law is a reflection of normative individualism.

### **New/distinct concepts, theories, and method of cosmopolitan political theory**

At a second level of analysis, cosmopolitan approaches suggest the reconstruction of some basic concept in political theory. Concepts such as “sovereignty”, “social justice”, “civil society” or “risk” are subject of a process of extrapolation from the state level (national, internal) to the global level (international). For example, cosmopolitans speak about “vertical dispersion of sovereignty in the global system.”<sup>17</sup> Such dispersion is possible and necessary because relevant political communities “no longer correspond in a simple and direct way with territorial borders.”<sup>18</sup> Subnational and supranational political communities are becoming increasingly important nowadays. Political theory has to ask again which the relevant political community is, and answer question such as: which the nature of the electoral body is, which the meaning of political representation is, which the adequate form of political participation is?<sup>19</sup> Then, the concept of “social justice”, as we have already seen above, is so conceptualized as it gets significance not only inside the nation-states but also at international or global level in relation to the most disadvantaged in the international system. Similarly, the concept of public sphere or civil society is reconceptualized at international level. John Dryzek, for example, is interested in the role of transnational civil society to control current international system of governance. That control can be realized only through creation of a genuine transnational public sphere based on the principles of non-domination, participation, deliberation and the right to free speech of those whose interests are affected.<sup>20</sup> Membership of a community depends primarily on the nature of affected interests and not on the belonging to a clearly circumscribed, territorial or cultural space. Heikki Patomäki, on the other hand, is concerned about party politics at transnational level (as it exists in the form of national parties’

networks and federations, such as Socialist International or, more recently, transnational federations associated with the activity of European Parliament) and the chances of expanding and consolidating this party activity and the spaces associated with it.<sup>21</sup>

Around these concepts, cosmopolitan theorists formulate normative, prescriptive and critical theories of global governance and justice, such as global democracy theory, global social justice theory or cosmopolitan international law theory. Let us take the first theory. "Global governance", as Robert Keohane defines this concept,

refers to rule-making and power-exercise at a global scale, but not necessarily by entities authorized by general agreement to act. Global governance can be exercised by states, religious organizations, and business corporations, as well as by intergovernmental and nongovernmental organizations. Since there is no global government, global governance involves strategic interactions among entities that are not arranged in formal hierarchies. Since there is no global constitution, the entities that wield power and make rules are often not authorized to do so by general agreement. Therefore their actions are often not regarded as legitimate by those who are affected by them.<sup>22</sup>

Taking into account this state of affairs, cosmopolitans relaunched at the beginning of the 90's the debate on the international democracy, that appears in the works of David Held and Daniele Archibugi who introduce the term of "cosmopolitan democracy"<sup>23</sup> or in the work of William E. Connolly and R.B.J. Walker who criticize the territorial (circumscribed) approach of the conventional theories of democracy.<sup>24</sup> Later, the problem of cosmopolitan democracy appeared at Jürgen Habermas (who is interested in the post-national politics)<sup>25</sup> or Molly Cochran and Heikki Patomäki (who

are interested in the possibility of bottom-up reforms necessary for the realization of cosmopolitan democracy).<sup>26</sup> Cosmopolitan democracy has as its first aim democratization of the existent systems of global governance as a means to protect the moral equality of individuals.

Cosmopolitans also formulate fertile hypotheses that give shape to a distinct approach. Cosmopolitan political theorists highlight the fact that humanity entered an era of global interdependence that is insufficiently described by the conventional approaches in political theory.<sup>27</sup> The state boundaries are no longer the single relevant “unit of governance”. So, the theory of cosmopolitan democracy considers that democratization means not only democratizations inside states but also democratization of relations between states;<sup>28</sup> the theories of global justice formulate the hypothesis that a more fair global governance is a condition of realizing global justice on the one hand, and that progress in achieving global justice is possible and desirable, on the other hand;<sup>29</sup> also, the theory of cosmopolitan law formulates the hypothesis that humanitarian foreign intervention is desirable in order to stop the crimes against humanity and so advocates the constitutionalization of international law.<sup>30</sup>

In terms of methods, cosmopolitanism advocates on the one hand for redrawing the boundaries between national and international in the study of politics (imposed by “methodological nationalism”), and on the other hand for redrawing the boundaries between normative and empirical approaches (it is more profitable as the two approaches do not remain isolated, but a permanent exchange between them exists). Methodologically, cosmopolitanism seems to be very well described by the words of Jack Snyder who, evaluating the empirical aspects of normative research, says:

instead of separating empirical research from normative issues, more scholars are now carrying out research at the nexus of normative political theory and international relations that seeks to show how the 'ought' becomes the 'is'.<sup>31</sup>

Cosmopolitan theories say not only how things should stay in national and international politics, but they are also interested in the conditions of practical achievement of the principles they promote. Their approach is as follows: observation of real facts (empirical) → critical assessment of these facts (critical) → prescription of solutions in accordance with certain principles and values (normative) → return to facts (empirical). The cosmopolitan theories do not remain in an area of pure normativity (ideal world), but continuously oscillates between ideal and non-ideal, constantly putting the problem of feasibility of the proposed solutions. So, cosmopolitans frequently use the thought experiment as a means to elaborate the principles which underline the adoption – in particular areas of political action – of sets of criteria that are used to see if these areas have to be reformed or not, and how they have to be reformed.<sup>32</sup> Some cosmopolitan theories also open the way of empirical research (for example, how does global risk society influence the social classes or the formation of political parties). They refuse to limit "cosmopolitanism" to traditional field of normative political theory (established by Leibniz, Wolf, or Kant), but try to underlie its potential as analytical concept for empirical political science or empirical analysis of global politics.<sup>33</sup>

### **Institutional and policy reforms of cosmopolitan political theory**

As a final level of analysis, I am going to refer to the proposed solutions to the problems of global governance and justice, which cosmopolitans provide in the form of "institutional and

policy reforms". Cosmopolitans find that some of the problems currently faced by individuals and groups cannot be solved only through the institutions and policies traditionally associated with the nation-state. Cosmopolitan solutions envisage new institutions and policies (or adaptation of the old ones) in order that the common current problems to receive an adequate response.

Institutionally, cosmopolitan governance combines representation (more responsible and more democratic international institutions) with participation (the role of transnational civil society). A possible extended framework of democratic reglementation appears from this combination, a framework in which the nation-state is no longer the exclusive centre of power within its boundaries<sup>34</sup> and which can be understood as having different levels that are not hierarchically linked, but functionally.<sup>35</sup> At the same time, cosmopolitans stress not only the importance of the new formal democratic institutions, but also the need to identify new broad ways of participation in decision making at regional and global level.<sup>36</sup> Among the institutional components of cosmopolitan democracy the following ones are proposed: the creation of regional parliaments, the institutionalization of general referenda at the nation-state level, the democratization of the intergovernmental organizations through the creation of elected supervisory councils, the extension and inclusion of the civil, political, economical or social rights and duties not only in the state constitutions, but also in the official documents of the associations of civil and economic spheres, the creation in the long run of a global parliament and so on.<sup>37</sup>

As policy solutions, the supporters of global justice envisage, for example, setting up an "international tax regime" for financing the providing of global public goods. Through building up international or regional tax institutions with

the power to apply – in a democratic and responsible way – an international tax regime will be obtained the resources necessary for improving the condition of the global poor.<sup>38</sup> Global justice proponents sometimes envisage a type of institutions that have to adopt and apply international codes regarding labour conditions and international recruiting of workforce.<sup>39</sup> Other cosmopolitans provide the opening of the state's borders<sup>40</sup> or the creation of some "cities of refuge"<sup>41</sup> that will enable the most disadvantaged individuals in the global system to get the chance for a decent life. Others propose the model of "transnational orientated ecological states" that will protect global environmental interests through their adopted policies.<sup>42</sup> As we have also seen, the cosmopolitan theory of international law does not preclude the use of military force and the tool of humanitarian intervention in order to avoid situations of grave violations of human rights under an international system in which power and legitimacy do not always overlap. Cosmopolitans try to establish "through what institutions such interventions are to be authorised and by what means such interventions are to be conducted."<sup>43</sup> Criteria according to which intervention has to be conducted are as follows: military action is justified only in the case of "a major humanitarian emergency" (such as "crimes against humanity"), intervention has not to produce more suffering (proportionality), it has to be more like a police action rather than a species of war, and it must have a series of restriction regarding combatants, civilians and public property.<sup>44</sup>

## **Conclusion**

The presence of the above analyzed elements of cosmopolitanism overlapping the operationalized elements of a paradigm provides the reason to talk about a "cosmopolitan paradigm" in political theory.

## NOTES

- <sup>1</sup> Thomas POGGE, "Cosmopolitanism", in Robert E. GOODIN, Philip PETTIT and Thomas POGGE (eds.), *A Companion to Contemporary Political Philosophy*, Blackwell Publishing Ltd, 2007, pp. 312-329.
- <sup>2</sup> Gillian BROCK, *Global Justice. A Cosmopolitan Account*, Oxford University Press, Oxford – New York, 2009, p. 14 and notes 22-26.
- <sup>3</sup> I use the concept of "paradigm" in a quite narrow sense comparative, let's say, with the meaning Kuhn gives to it. Essentially, I understand by "paradigm" a set of theories, concepts, methods and solutions, as I will show below.
- <sup>4</sup> Matei Dogan is skeptical with respect to existence of paradigms in social sciences because of polysemia of concepts, mutual ignorance of researchers and proliferation of schools especially in sociology, political science and anthropology. (Matei DOGAN, "Paradigms in the Social Sciences", in *International Encyclopedia of the Social and Behavioral Sciences*, 2004, pp. 11023-11027, available online at <http://www.sciencedirect.com/science/article/pii/B0080430767007828>, consulted in May 2011).
- <sup>5</sup> In contemporary political theory, Steven Jay Gold identifies four major coexistent and competing paradigms: liberalism, Marxism, feminism, and postmodernism (Steven Jay GOLD, *Paradigms in political theory*, Iowa State University Press, Ames, 1993).
- <sup>6</sup> John S. DRYZEK, "The Progress of Political Science", *The Journal of Politics*, Vol. 48, No. 2 (May, 1986), pp. 316-7; see also Philip BEARDSLEY, "Political Science: The Case of the Missing Paradigm", *Political Theory*, February 1974, p. 60.
- <sup>7</sup> As a doctoral research programme.
- <sup>8</sup> Thomas POGGE, *op. cit.*, p. 312.
- <sup>9</sup> *Ibidem*, p. 316.
- <sup>10</sup> David HELD, *Democrația și ordinea globală*, Editura Univers, București, 2000; Daniele ARCHIBUGI, *The global commonwealth of citizens: toward cosmopolitan democracy*, Princeton University Press, Princeton - New Jersey, 2008.
- <sup>11</sup> David HELD, *op. cit.*, p. 206.
- <sup>12</sup> Charles BEITZ, *Political Theory and International Relations*, Princeton University Press, New Jersey, 1999, p. 151.
- <sup>13</sup> *Ibidem*, p. 153.
- <sup>14</sup> *Ibidem*, p. 141.
- <sup>15</sup> Gillian BROCKE, *op. cit.*, pp. 158-9.

- <sup>16</sup> Robert FINE, *Cosmopolitanism*, Routledge, London-New York, 2007, p. 70.
- <sup>17</sup> Thomas POGGE, "Cosmopolitanism and sovereignty", *Ethics*, vol. 103, no. 1 (1992), p. 61.
- <sup>18</sup> David HELD, "The changing contours of political community. Rethinking democracy in the context of globalization", in Barry HOLDEN (ed.), *Global Democracy. Key Debates*, Routledge, London & New York, 2000, p. 19.
- <sup>19</sup> *Ibidem*, p. 28.
- <sup>20</sup> John S. DRYZEK, *Deliberative Democracy and beyond: Liberals, Critics, Contestations*, Oxford University Press, Oxford-New York, 2002.
- <sup>21</sup> Heikki PATOMÄKI, "Towards Global Political Parties", *Ethics and Global Politics*, vol. 4, no. 2 (2011), pp. 81-102.
- <sup>22</sup> Robert O. KEOHANE, "Global Governance and Democratic Accountability", in David HELD & Mathias KOENIG-ARCHIBUGI (eds.), *Taming Globalization. Frontiers of Governance*, Polity Press, Cambridge, 2003, p. 132.
- <sup>23</sup> David HELD, *Democrația...cit.*; Daniele ARCHIBUGI and David HELD (eds.), *Cosmopolitan Democracy: An Agenda for a New World Order*, Cambridge, Polity Press, 1995.
- <sup>24</sup> William E. CONNOLLY, "Democracy and Territoriality", *Millennium: Journal of International Studies*, vol. 20, no. 3 (1991), pp. 463-84; R.B.J. WALKER, *Inside/Outside: International Relations as Political Theory*, Cambridge University Press, Cambridge, 1993.
- <sup>25</sup> Jürgen HABERMAS, *The Postnational Constellation. Political Essays*, Polity, Cambridge, 2001.
- <sup>26</sup> Molly COCHRAN, "A Democratic Critique of Cosmopolitan Democracy: Pragmatism from Bottom Up", *European Journal of International Relations*, vol. 8, no. 4 (2002), pp. 517-547; Heikki PATOMÄKI, "Problems of Democratizing Global Governance: Time, Space and the Emancipatory Process", *European Journal of International Relations*, vol. 9, no. 3 (2003), pp. 347-376.
- <sup>27</sup> Robert FINE, *op. cit.*, p. 2.
- <sup>28</sup> See, for example, David HELD, *Democrația...cit.*
- <sup>29</sup> See, for example, Gillian BROCKE, *op. cit.*, pp. 86-9, and also pp. 117-8.
- <sup>30</sup> Jürgen Habermas, for example, considers that "unauthorized action [of a state or a group of states] must not become the general rule", but extremely serious humanitarian cases (such as Kosovo) make military

intervention “a justified exception”. See Jürgen HABERMAS, “Bestiality and Humanity: a war on the border between legality and morality”, *Constellations*, vol. 6, no. 3, p. 271; and also Jürgen HABERMAS, “Interpreting the Fall of a Monument”, *Constellations*, vol. 10, no. 3, pp. 364-70.

- <sup>31</sup> Jack SNYDER, “‘Is’ and ‘Ought’. Evaluating Empirical Aspects of Normative Research”, in Colin ELMAN and Miriam F. ELMAN (eds.), *Progress in international relations theory: appraising the field*, MIT Press, Cambridge – Massachusetts, 2003, p. 350.
- <sup>32</sup> See, for example, Gillian BROCKE, *op. cit.*, especially p. 111.
- <sup>33</sup> See, for example, Edgar GRANDE, “Cosmopolitan political science”, *The British Journal of Sociology*, vol. 57, no. 1, pp. 87-111.
- <sup>34</sup> David HELD, *Democrația...cit.*; David HELD, „The changing...cit.
- <sup>35</sup> Daniele ARCHIBUGI, *The Global...cit.*, p. 89.
- <sup>36</sup> David HELD, *Modele ale democrației*, Editura Univers, București, 2000, p.372.
- <sup>37</sup> See David HELD, *Modele ...cit.*, David HELD, *Democrația...cit.*; Daniele ARCHIBUGI, David HELD (eds), *op. it.*; Daniele ARCHIBUGI, *The global...cit.*; Heikki PATOMÄKI și Teivo TEIVAINEN, *A Possible World: Democratic Transformation of Global Institutions*, Zed Books, London and New York, 2004.
- <sup>38</sup> See for example Heikki PATOMÄKI, “Global tax initiatives: the movement for the currency transaction tax”, Civil Society and Social Movements Programme, Paper Number 27, 2007, United Nations Research Institute for Social Development, p. 3, available online at [www.unrisd.org/80256B3C005BCCF9/\(httpAuxPages\)/5F5FC3415E8C94B0C125726B005725E0/\\$file/patomak2.pdf](http://www.unrisd.org/80256B3C005BCCF9/(httpAuxPages)/5F5FC3415E8C94B0C125726B005725E0/$file/patomak2.pdf), consulted 03.09.2011.
- <sup>39</sup> Christian BARRY and Sanjay REDDY, *International Trade and Labor Standards*, Columbia University Press, New York, 2008; Gillian BROCKE, *op. cit.*, p. 234.
- <sup>40</sup> Joseph CARENS, “Aliens and Citizens: The Case for Open Borders”, *Review of Politics*, no. 49 (1987), pp. 251–73.
- <sup>41</sup> Jacques DERRIDA, *On Cosmopolitanism and Forgiveness*, Routledge, London and New York, 2001.
- <sup>42</sup> Robyn ECKERSLEY, *The Green State: Rethinking Democracy and Sovereignty*, MIT Press, Cambridge-Mass., 2004, p. 202.
- <sup>43</sup> Robert FINE, *op. cit.*, p. 81.
- <sup>44</sup> *Ibidem*, p. 85.

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# COMING CLOSE AND KEEPING ONE'S DISTANCE: THE AESTHETIC COSMOPOLITAN AND TRANSCULTURAL CONVERSATION

Michael RINGS\*

*"Please enjoy the unusual responsibly."  
– label for Hendricks Gin*

In his 2007 book, *Let's Talk About Love: A Journey to the End of Taste*, music critic Carl Wilson conducts what he calls a "taste experiment": he endeavors to find a way to appreciate the music of international superstar Celine Dion.<sup>1</sup> This is harder than it sounds. Wilson had previously regarded Dion w/ nothing but contempt, and he comes by it honestly, claiming membership

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in a community of rock fans that favor various forms of indie rock, punk and post punk, outsider music that frames itself as resistant to the ways of mainstream music markets. To a listener who prizes rock music's potential for subversion above all else, Dion's aggressively commercial and sentimental schmaltz is anathema. Though Wilson owns up to his oppositional stance, at the same time he acknowledges the many millions that do love her music, and who have turned her into the international star she is today. He sets for himself the task of finding a way to appreciate her music, to try and understand what it is about it that appeals to so many people. Wilson's project is motivated in part by values he describes as "democratic": he wants to transcend the borders of the particular subculture or "taste world" he has dwelled within in order to forge a more sympathetic understanding of other music listeners within and without his own community, to shed his own tendencies to a kind of hipster elitism that he has come to find "inimical...to an aesthetics that might support a good public life".<sup>2</sup>

I would like to present Wilson's "taste experiment" as an example of what I am going to call the *aesthetic cosmopolitan project*: the active, morally serious project of cultivating an appreciation for artworks or other cultural artifacts that are culturally unfamiliar, or "non-native", to one, in a manner that is informed by a commitment to cosmopolitanism.<sup>3</sup> Cosmopolitanism has been characterized as a family of views in moral and political philosophy that share the core idea "that all human beings, regardless of their political affiliation, do (or at least can) belong to a single community, and that this community should be cultivated".<sup>4</sup>

For the purposes of this paper's argument, I propose that the aesthetic cosmopolitan is committed, at minimum, to the following three claims, all of which are found in contemporary accounts of what is often referred to as "moral

cosmopolitanism”, put forward by thinkers like Kwame Appiah, Martha Nussbaum, and Mitchell Aboulafia. The first claim is moral universalism, the view that “all human beings are members of a single (metaphorical) moral community and that they have moral obligations to all other human beings regardless of their nationality, language, religion, customs, etc.”.<sup>5</sup> Usually accompanying this is an anti-parochialism that finds expressions of varying severity across different accounts of cosmopolitanism, but at minimum claims that the loyalties and duties that make legitimate moral claims on one are not *exclusively* parochial (i.e., grounded in allegiances to more “local” communities) in nature. The next two claims have their origin in what is sometimes called “cultural cosmopolitanism” but are found united with moral universalism in contemporary accounts. The first is a political brand of pluralism that celebrates cultural diversity as a good that should be promoted, and rejects cultural uniformity as an ideal. The third and final cosmopolitan commitment is a general endorsement of transcultural engagement, the view that the cosmopolitan should actively seek to engage other cultures in a manner informed by the prior two commitments—i.e., in a way that recognizes and appreciates the particularity and distinctness of these cultures while observing one’s moral obligations to all involved parties.

Appiah, Nussbaum, and Aboulafia all argue that transcultural engagement is a crucial activity for the cultivation of good “world citizenship”: among other goods, it facilitates greater inclusiveness, understanding, tolerance, and empathy across cultural lines.<sup>6</sup> Appiah states: “if we care *about* others who may have commitments and beliefs that are unlike our own—we must have a way to talk *to* them”.<sup>7</sup> As I’ve characterized it here, the aesthetic cosmopolitan project, informed as it is by this deliberately thin conception of cosmopolitanism, may take a variety of different forms and be motivated by a variety

of different considerations and goals. However, it will always be characterized by one consistent mode of activity: an engagement with other-cultural artworks that endeavors to treat such an encounter as a kind of “transcultural conversation”. In what follows I’ll consider what it might mean to appreciate art in this way, as well as what might be involved in doing it *well* (in both aesthetic and moral terms).

It may be most helpful to approach this question of how to pursue the cosmopolitan project well by considering first how things might go wrong. Let’s consider a pair of case studies of would-be aesthetic cosmopolitans:

Rose is a music lover who is very well versed in Western classical music, being not only conversant with most of its canonical works and composers, but also knowledgeable of some of its musical theory. Having cultivated a sophisticated and authoritative taste in this sphere of music, Rose strikes out for lands unheard in the pursuit of the cosmopolitan project, motivated by a seemingly genuine desire to develop a better understanding and appreciation of diverse cultures via their music. So as to not spread herself too thin, she decides to focus her attention on a small handful of specific forms—gamelan, Tuvan throat singing, 1970’s hard rock, and contemporary country music. Rose approaches all of this music with the same concentration and close attention she has always applied when listening to Mozart, Schubert, or Stravinsky, with an ear to harmonic and thematic development, structural complexity and integrity, clarity and precision of performance, etc. Though, in order to be an informed cosmopolitan listener, she duly studies the cultural context of each kind of music, learning about the particular ways in which it is listened to and appreciated within its “home” culture, when it comes to listening she practices

the particular mode of listening she has cultivated over years of listening to Bach and Brahms.

Rose finds, unsurprisingly, that her efforts are rewarded with varying degrees of satisfaction: for example, Tuvan throat-singing is fascinating and exotic, at least on a conceptual level, but in actually listening to it she finds herself either bored or annoyed by its meandering quality; most of the 70's hard rock she encounters (Black Sabbath, Deep Purple, Uriah Heep) she finds plain moronic and crude—both musically and textually—though some of the more “progressive” artists (Jethro Tull, Rush, occasionally Led Zeppelin) she finds to have at least some more sophisticated grasp of form, rhythm, and harmony (even if most of the lyrics are still juvenile rubbish). In most cases, she complains that she is just not able to “get it” —she just does not hear what is supposed to be appealing about these musics. She comes away with the general impression that, though these styles may each be of some cultural value to their respective listener communities, on the whole none of them present the listener with the kind of rich and profound aesthetic experience found within the great works of the Western classical canon.

Patrick is also a long-time music lover, one with tastes informed by various kinds of contemporary rock, pop, and some jazz. The cosmopolitan project he takes up is rather more focused than that of Rose: he endeavors to develop an informed and rich appreciation of hip hop music—specifically, a brand of appreciation akin to what he believes to be experienced by members of the African-American community (or at least certain subsets of it). Patrick, a white University of Chicago student and resident of Hyde Park, a racially diverse neighborhood on Chicago's south side, is motivated to adopt such a project partly out of a desire to develop a better understanding and empathy for some of his African-American Hyde Park neighbors. He

diligently throws himself into the project, learning as much as he can about the history and culture of hip hop music and its significance within African-American communities, especially those living in urban areas like Chicago, and listening broadly and deeply across the range of the hip hop canon: Grandmaster Flash, N.W.A., Wu-Tang Clan, Dr. Dre, Missy Elliot, Jay-Z, et al. In doing so Patrick cultivates an authoritative taste for the aesthetic values that the music can offer.

However, he does not come to appreciate these various elements of hip hop as merely formal features of the music that may be valued by any acculturated music listener; Patrick's project is to try and appreciate them as features that have certain kinds of significance for members of the community he seeks to understand. He tries to "get inside" this culture—to perceive, interpret, and appreciate these features as he imagines a member of this community would. Patrick comes to feel that he is "down" with this particular community of hip hop listeners, that he hears and understands and values this music *just like they do*. He believes that he is able to directly "tap into" the experience of a listener that interprets the music in light of her daily struggles with being black and poor in America. Confident that he has come to identify with the experience of this community on a deep level, Patrick feels that he has attained a significant degree of empathy and understanding in the process, a form of truly stepping into the shoes of the other.

I have chosen to present these two particular examples in order to illustrate a crucial tension that emerges from the conditions of this project, one that may be expressed roughly in the following way. First, in endeavoring to engage in transcultural appreciation of artworks, the cosmopolitan is faced, on the one hand, with the challenge of placing herself in a certain appreciative position that is appropriate to the artwork,

a position that may be seen, ideally, as akin to that of a member of the work's "home culture", a task that will generally involve the adoption, to some degree, of certain modes of appreciation that are unfamiliar to the appreciator. On the other hand, it seems likely that the cosmopolitan will be often faced with cases in which there are practical or moral constraints on this endeavor - i.e., cases in which it seems that she either *cannot* occupy such a cultural perspective, or *should not* even try to occupy it. In the terms I will come to favor throughout this paper, the cosmopolitan must endeavor to find a virtuous way to negotiate this tension between *coming close* enough to the culture in question, while also keeping a proper *distance* from it. Both Rose and Patrick fail to do this in different ways.

I will argue that avoiding errors of the kind committed by Rose and Patrick involves taking up a posture of appreciation that may be characterized as one proper to a participant in a conversation: a posture that is open and responsive to, and seriously engaged with, the other-cultural artwork and/or community involved, while remaining mindful and respectful of the difference and distance between oneself and one's "interlocutor".

Rose's problem is not simply that she fails to like the music (it should not be incumbent on the cosmopolitan to like everything she encounters, if her engagement is to be serious and critical); it's that she fails to put herself in a posture of engagement that would facilitate a brand of appreciation appropriate to the cosmopolitan, one that could serve as a form of transcultural conversation. In short, Rose never successfully steps outside of her own accustomed mode of listening as a classical music connoisseur, regardless of whether or not that particular mode is appropriate to the object of her listening. This posture of listening is attentive and contemplative (that appropriate to the concert hall patron), one that seeks out and attends to certain

musical features (e.g., motivic and harmonic development, formal structure, etc) and tends to either discount or outright ignore others (e.g., timbre or texture of sound, the more visceral impact of features like danceable rhythms, noise, or high volume). It also tends to downplay the importance of a given piece's sociocultural meaning or function—in short, what might be referred to as its “extra-musical” significance—focusing primarily on its “purely musical” formal features instead.

In contrast, many of the styles Rose explores here are built around these neglected features (e.g., timbre in the case of throat-singing, volume and noise in the case of metal), or demand a mode of engagement more participatory or physical (e.g., metal and country), or are only fully appreciated in the context of their extra-musical function or significance (e.g., the ritualistic and court functions of gamelan, throat-singing's role in an animistic communion w/ the sounds of nature, etc). Yet Rose, working always within her one-size-fits-all classical listening mode, doesn't engage with any of this music on its own terms (or even meet it halfway), or strive to participate in, or learn from, another listening culture. As diligent and serious as she has been in her musical “travels”, the terms of engagement have firmly remained her own. We may even go so far as to characterize Rose's appreciative method as a form of *aesthetic imperialism*. All the musical artifacts she encounters are treated reductively as candidates for appreciation according solely to the criteria and categories of her home culture, whatever value they yield in these terms then being “mined”, if you will, in order to satisfy her particular musical interests.

This would seem to be a problem for *any* appreciator, but is an especial problem for the cosmopolitan: Rose's aesthetic imperialism constitutes a failure on her part to engage in anything we might be tempted to call a “conversation” with these other musical cultures. There doesn't seem to be

anything like an exchange here between her and some kind of “interlocutor”. It seems unlikely that Rose will come away from this with any increased understanding or empathy regarding these cultures—all she has learned is how her own way of listening and liking applies to a new set of cultural objects.

I propose that, unlike Rose, the virtuous aesthetic cosmopolitan lets her cultural knowledge of the art in question *inform* her appreciation; she doesn’t just *know* things about the other culture, she *participates* (to some extent) in it. This would seem to require that the cosmopolitan be open-minded and flexible enough to try on new modes of listening to, looking at, or reading artworks, and to be open to the possibility that the experience may *change* her to some degree: in terms of her taste, her beliefs about art or aesthetic value, or perhaps even in her customary appreciative practices.

So, one thing a conversational mode of art appreciation might require is this: That one appreciate the object at hand as if it were offered by an imagined interlocutor who makes certain recommendations as to how it may be appreciated (e.g., “Here, look at it this way”, “Try attending to these features”, “Put it in this context”, “Here’s what it means to us”, etc) and that one be willing to try out this recommended approach. This interlocutor could be either the author (or authors) of the work, or a member of a community that either produced the work or appreciates it in a culturally specific way (for the purposes of the cosmopolitan project, I propose it will often be the latter).

Patrick, on the other hand, is clearly *not* falling into Rose’s error: whereas Rose fails to “come close” enough to truly engage with her target cultures, he *is* engaging in a culturally-informed appreciation that may enable him to understand and appreciate not only a new form of music, but a new cultural perspective as well. He does not simply approach new music with his old acculturated listening habits, but strives to learn new modes of

appreciation appropriate to the music and its cultural context. But Patrick seems to have gone “too far” somehow. There seem to be two worries here, an epistemic and a moral one: First, his claim to be able to appreciate hip-hop *just like* the members of this community seems epistemically immodest, to the point of being brash or presumptuous. Second, his project seems invasive somehow, as if there’s something morally wrong with him even *trying* to achieve such a goal (regardless of whether or not it’s attainable). I will look more closely at each of these errors in turn.

Patrick’s claim to appreciate music “just like they do” clearly seems epistemically unjustified: he is implicitly laying claim to a kind of aesthetic authority or “cultural capital” here that just doesn’t seem to be his to claim. “Cultural capital” in this kind of context normally consists of various forms of knowledge and skill deployed in the process of listening to the music in question, expertise that can underwrite the fine-grained distinctions and well-informed judgments we expect from authoritative musical tastes. But in the case of Patrick’s claim, other forms of “capital” seem to be necessary. To be justified in claiming to appreciate the music *just like they do*, he may actually have to *be* a member of that community, to have a personal history as a member. Whatever the relevant membership conditions are here—identifying as African-American, claiming south Chicago as an origin, occupying a certain socioeconomic class, etc – Patrick clearly doesn’t satisfy them.

However, even if it *were* possible for Patrick to be epistemically justified in his claim, there is still the moral worry: that he is being *invasive* somehow in trying to take up this perspective, trespassing in a cultural sphere that is not *for him*, one to which he has not “earned” access, in a way. If we suppose that the kind of aesthetic appreciation Patrick wishes to share in is normally informed by one’s firsthand experience as

a member of a marginalized community, then he clearly seems to be trying to have such an experience “on the cheap.” He is trying to indulge in an experience engendered by a certain kind of strife, or even suffering, without undergoing that experience himself. This seems to display a lack of respect for, or at least recognition of, several things: of the difference between himself and the other; of the distance between their respective social situations, or levels of privilege; of the particularity of the other and her personal history, or of her right to claim certain cultural identities or goods by virtue of that history.

One may object that this moral problem seems to be more based in an asymmetry in power or privilege between Patrick and the other, rather than in any tension inherent to the cosmopolitan project itself. Such an asymmetry is certainly not inevitable in the project, even if it may often be an issue. So, what if there is no such asymmetry between appreciator and other, or what if the asymmetry goes the other way? Would the claim to experience an artwork “just like” the other does still be morally problematic?

To respond to this objection, we can return to the example of Carl Wilson and Celine Dion, a case in which this asymmetry does not appear to be present, at least *prima facie*. I contend that, if Wilson made the immodest Patrick-esque claim to appreciate Dion’s music *just like* her fans do (a claim he is actually at pains to disavow in his book), this would still be a moral flaw in his project, even without an asymmetry in social privilege. To return to the conversational metaphor: It seems that to make such a claim is to presume to speak *as* or *for* the other, as opposed to speaking *to* or *with* her. This is an improper posture for someone engaged in a conversation—it seems more akin to an act of spokespersonship or, worse, ventriloquism. One thing clearly necessary for holding a conversation is recognizing and maintaining the distinctness between oneself

and one's interlocutor. The point is to *engage* him, after all, not to *become* him. As we noted above, Patrick does not seem justified in claiming membership in this community, and so is not justified to speak *as* a member. But even if he could come to attain membership somehow, the project would seem to have changed: it would no longer be *transcultural* engagement, but now *intracultural*. It should probably be expected that new cultural identities or affiliations may be incidentally forged in the course of pursuing the cosmopolitan project, but this is not its primary goal (at least as I've outlined the project herein).

Speaking *for* the other is also presumptuous on Patrick's part. One cannot simply *claim* the authority or right to speak for the other, even on the basis of great knowledge or expertise; it must be *granted* to one (either directly or indirectly) by the one for whom one would speak. This deferential aspect of speaking for another is reflected in the way we often preface the act: "*If I may speak for so-and-so...*" What precise form (implicit or explicit) such granting would have to take in either Patrick's or Wilson's case is not clear, but it doesn't seem to have occurred in Patrick's, at any rate. But again, *even if* it were granted, the project would have then changed: cultural ambassadorship is *not* a goal of the cosmopolitan project. Dialogue is again being replaced by a monologue here, as if the other were absent or unable to speak for herself, somehow.

So, where Rose failed to come sufficiently close in her appreciation, Patrick has failed to "keep his distance." This has manifested not only in his epistemic immodesty, on the one hand, but also (and perhaps more crucially) in his moral failure to recognize and respect the difference between himself and his interlocutor.

So, how may one avoid Patrick's error? To return to our conversational model of appreciation, we should ask how should one respond to our imagined interlocutor's recommendation

to appreciate the offered object in “this way.” One’s figurative response should ideally reflect the modesty and respect that are lacking in Patrick’s case: something like “Here’s what I get when I listen that way, does it square with your experience?”, or “I’ve tried, but I don’t hear it – or I don’t see the value in it – am I missing something?” In other words, the spirit of one’s appreciation should be deferential and open-ended in this way, the way a good conversationalist responds to her interlocutor in a manner designed to keep the conversation *going*, not to bring it to a hasty conclusion. Patrick seems to be trying to do the latter with his declaration of, “There, I’ve gotten it, I can appreciate this *just like* you do!” He tries to rush his transcultural conversation to an unwarranted end, whereas Rose never seems to start hers. In the end it seems that this tension I have been exploring within the aesthetic cosmopolitan project has its source in the conversational nature of the project itself. It is a tension that the conversationalist and the cosmopolitan alike need to manage carefully if they are to carry out their respective projects well.

## NOTES

- <sup>1</sup> Carl Wilson, *Let's Talk About Love: A Journey to the End of Taste*, 33 1/3. (New York: Continuum), 2007.
- <sup>2</sup> *Ibid.*, 155.
- <sup>3</sup> I use the term "culture" here in a broad sense, one that encompasses communities constituted according to nationality, region, language, ethnicity, religion, or even just particular tastes or preferences (e.g., fans of Céline Dion's music). Being an aesthetic cosmopolitan will thereby involve engagement with art that is more or less culturally "proximate" to one, depending on just how much one has in common (in the relevant senses) with members of that community.
- <sup>4</sup> Pauline Kleingeld and Eric Brown, "Cosmopolitanism," in *Stanford Encyclopedia of Philosophy* (E. N. Zalta. Stanford, CA, Metaphysics Research Lab).
- <sup>5</sup> Pauline Kleingeld, "Six Varieties of Cosmopolitanism in Late Eighteenth Century Germany", *Journal of the History of Ideas* 60, no. 3 (July 1999), 507.
- <sup>6</sup> See Kwame Anthony Appiah, *The Ethics of Identity* (Princeton, NJ: Princeton University Press, 2005), chapter 5, and *Cosmopolitanism: Ethics in a World of Strangers* (New York: W. W. Norton & Company, 2006), Martha Nussbaum, *Cultivating Humanity: A Classical Defense of Reform in Liberal Education* (Cambridge: Harvard University Press, 1997), especially chapter 2, and Mitchell Aboulafia, *Transcendence: On Self-Determination and Cosmopolitanism* (Stanford, CA: Stanford University Press, 2010).
- <sup>7</sup> Appiah, *The Ethics of Identity*, 222.

# **COSMOPOLITANISM AND “MULTICULTURALISM FROM BELOW” IN CONTEMPORARY BRITAIN NEW LABOUR, THE MACPHERSON REPORT AND MULTICULTURALISM**

Garry ROBSON\*

As is well known, the New Labour party that emerged triumphant in the British general election of 1997 was a re-invented, post-socialist *Third Way* party, its adoption of neo-liberal economic principles fused with a preoccupation with social inclusion.<sup>1</sup> The promotion of “diversity”, a key plank in its early programs, can be seen in this context as a replacement for the traditional politics of class,<sup>2</sup> based as that had been on the redistributionist political economy that had characterized the party for almost a hundred years. This new government for a new Britain promised and carried out, most notably in its first two terms, an extensive program of modernization premised on

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“cosmopolitan” stances towards the economy,<sup>3</sup> transnational political and legal institutions<sup>4</sup> and military intervention.<sup>5</sup>

It is the argument of this paper, however, that the New Labor government’s inability or unwillingness to think carefully through the distinction between cosmopolitan universalism on the one hand, and the vigorous promotion of ethno-cultural diversity as an automatic good on the other, led to an incoherent and overly ideological social policy of multiculturalism. The widespread “collapse” of faith in this project (and, to a significant extent, in cosmopolitanism as an ideal itself) in the latter part of the 2000s was thus, perhaps, to be expected.<sup>6</sup> But if what might be termed the “diversity-by-edict” model of multiculturalism has had the effect of turning many British subjects away from its central aims, it should also be stressed that the people of this relatively open society have been able, as we will see, to produce concrete, at least one actually existing *multiculture* which owe little to the official pieties – and bears little resemblance to the utopian fantasies of the diversity advocates.

Fundamental arguments critical of New Labor multiculturalism might be grouped into two streams; that it was based on mistaken, unrealistic premises, and that its actual functioning was and is inimical to the formation of a culturally syncretic public sphere in which people from a variety of ethno-cultural backgrounds might genuinely open themselves to one another. To take the first: the experience of many Labor activists and politicians in the municipal anti-racist movement of the 1970s and 1980s meant that multiculturalism emerged as a primarily moral project centered on the unrealistic “desire to do away with racism”<sup>7</sup> – an impulse that was to come to full, disastrous fruition with the adoption of the Orwellian findings of the Macpherson Report in 1999 (see below). Secondly, New Labor’s anti-assimilationist thinking about multiculturalism, as a patchwork of equally valued cultural

formations, was based on a spurious and simplistic ideology of culturalism that amounted to a form of cultural absolutism.<sup>8</sup> In this perspective “cultures” and communities become closed, reified *things* and not processes.<sup>9</sup> It is this reductive essentialism that produced what became, in some parts of the country, an official system of “plural monoculturalism”,<sup>10</sup> in which spatially proximate but tectonically aligned communities arrange themselves into essentialised, decidedly non-cosmopolitan formations.<sup>11</sup>

Perhaps the clearest exemplification of New Labor’s intellectual shortcomings and inability to deal honestly with the cultural politics of race and ethnicity came with its promotion and full blooded acceptance of the Macpherson Report,<sup>12</sup> one of the most significant, though illogical and dishonest, documents of the post war period and a major driver of the shutting down of rational public discussion of race and racism and, by extension, diversity and multiculturalism. The Macpherson Inquiry, which gave rise to the report, was launched in 1997 in response to unease surrounding what was clearly a botched police investigation into the murder of a Stephen Lawrence, young black man, in south London in 1993.<sup>13</sup>

Enthusiastically welcomed upon its publication in 1999 by the government and left-liberal intelligentsia, it promised a new dawn in British race relations – or at least was heralded as such. It is difficult however, from a rational perspective, to see why this should have been, given its manifest illogicalities, tautologies and gross simplifications. Two things are most significant among its approach and findings: **1)** that the police were “institutionally racist”,<sup>14</sup> as indeed were the other British institutions such as the Judicial System, Civil Service, National Health Service and local government, and **2)** the inferred thoughts and motivations of actors became, in an unprecedented turn in the British context, a basis for judgments about culpability for alleged crimes:

The definition of racism...is that it is anything perceived to be racist. The perpetrators of racist activity may not know they are racist at all. All they have to do to be so called is to treat people in a way which is interpreted as racist. Racism is, in short, insensitivity to the feelings of members of ethnic minorities... The notion that the perception of a fact makes it a fact is a legal and philosophical monstrosity. If it is proposed, as indeed the Report does, to make unwitting racism legal offence, the only evidence relevant to a judgment about whether an admitted or act constituted an offence would be the assertion by the plaintiff that an offence had been committed.<sup>15</sup>

The hook around which this Orwellian, or perhaps McCarthyian<sup>16</sup> intrusion into the minds of actors was organized was “unwittingness”:

It (the Report) switched attention...away from observable conduct, words or gestures towards the police officer’s “unwitting” thoughts and conduct. But how could the Macpherson inquiry know what was in an officer’s unconscious mind – except through the failure of the police to be effective in the investigation of a racist crime? This definition puts charges of racism outside the boundaries of proof or rebuttal.<sup>17</sup>

So preoccupied was the report with eradicating “unwitting racism” that it was “willing to contemplate the imposition of a police state to achieve its aims. For this alone one should condemn the mentality that produced it. It is deeply illiberal in spirit”.<sup>18</sup> Despite its illiberalism, and its “intellectual confusion and moral cowardice”<sup>19</sup> the report, as noted, passed quickly into orthodoxy and injected into civil society the notion that all whites are racist whether they know it or not, and that it is immoral – indeed in some cases criminal, to offend the sensibilities of ethnic minorities. The acceptance of both these notions proved

to be, in official and institutional circles, inimical to honest and open debate about Britain's experiment in multiculturalism. A perfect storm of events and processes had formed to produce a lastingly important shift in policy and thinking, as "the fateful meeting of the stricken Lawrences, an unworldly High Court judge, a feckless social-affairs intelligentsia, and what is currently fashionable in political militancy"<sup>20</sup> combined to finally move robust discussions of race and multiculturalism beyond the pale. Later in the decade, the true extent of the fecklessness of Britain's governing political elite became apparent. Andrew Neather, a former New Labor advisor, caused something of a political storm in 2009 when he suggested that, in the early 2000s, New Labor had loosened immigration controls, implicitly and at least in part, in order to further diversify Britain as an attack on "the right" in particular and conservative notions of British national identity and opposition to multiculturalism.<sup>21</sup>

This implicit ideological commitment to diversity as an inherent social good should be placed in context as one of perhaps three key dynamics in a process that underpinned Britain's second, and unforeseen, phase of post-war mass immigration from the mid 1990s on. The first of these was the liberalization of arrangements for incoming workers at the behest of business interests, in the context of New Labor's conversion to neo-liberal principles, a booming economy, and the expansion of the European Union;<sup>22</sup> the second was an explosion of organized people smuggling and a consequent upsurge in successful applications for asylum -an aspect of developments in the global economy of organized crime as well as migration;<sup>23</sup> and the third was, indeed, a deeply held belief among many of those on the progressive left - many of whom, as noted, had cut their political teeth in the anti-racism movement of the 1970s and 1980s - that the extension of diversity in Britain was a desirable goal *per se* and offered,

since Labor had by now drastically severed most of its roots to the white working class that spawned it, an arena in which to continue to apply its rhetoric of “progress”, social justice and equality,<sup>24</sup> and - of course - to claim moral superiority over the Conservatives.<sup>25</sup> A key aspect of New Labor’s bequest to Britain then has been a startlingly high level of migration “churn”, even for a society at the leading edge of globalization, accompanied by the saturation of Britain’s institutions and media with the rhetoric of desirable diversity and the cementing of Macpherson’s “institutional racism” as an unarguable truth. Because of this the social and psychological effects of rapid and profound demographic and cultural change are only now emerging as a subject for civilized debate; it is, in fact, no longer possible to ignore them. In 2010, according to the widely respected British Social Attitudes Report,<sup>26</sup> a majority of the population in Britain believed that multiculturalism has been a failure, with 52% considering the country to be deeply divided along religious lines; a further 45% say that religious diversity has had a negative impact on the country. Similar research by YouGov in 2010 found that 58% of respondents linked Islam with extremism and 69% believed it encouraged the repression of women.<sup>27</sup> These fears about the effects of the establishment of Muslim communities should be understood in two closely connected ways: first, as an aspect of broader concerns about social and cultural cohesion, with Muslims being not only widely seen as the most “other” of Britain’s diverse communities but also the most challenging to older British norms, whether these be social, cultural, religious or legal; these concerns must be set in the context of the profound demographic change Britain saw throughout the 2000s.<sup>28</sup>

In fact, this deep public anxiety about the Britain’s new phase of “super-diversity”<sup>29</sup> should come as no surprise to anybody familiar with Robert Puttnam’s research for “E Pluribus

Unum: Diversity and Community in the Twenty-First Century”<sup>30</sup> which found, disturbingly, a clear correlation (in the United States) between increasing levels of diversity and, among other things, declining levels of trust, individual happiness and assessments of quality of life, and confidence in local governance. The research model used by Putnam has since been replicated in the Netherlands, with similar results and the same overall conclusion.<sup>31</sup> Though both studies assert that the decline in trust is not a permanent phenomenon but rather a characteristic of societies in transition, the debate over Putnam’s decision to delay publication of his findings in full until he had formulated recommendations for positively handling increasing diversity through social policy led some to conclude that the latter represent a form of wishful thinking not strongly supported by his initial research.<sup>32</sup>

Whether temporary or otherwise, levels of trust appear to be extremely low in Britain, according to recent research. For example, the BBC reported in January 2009 that people under 50 years of age in Britain appear to experience the lowest levels of trust and belonging in Europe, based on research conducted by New Economics Foundation (on the basis of data taken from the 2006-07 Europe Social Survey).<sup>33</sup> Reports of research of this kind now feature regularly in the British media, and play their role in late modernity’s ‘feedback loop’ of reflexivity,<sup>34</sup> as individuals absorb and process findings about their society and its characteristics, in many cases perhaps heightening the sense that something is deeply wrong. Such low levels of trust – in others, and in the public sphere – are of course inimical to the flourishing of the cosmopolitan imagination. But at a more practical level, that of everyday interaction, of conviviality and conflict in real communities, forms of ambiguously cosmopolitan “multiculturalism from below”<sup>35</sup> are emerging – and emerging strongly.

## **Multicultural London English and an actually existing multicultural**

It may have seemed strange to some, in the aftermath of the English riots of August of 2011, to see the mainstream media poring over the language used by many of the rioters. What was being said on various social media sites by participants, as the riots raged, came in for particular attention. There are, in fact, precedents for this preoccupation with forms of speech as social markers, since British society has long been acutely class and accent conscious. But on this occasion there may have been something more troubling going on than the usual fun and games with language and social stereotypes; a sense that a “socially excluded” underclass has become worryingly entrenched, and that the language spoken by many of the young rioters, drawn from London’s increasingly marginalized social housing estates (projects), was somehow implicated in this. The emergence of this dialect, which is called Multicultural London English (MLE) by sociolinguists, and “Jafaican” by the popular media, is of the utmost significance to any attempt to understand what an actually existing multicultural looks like, shorn of diversity ideology and wishful thinking.

As far back as 2001, research by educationalists found that well over 300 languages and dialects were being spoken by children and teenagers in London’s schools.<sup>36</sup> It is this exceptionally diverse linguistic environment that has formed the “feature pool” from which MLE has emerged.<sup>37</sup> More recent research being conducted into the phenomenon, led by Paul Kerswill at Lancaster University and Jenny Cheshire at Queen Mary, University of London,<sup>38</sup> finds that the new speech form is unique insofar as it is being spoken in more or less the same way by young people of all ethnic backgrounds; this is not a mere slang, but a dialect (or “multiethnolect”) that emerges out of a sphere of multicultural – of everyday, shared, lived experience

and negotiation. MLE derives, it is suggested, from four main sources: Caribbean Creoles, most notably Jamaican – a cornerstone of London street speech for decades and the reason why many non-speakers of MLE “hear” it as “black”; former colonial Englishes (e.g. those of South Asia and West Africa); Cockney, the now fading dialect of the old London working class; and “learner varieties” – unguided second language acquisition through friendship groups. The research further confirms a convergence on MLE across Inner London, with the dialect being spoken within the same parameters by all ethno-cultural groups in the relevant areas, though, more specifically, the primary innovators are male non-Anglo teenagers and Anglo teenagers with non-Anglo networks. Indeed, this increasing convergence in London may be part of a far wider phenomenon, with examples of the use of MLE (or a closely related regional equivalent) evident farther afield, in Birmingham, Bristol and Manchester.<sup>39</sup> All of this, unsurprisingly, has reignited a debate the British love to have about the “dumbing down” of the English Language;<sup>40</sup> but this time round, in the aftermath of the riots and their frighteningly nihilistic assault on norms of public behavior, the stakes are higher than usual. Arguments about the coarsening of language, and the imprisoning effects of restrictive language codes, are emerging from some unlikely places. For example Lindsay Johns, a self-defined “hip hop intellectual”, argues that the young people he mentors in south London are becoming trapped – linguistically, educationally, socially – by “ghetto grammar” and cannot “code switch” their way out.<sup>41</sup> This is a key issue from a linguistic point of view, as it pertains to the question of whether or not young people are able to move between different languages, dialects or registers of speech. Lindsay’s fear is that young people who do not – who cannot – do this may be psychologically trapped in highly restrictive lifeworlds. This, after all, is a language much

more of performance than reflection. This sense of restriction is important more generally; the parts of London from which MLE emerged appear, over the last decade or so, to be contracting too, as neighborhood affiliations intensify in an increasingly dog-eat-dog atmosphere; the emergence of “postcode gangs” represents a new kind of hyper-territorialism at the heart of one of the world’s great global cities. John Pitts’ work on “reluctant gangsters” argues that it is becoming increasingly difficult for young people to opt out of these street level affiliations.<sup>42</sup> Some good news here might be that these tiny neighborhood identifications are now primary for many people – which is to say that they may be post-racial; it is the “end” you come from that matters, by and large, in the capital’s patchwork culture of violent territorialism, not your ethnicity.

But the bad news is arguably worse than the good news is good; this convergence on MLE among young Londoners seems to represent a kind of double-restriction: of urban space and of the mind. And these restrictions are taking place against a backdrop of acute crisis for disadvantaged young people: at present Britain is looking at over 20% unemployment among its young,<sup>43</sup> functional illiteracy among teens is at 17%<sup>44</sup> and the country has one of the lowest social mobility rates in Europe, according to a 2010 study by the OECD.<sup>45</sup>

Many of the accounts of this crisis, however, have not encompassed all its (decidedly un-cosmopolitan) dimensions, constrained as they have been by PC and the liberal orthodoxies around race and racism. But Professor Gus John, the Guyanese born writer and activist who has been working in Afro-Caribbean community empowerment and education in Britain for decades, has recently said what white, liberally minded sociolinguists will not: that much of the violent dysfunction and pain experienced by Britain’s multi-ethnic underclass is, to a significant extent, generated from within its own patterns of culture.

John's voice, coming as it does from "within", amounts to a cry of despair that demands recognition of the true scale of the problem. It does not sit especially well with the conventional wisdom now routinely employed by the state, that minorities are the passive victims of institutional racism and externally imposed, top-down social injustices. Earlier in 2011, before the riots occurred, Professor John called for a "peoples' inquiry" into "Gun and Knife-enabled Murders in the African Community". Again, the question of language and its brutalization was at the centre of things:

No "black talk", street language or slang should contain nonchalant sayings like "he was duppied", meaning that he was shot or stabbed to death; or he "got a wig", meaning that he was shot in the head. All of that represents a measure of brutality and barbarism that dehumanizes not just the perpetrators but the entire community and society<sup>46</sup>.

Regardless of the fact that public faith in state multiculturalism is much weakened, the British have a major challenge to deal with: to try and "mainstream" a globalized, multi-ethnic underclass, coherent enough to produce a genuine multiculturalism but largely immobilized in increasingly territorial and socially dysfunctional neighborhoods. Solving the problem of an entrenched and nihilistic youth culture, in particular, is not going to be easy. It will be more difficult still if those responsible for tackling the problem cannot move beyond the dominant political and academic narrative - in which what is not said is usually at least as important as what is - that has it that the sufferings and social pathologies experienced by the underclass are entirely somebody else's doing. And this would entail, among other things,<sup>47</sup> an end to the condescending pretence that MLE is anything more than a rudimentary and limiting form of street

speech that can do nothing but perpetuate the entrapment of its speakers in their increasingly primitive “endz”.

## **Conclusion**

Though it does not much resemble the imaginings of New Labor’s diversity ideologues, Britain has produced at least one genuine, and largely post-racial, youth multicultural. But how “cosmopolitan” is the milieu from which MLE emerges? Do the violence, nihilism and cultural poverty of this world mean that it can ever be regarded as cosmopolitan in anything other than a minimal sense – if that? Does the deracination of street life in “socially excluded” neighborhoods form the foundation for something more positive and genuinely cosmopolitan further down the line? None of these questions is easy to answer at this time. But one thing is clear – that essentialist, top-down diversity policies cause as much resentment as they remove and have therefore become part of the problem they were designed to solve. The closing down of honest public debate on the cultural politics of race and ethnicity, and the turning of a blind eye to the gradual development of a dysfunctional and frequently murderous youth multicultural – because young people from minority backgrounds have made the running in it – are of a piece. Both have undermined the efforts of mature people of goodwill from all backgrounds to give Britain, little by little, and day by day, a more genuinely open, cosmopolitan character.

## NOTES

- <sup>1</sup> Giddens, A., *The Third Way: The Renewal of Social Democracy*, Polity Press: Cambridge, 1998
- <sup>2</sup> Moxon, S. *The Great Immigration Scandal*, Imprint Academic: Exeter, 2006
- <sup>3</sup> Hall, S. "New Labour has Picked Up Where Thatcherism Left Off", *The Guardian*, 06/03/03
- <sup>4</sup> See Daddow, *New Labour and the European Union: Blair and Brown's Logic of History*, Manchester University Press: Manchester, 2011 and Holden, R., *The Making of New Labour's European Policy*, Palgrave: Basingstoke, 2002
- <sup>5</sup> Deakin, S., "Defence and Cosmopolitan Ideals", *Sandhurst Occasional Paper No. 3*, Royal Military Academy: Sandhurst, 2010
- <sup>6</sup> For accounts of the recent, Europe-wide crisis of state multiculturalism – the context in which the British case must be set - see Vertovec, S. and Wessendorf, S. (Eds) *The Multiculturalism Backlash: European Discourses, Policies and Practices*, Routledge: London and New York, 2009
- <sup>7</sup> See Gilroy, P., "The End of Anti-Racism", in Essed, P. and Goldberg, D. (Eds) *Race. Critical Theories*, Blackwell: Oxford, 2002, p.251
- <sup>8</sup> Gilroy argued in 1990 (ibid, p.250) that the "commonsense ideology of antiracism has also drifted towards a belief in the absolute nature of ethnic categories and a strong sense of the insurmountable cultural and experiential divisions which, it is argued, are a feature of racial difference."
- <sup>9</sup> See Gilroy, P. *After Empire: Multiculture or Postcolonial Melancholia*, Routledge: London and New York, 2004. Gilroy's account of the "conviviality" that allows people to rub along in their daily interactions is rooted in an understanding of the pragmatic, inter-subjective nature of the social worlds - warts and all - in which many live but that tend to elude the ideologues of diversity. For the fullest account of the inter-subjective social experience see Taylor, C., *Sources of the Self: The Making of Modern Identity*, Harvard University Press: Cambridge, MA, 1992
- <sup>10</sup> See Chapter 3, Beck, U., *World at Risk*, Polity Press: Cambridge, 2007. Similar points are made in Romy Hassan's *Multiculturalism: Some Inconvenient Truths*, Politico's Publishing: London, 2010 and Jonathan Sacks' *The Home We Build Together*, Continuum: London, 2001.

- <sup>11</sup> The “Cantle Report” into the inter-communal disturbances in Oldham in 2001 demonstrated this clearly. It is interesting to note that this important inquiry into what was very serious social disorder has had much less exposure in the public domain than the Macpherson Report, or its forerunner, The Scarman Report. Is this because its findings did not fit comfortably into the simplified schema of wicked institutions and oppressed minorities set out by Macpherson? That is to say that the inquiry found communities ‘leading parallel lives delineated by high levels of segregation in housing and schools, reinforced by differences in language, culture and religion’ (p.4). Institute of Community Cohesion, *Challenging Communities to Change Oldham*, Coventry University, 2006 <http://www.oldham.gov.uk/cantle-review-final-report.pdf>
- <sup>12</sup> *The Stephen Lawrence Inquiry: Report (Command Paper)*, TSO: London, 1999.
- <sup>13</sup> Cathcart, B., *The Case of Stephen Lawrence*, Penguin: London, 2000.
- <sup>14</sup> There is not the space here for account of the innumerable logical flaws in and political usages of this concept, which is now a fixed and unarguable orthodoxy in official thinking and language. For a systematic dismantling of its intellectual bases, including its origins in the campaigning rhetoric of the anti-semitic and sometime Marxist revolutionary Stokely Carmichael, see chapter six in Dennis, N., Erdos, G. and Ai-Shahi, A., *Racist Murder and Pressure Group Politics*, Institute for the Study of Civil Society, London, 2000; for its insertion of paranoia and mistrust into everyday experience see Waterfeld, B., ‘Imposing parallel lives: how the concept of “institutional racism” leads to estrangement, division and confusion’, *spikedonline*, 22/01/2003; and for its obsolescence in the analysis of the educational under-achievement of black boys see Sewell, T., *Generating Genius: Black Boys in Love, Ritual and Schooling*, Trentham: London, 2009.
- <sup>15</sup> Skidelsky, R., ‘The Age of Inequality’, in Green, D. (Ed) *Institutional Racism and the Police: Fact or Fiction?*, Institute for the Study of Civil Society: London, 2000, p.3.
- <sup>16</sup> Betts, G., *The Twilight of Britain: Cultural Nationalism, Multiculturalism and the Politics of Toleration*, New Brunswick: Transaction Publishers, 2002, p.234.
- <sup>17</sup> Dennis *et al.*, *op. cit.*, “Introduction”, p.xx.
- <sup>18</sup> Skidelsky, *op. cit.*, p.6.

- <sup>19</sup> Dalrymple, T. 'A Modern Witch Trial. Racism: The Charge Against Which There is No Defense', *City Journal*, 19:2, 2009, [http://www.city-journal.org/2009/19\\_2\\_otbie-racism.html](http://www.city-journal.org/2009/19_2_otbie-racism.html) accessed 04/09/2011.
- <sup>20</sup> Dennis *et al.*, *op. cit.*, p.148.
- <sup>21</sup> For contrasting views of this see Marin, M. 'Labour's secret scheme to build up multicultural Britain', *The Times*, 01/11/09, [http://www.timesonline.co.uk/tol/columnists/minette\\_marrin/article6898174.ece](http://www.timesonline.co.uk/tol/columnists/minette_marrin/article6898174.ece) and Travis, A., 'Former Labour advisor denies immigration plot to undermine right', *The Guardian*, 26/10/2009, <http://www.guardian.co.uk/uk/2009/oct/26/labour-immigration-plot-andrew-neather>. Even the latter, however, concedes that Neather 'admitted he had a sense from several discussions at the time that there was a subsidiary purpose to boosting diversity and undermining the right's opposition to multiculturalism, but (Neather) insisted it was not the main point at issue'.
- <sup>22</sup> Menz, G. 'Employers, Trade Unions and Labor Migration Policies: Examining the Role of Non-State Actors, paper presented to the *European Union Studies Association Biennial Conference*, Montreal, 2007
- <sup>23</sup> For an account of the global dynamics of this process see Castells, M., *End of the Millenium. The Information Age: Economy, Society and Culture Vol. III*, Blackwell: Cambridge, MA and Oxford, 1997, and for a local one Ford, R., 'Britain is a soft touch for people trafficking, say traffickers', *The Times*, 14/07/2009, <http://www.timesonline.co.uk/tol/news/uk/crime/article6702471.ece>
- <sup>24</sup> The nature of New Labour's self-serving engagement with the politics of faith and faith communities, rather than class, is well brought out in Berger *et al.*'s skepticism about '...the wisdom of both elites and their policies regarding what has become known as multi-culturalism. The notion, for example, that specifically Christian festivals offend minorities is widespread – but it is rarely the view of the minorities themselves, who (equally rarely) are asked for their opinion...secular elites make use of faith communities in order to further their own – frequently secular – points of view'. Berger, P., Davie, G. and Fokas, E., *Religious America, Secular Europe? A Theme and Variations*, Ashgate: Farnham, 2008, p. 65.
- <sup>25</sup> The first New Labour government drew heavily on the theology of institutional racism in its attempt to discredit the Tories once and for all in this sphere: 'For New Labour, race represents an opportunity to claim a moral advantage over its opponents. Look at the way Labour

politicians continually accuse their Tory opponents of playing the race card. This accusation might have had some substance in the past, but today the Tories appear too defensive to play any card at all... Rather, today it is the race relations lobby and particularly New Labour that finds it difficult to avoid the temptation of playing the race card. By treating routine conflict as racially motivated, they are racialising everyday life.' Furedi, F., 'Institutional racism: a new original sin', *Spiked Online*, 01/05/2001

- <sup>26</sup> Natcen, *British Social Attitudes 26th Report*, Natcen: London, 2010.
- <sup>27</sup> 'YouGov – public becoming more hostile towards Islam', [ukpollingreport.co.uk/blog/archives/302](http://ukpollingreport.co.uk/blog/archives/302), 2010
- <sup>28</sup> See Robson, G., (forthcoming), 'Fear, Fragmentation and Vulnerability in Contemporary Britain', in Kalaga, W. (Ed) *Civilisation and Fear: Writing and the Subjects of Ideology*, Cambridge UK: Cambridge Scholars Publishing, 2012.
- <sup>29</sup> Vertovec, S., 'Super-diversity and its implications', *Ethnic and Racial Studies*, 29:6, pp. 1024-54, 2007.
- <sup>30</sup> Putnam, R. 'E Pluribus Unum: Diversity and Community in the Twenty-first Century'- The 2006 Johan Skytte Prize, *Scandinavian Political Studies*, 30, 2007.
- <sup>31</sup> Lancee, B. and Dronkers, J., 'Ethnic diversity in neighbourhoods and individual trust of immigrant and natives: A replication of Putnam (2007) in a West-European country', paper presented at the *International Conference on Theoretical Perspectives on Social Cohesion and Social Capital*, Royal Flemish Academy of Belgium for Science and the Arts, Brussels, 15/02/2008.
- <sup>32</sup> Leo, J., 'Bowling With Our Own: Robert Putnam's sobering new diversity research scares its author', *City Journal*, 21:2, 2007, <http://www.city-journal.org/html/eon2007-06-25jl.html>.
- <sup>33</sup> New Economics Foundation, *National Reports of Well Being*, NEF: London, 2009.
- <sup>34</sup> Giddens, A, *Runaway World: How Globalization is Reshaping Our Lives*. Profile: London, 1999.
- <sup>35</sup> Wise, W., *Multiculturalism from Below: Transversal Crossings and Working Class Cosmopolitans*, Centre for Research on Social Inclusion: Macquarie University, 2007, <http://www.stepone.org.au/media/1715/everyday%20multiculturalism.pdf>
- <sup>36</sup> Baker, P. and Eversley, J., *Multilingual Capital: The Languages of London's Schoolchildren and Their Relevance to Economic, Social, and Educational Policies*, Battlebridge Publications: London, 2001.

- 37 Roger Hewitt and Les Back each produced invaluable earlier studies, conducted in south London, which attest to the gradual development of what was to become MLE (and the multicultural in which it is embedded):  
Hewitt, R., *White Talk, Black Talk: Inter-racial Friendship and Communication Among Adolescents*, CUP: Cambridge, 1986, and Back, L., *New Ethnicities and Urban Culture: Racisms and Multiculture in Young Lives*, Routledge: London, 1996.
- 38 See, for example, Cheshire, J., Fox, S., Kerswill, P. and Torgerson, E., 'Multicultural London English: the emergence, acquisition and diffusion of a new variety', *Journal of Sociolinguistics* Vol. 15, No. 2, 2011 and Cheshire, J., Fox, S., Kerswill, P., Khan, A. and Torgerson, E., 'Multicultural youth speech as the source of innovation in London English', presentation to the 5th *International Conference on Youth Language*, University of Copenhagen, 29th March 2008, <http://www.lancs.ac.uk/fss/projects/linguistics/multicultural/docs/Jugendsprache.pdf>
- 39 Kerswill, P., Multicultural London English, Public Lecture at the British Library, 22/03/2011.  
available at <http://www.ling.lancs.ac.uk/profiles/293/>
- 40 The most widely circulated and controversial of these came from historian Richard Starkey in a televised debate (Newsnight, BBC2, 12/08/2011). His account centered on centered on an account of a white underclass that has 'become black' in the context of a "violent, destructive and nihilistic gangster culture." This "blackening" of white youth is most visible, he argued, through the extensive use of a Jamaican patois "intruded" into Britain. These comments drew a firestorm of criticism from liberal commentators and politicians - the leader of the New Labour opposition party, Ed Miliband, asserted that it was "absolutely outrageous" that someone should be making such comments in the 21st century (this statement itself exemplifying, perhaps, the Macpherson Report's baleful impact what may and may not be said in contemporary Britain). There were numerous calls for Starkey's head, or at least for sanctions that would affect his prospects of further employment in the media. But while it is undeniable that Starkey was wide of the mark in some respects, and clearly had a very weak grasp the "Jamaican" "patois" he was trying to describe, of he was articulating the concerns of many and was right to draw attention to the dialect being spoken by so many on the street in London – because it matters.

- <sup>41</sup> Johns, L., "Ghetto grammar robs the young of a proper voice", *Evening Standard*, 16/-8/2011\  
<http://www.thisislondon.co.uk/standard/article-23978523-ghetto-grammar-robs-the-young-of-a-proper-voice.do>
- <sup>42</sup> Pitt, J., *Reluctant Gangsters: Youth Gangs in Waltham Forest*, Collumpton, Devon: Willan, 2007.
- <sup>43</sup> Office for National Statistics, *Labour Market Statistics: November 2011*, <http://www.ons.gov.uk/ons/rel/lms/labour-market-statistics/november-2011/statistical-bulletin.html>
- <sup>44</sup> Brookes, G. and Rashid, S., *The Levels of Attainment in Literacy and Numeracy of 13- to 19- Year Olds in England, 1948-2009*, Basingstoke: Palgrave Macmillan, 2010.
- <sup>45</sup> OECD, *Economic Policy Reforms: Going for Growth 2010*, [http://www.oecd.org/document/51/0,3343,en\\_2649\\_34325\\_445662\\_59\\_1\\_1\\_1\\_1,00.html](http://www.oecd.org/document/51/0,3343,en_2649_34325_445662_59_1_1_1_1,00.html)
- <sup>46</sup> John, G., *Gun and Knife Enabled Murders in the African Community: The Case for a People's Inquiry*, gusjohn.co.uk, 2011, p.16.
- <sup>47</sup> For example a dialing down of the prevailing obsession with identity politics and a serious revival of analyses based on the political economy of class; in this case, on economic transformation and the fate of the entrenched workless class. See, for example, Centre for Social Justice, *Breakthrough Britain: Ending the Costs of Social Breakdown. Economic Dependency and Worklessness*, Centre for Social Justice: London, 2007 and Fletcher, D. R., "The workless class? economic transformation, informal work and male working-class identity", *Social Policy and Society*, 9:3. pp. 325-336, 2010.

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<http://www.thisislondon.co.uk/standard/article-23978523-ghetto-grammar-robs-the-young-of-a-proper-voice.do>
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- the *International Conference on Theoretical Perspectives on Social Cohesion and Social Capital*, Royal Flemish Academy of Belgium for Science and the Arts, Brussels, 15/02/2008
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# THE IMPLICIT COSMOPOLITANISM OF JUDGMENTS OF TASTE

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The roots of Kant's theory of cosmopolitanism in his practical philosophy is well-known.<sup>1</sup> The following considerations attempt to specify some of the notions and arguments on the potential of Kant's aesthetics for political theory. Certain elements of Kant's theory of judgments of taste indicate either the possibility of a political philosophy that fundamentally emerges from this particular aesthetics, or at least a set of thoughts which harmonize with Kant's cosmopolitanism as his finalized political theory. (One of the earliest – though not accurate<sup>2</sup> – interpreters of Kant's critique of taste as a work of political ideas (and ideals) on the universal human anthropology of mankind was Friedrich Schiller, especially in his work, *The Aesthetic Education of Mankind in a Series of Letters*, published in 1795. Thus the challenge to identify any systematic relationship between Kant's aesthetics and

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his political thinking had been on the agenda almost since as early as he was still alive.) The common thesis (if any) of those interpretations which attempt to identify such elements is that there is a clear relationship between Kant's critique of taste on the one hand and his works in which his political theory is explicit on the other.<sup>3</sup> I consider that beyond the controversies concerning this hypothesis, the moral/anthropological unity of mankind that Kant postulates in his cosmopolitanism is present in indeed his critique of judgments of taste.

There are two major types of such thought elements: the teleology of nature of which human realization is supposed to be the cosmopolitan existence as well as the idea of community as put forward in Kant's critique of taste in which the constitutive moments of judgments of taste entail a model of coping with the possible judgment of other people as well. With regard to teleology it is the concept of "purpose", in case of judgments of taste it is the concept of "*sensus communis*", "reflective judgment" and "enlarged mind" that have been considered as conceptual links between Kant's ideas of political philosophy and his aesthetics.

In paragraph 5 of *The Critique of Judgment*, we learn that "taste is the faculty for estimating an object or manner of representation through a delight or displeasure 'without any interest'"<sup>4</sup> In paragraph 40 he defines taste as "a kind of '*sensus communis*'".<sup>5</sup> He defines judgments of taste as judgments which refer to the "free play" between imagination and understanding:<sup>6</sup> "The cognitive powers brought into play by this representation are here engaged in a free play, since no definite concept restricts them to a particular rule of cognition."<sup>7</sup> The free play occurs in this spontaneous organization of the sensual material into an intellectual form. This is the form of the subjective purposefulness that we discover in the free play of our own mental faculties while perceiving the object to be

judged in terms of its beauty or ugliness. The inner principle of this organization offers to the experience a closed teleology. This is what Kant calls as “purpose without purpose”. Kant claims that it is the purposefulness as a heuristic principle of nature that we necessarily postulate in order to subsume the manifoldness we perceive under the laws of understanding, which in turn link our concept of nature to our concept of freedom, as the final purpose in nature. As a matter of fact the experience of the beautiful is the experience of the unique way in which the experienced object displays the presence of such a “purpose without purpose”.

We learn from paragraph 31 (“Deduction of pure aesthetic judgments”) that judgments of taste are both generally valid and generally un-coercive. This means that despite its general validity, a judgment of taste does not necessarily imply general agreement. This twofoldness of the individual and public element in the validation of judgments of taste has provoked controversies.<sup>8</sup> The problem is the logical tension between the individual character of judgments of taste on the one hand and the *a priori* foundation of their collective validity on the other.<sup>9</sup> Therefore what needs to be explained is how is it possible that something pleases merely in the act of judging, without sense perception and without a concept, being able at the same time as an individual judgment to rely on a rule of delight that can be generally valid.

The general validity in question cannot be based either upon how other people judge, or be deduced from concepts. Kant’s specifies the following characteristics of these judgments: they are of **1.** *a priori* general validity which is not a logical generality based upon concepts but the appropriateness of the individual judgment to be generally valid; **2.** necessity which does not depend on *a priori* grounds upon which the delight in judgments of taste presupposed in everyone could also be

claimed from everyone; **3.** disinterestedness - the requirement which specifies the basic condition of the “purity” of such judgments, their independence of any kind of interest in the mere existence of the experienced object; **4.** communicability which – similarly to general validity – is not, an empirical requirement, but one that refers to the appropriateness of judgments of taste to be communicable. The reason why we can share our preferences in matters of taste with others (we can communicate them) is due to their partial conceptual character that is to say their relatedness to understanding. Latzel considers that in Kant’s interpretation judgments of taste demand for recognition from anybody as true claims. Latzel argues that this requirement relies on Kant’s assumption that there is something which all men share: understanding.<sup>10</sup> The public character of individual judgments of taste understood in this way opens up the relevance of this aesthetics for political theory. Paragraph 40 deserves special attention in this respect.

Paragraph 40 offers crucial definitions and clarifications concerning the notion of taste and “*sensus communis*”:

However, by the name ‘*sensus communis*’ is to be understood the idea of a ‘public sense’, i. e. a critical faculty which in its reflective act takes account (a priori) of the mode of representation of every one else, in order, ‘as it were’, to weigh its judgment with the collective reason of mankind, and thereby avoid the illusion arising from subjective and personal conditions which could readily be taken for objective, an illusion that would exert a prejudicial influence upon its judgment.<sup>11</sup>

The idea of a “public sense” is further clarified as follows:

This is accomplished by weighing the judgment, not so much with actual, as rather with the merely possible, judgments of

others, and by putting ourselves in the position of every one else, as the result of a mere abstraction from the limitations which contingently affect our own estimate.

The passage is a clear explication of the hypothetical, “distanced” nature of judgments of taste that is to say, their non-sociological, indirect way of taking other people’s possible judgment into consideration. It is precisely “the collective reason of mankind” that has to be considered rather, than the contingent, subjective individual judgment of the other person. Therefore it is the mere fact of the subjectivity of the other person (as well as one’s own) that has to be taken into consideration rather than the actual content of each subjective perspective.

The general requirement of taking the judgment of the other person into account is distinct and superior to just being influenced by the actual judgment of the other person. Kant puts forward at this point a philosophical model which postulates the fact of the presence of the others. Accordingly the judgment the individual anticipates from the others is not supposed to be an actual judgment but a possible one. The passage further teaches us that by having in mind “the collective reason of mankind” while judging, we can eliminate the lasting effect of the contingency of our momentary condition; and Kant adds something interesting, namely that in fact we eliminate the “illusion” of taking the influence generated by our subjective condition as something objectively valid.

The paragraph indicates the possibility of a broadly understood judging that potentially links aesthetic, moral and political judging to “*sensus communis*”. The transfer lies where Kant explains how the process of self-restriction through which we can get rid of our contingent, particular determinacy is actually carried out: “This is accomplished by weighing the judgment, not so much with actual, as rather with the merely possible, judgments of others, and by putting

ourselves in the position of every one else, as the result of a mere abstraction from the limitations which contingently affect our own estimate."

It is the second part of this passage that Hannah Arendt links to the notion of imagination, as the act through which we can make present something that what is absent. A further element that Arendt explores in her reconstruction of Kant's aesthetics as an implicit political philosophy, is the main idea of this passage namely the requirement of the reversed perspective. It is this reversed perspective that finally links the epistemological description of the mechanism of "sensus communis" to its normative aspect which gradually develops into the final link between the meaning of judging as aesthetic, moral and political judging.

The a priori uniformity of the act of judging serves as the transcendental ground for the social validity and "communicability" of the judgments of taste. In Kant's system aesthetics or more precisely the aesthetic phenomena appear to be the bridge between nature and freedom.<sup>12</sup> The possibility of a general cosmopolitan existence is deeply present in the spirit of the third *Critique*.<sup>13</sup> One could even argue that, as a matter of fact the aesthetic spectator and the political spectator ("Weltbetrachter") from the same ideal of world-community. The image of such a final development of history which is supposed to the fulfilled state of moral maturity ("Mündigkeit") appears in Kant's hopes, also as an ethical community – as the final end of nature. The idea of the final end of nature is in turn part of the aesthetics which is implicit in the teleology of the world.

Höffe highlights that the human development from nature to morality and finally toward culture is systematically placed within the entire system of teleology, and he especially refers in this respect to paragraphs 83 and 84 in which Kant, by the

end of his elaboration of the teleological judging returns to morality as the final development of the entire teleological world order.<sup>14</sup> But even though the “teleologia rationis humanae” by showing the place for human autonomy within nature bridges the gap between nature and freedom, it is still a question, whether the causal order of nature satisfies the purpose of morality. The problem of the discrepancy between culture and morality is the line of thought along which Ricouer engages into discussing the task of teleology and its relevance for Kant’s political thinking.

Ricouer’s contribution to the understanding of Kant’s notion of teleology is the analysis of its overlapping meaning between Kant’s aesthetics, his philosophy of history and the implicit political thought this notion entails. It is in this last respect that Ricouer takes a look on Arendt’s incomplete interpretation of Kant’s aesthetics as an implicit political philosophy. Ricouer’s starting point is the relationship between aesthetic and historical teleology. He claims that Kant’s political philosophy is much more elaborated in his philosophy of history than anywhere else. He extends Kant’s conception of teleology into the direction of a theory of political judgment as he calls it.<sup>15</sup> In the end Ricouer comes up with an examination of Kant’s notion of teleology on three pillars: aesthetics, philosophy of history and political philosophy. He identifies a certain notions which form a bridge between Kant’s aesthetics and Kant’s political philosophy.

Ricouer identifies the exemplarity as the first link between aesthetics and political judgment. In his explanation the retrospective nature of exemplarity gives a prophetic perspective to “reflective judgment” for aesthetics and hope in history. The reason for this is that exemplarity runs against natural finality. And although there seems to be a tension between the visionary stance of historical teleology and the retrospective stance of reflection in aesthetic judgment Ricouer claims

that the solution lies in the hope embedded in the particular example. This is the critical distancing inherent in “reflective judgment”. Accordingly the lesson we obtain from works of art as well as from historical events is only conceivable because of the examples. Ricouer observes that “disinterestedness” and “communicability” go together in the third *Critique* and constitute the “enlarged mind” in paragraph 40 and the final realization of the “enlarged mind” is the cosmopolitan point of view – the merge of the aesthetic and the political spectator. His concluding idea is based on a quote from the eighth thesis of the *Idea for a Universal History from a Cosmopolitan Point of View* which reflects Kant’s all-embracing vision of teleology: the hope that finally a universal cosmopolitan condition will emerge. Ricouer’s conclusion is that the teleological and the aesthetic judgment ally in an unwritten political philosophy. This could even be read as the final conclusion never written by Arendt.

Arendt identifies the following topics of *The Critique of Judgment* as significant for political theory:

... the particular, whether a fact of nature or an event in history; the faculty of judgment as the faculty of man’s mind to deal with it; sociability of man as the condition of the functioning of this faculty, that is, the insight that men are dependent on their fellow men not only because of their having a body and physical needs but precisely for their mental faculties - these topics, all of them the eminent political significance - that is, important for the political - were concerns of Kant long before he finally, after finishing the critical business (*das kritische Geschäft*), turned to them when he was old.<sup>16</sup>

The leading step in her interpretation of the relationship between the aesthetic and the political realm in the third *Critique* is to consider judgment as a distinct capacity of the

mind. Arendt clarifies her claim by highlighting the fact that we don't arrive to judgments as results of logical inferences.<sup>17</sup> For instance, by judging something as beautiful, our mind doesn't operate in the same way, as by inferring from the premises that all men are mortal, Socrates is a man, hence Socrates is mortal. In her interpretation of judgment Arendt points out, that the epistemological background of the term as it appears in the third *Critique* relies on the distinction Kant makes in the *Critique of Pure Reason*: "subsuming under a concept" and "bringing to a concept". This distinction is equivalent to the one made in the third *Critique* between *determinant judgment* and *reflective judgment*. Contrary to *determinant judgment* which subsumes the particular under the general rule, *reflective judgment* derives the rule from the particular.

"Judging" was meant to be the title of the third chapter of Hannah Arendt's volume *The Life of the Mind* which due to her sudden death had remained unfinished.<sup>18</sup> Therefore regarding her fundamental ideas on the relationship between aesthetics and politics in Kant's third *Critique* the posterity can only rely on her unfinished book, as well as on her lectures on Kant's political philosophy, which were supposed to be parts of the completed book. Arendt highlights that the main topic of the third *Critique* is *reflective judgment*. This idea is crucial for her argument on the third *Critique* as Kant's book in political philosophy.

The most comprehensive source left as a testimony regarding Arendt's reading of Kant is the volume published in 1982, which collects her lectures delivered in 1964 at the University of Chicago, as well as in 1965, 66 and 70 at the New School for Social Research. The second most important source of reconstruction is the unfinished volume *The Life of the Mind*, of which third, finally unwritten part was entitled *Judgment*. There is a widespread view that this last part of the

book was supposed to become the final development of her understanding of the relationship between the aesthetic and the political dimension of Kant's philosophy. It is especially the closing chapter of the first part entitled *Postscriptum* which offers clues to grasp how Arendt had conceived the reconstruction of this relationship meant to be developed in the last part of the volume.<sup>19</sup> In her reconstruction of the relationship between the political and the aesthetic phenomena Arendt mainly relies on *The Critique of Judgment*. It was first in 1961 when she stated in an article entitled *Freedom and Politics*, that *The Critique of Judgment* carries the seeds of a political philosophy on grounds, which are different from the *Critique of Practical Reason*.

Curtis highlights that the leading element in Arendt's inquiry concerning the relationship between the category of the beautiful and the political sphere is the concept of the public. According to this neither the concept of the beautiful, nor that of the political can be meaningful without two major aspects of thinking: the relationship to others as expressed by the Kantian idea of the *enlarged mind* that is to say, the human attempt to situate oneself into the perspective of the other; and the act of judgment on what is good, evil, beautiful, and ugly.

Beiner points out, that the relationship between aesthetics and politics in *The Critique of Judgment*, as well as in Arendt's interpretation of it, can be further decomposed into the triadic relationship between the aesthetic, the ethical and the political realms, because as a matter of fact, the role taste plays in Kant is of moral nature. Beiner argues that through the concepts of communication, intersubjective approval and common taste, Arendt identifies the possibility to fill the gap caused by the inexistence of any kind of objective morality, in the moral function of taste.<sup>20</sup> This function is made possible by the fact that judgments of taste are individual and intersubjective at the same time. A similar path is taken by Kristeva by her consideration

that in its Kantian context Arendt's approach on judgment is mainly based upon her idea of plurality.<sup>21</sup> It is the spectator who sees the whole scene, and whose position is fundamentally impartial, because he is not involved in the actual events. The actor's goal is to achieve the good opinion (*doxa*) of the spectator. The fact that the public sphere is made up by the spectators follows from their permanently being judged by each other in their individual judgments: the spectators are in the meantime potential spectators of each other. This state of mutual experience is what gives birth to *common sense*, as opposed to the *private sense* – egotism, which also appears in Kant as insanity, the loss of common sense which means the loss of the capability to judge as spectators. Socrates' neighbor referred to by Arendt expresses the destiny of the thinking man to be always together with somebody: with the neighbor, who is his own consciousness. The cognitive fact of the inherent plurality of the thinking man is the genuine model of plurality as such, to cope with each other's existence. According to Nordmann's interpretation on the implicit political role of imagination in Arendt's Kant-reception, the experiment of situating oneself into the perspective of the other one is the fundamental model of dialogue.<sup>22</sup>

Arendt has been criticized first of all for her apparent aestheticization of politics.<sup>23</sup> Some of her critics argue from the perspective of the consensual communicative politics, others argue from the perspective a conception of agonistic performative politics. Whereas the consensualists only instrumentalize Arendt for their consensual-universalist ends,<sup>24</sup> the other part only observes in her work the element of "agonistic subjectivity" namely, the political ideal of distinctness, that of particularity, as against to the political environment of the homogenizing rule. Mary Dietz questions Arendt's political theory in its aesthetic dimension. Criticizing Arendt for the aestheticism

and sentimentalism of her theory, Dietz points out, that since Arendt does not elaborate an action-coordinating theory, she doesn't supply applicable answers to the potential question of "what is to be done" in politics.<sup>25</sup> Further charges questioned the clarity of her elaboration of the relationship between individual expression and dialogue,<sup>26</sup> as well with the neglect of Kant's theory of right as an established element of political theory in his works.<sup>27</sup> Beyond the controversial answers to the quest for the elements of Kant's political thinking in his aesthetics, a minimalist approach could possibly state that the critique of judgments of taste would be inconceivable without the same teleology of which final realization is the cosmopolitan state and without the anthropological vision of a society of moral adults capable of "enlarged mentality".

## NOTES

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- <sup>2</sup> Paul Guyer: "The dialectic of disinterestedness: II. Kant and Schiller on interest in disinterestedness", in *Kant and the Experience of Freedom: Essays on Aesthetics and Morality*, Cambridge University Press, Cambridge, 1992. p. 120-30.
- <sup>3</sup> Thomas Mertens: „Zweckmässigkeit der Natur und politische Philosophie bei Kant“, in *Zeitschrift für philosophische Forschung*, 49, 1995. p. 220-40.
- <sup>4</sup> Immanuel Kant: *The Critique of Judgment*, Clarendon Press, Oxford, 1992.
- <sup>5</sup> Kant: *Ibid.*: p. 150.
- <sup>6</sup> See especially paragraphs 8, 19, 34 and 35 in the third *Critique*.
- <sup>7</sup> Kant: *Ibid.*: Paragraph 9, p. 58.
- <sup>8</sup> Christel Fricke: *Kants Theorie des reinen Geschmacksurteils*, Berlin, New York, Walter De Gruyter, 1990. p. 177.
- <sup>9</sup> Wolfgang Wieland: *Urteil und Gefühl: Kants Theorie der Urteilskraft*, Vandenhoeck und Ruprecht, Göttingen 2001. p. 240-57.
- <sup>10</sup> Sigbert Latzel: "Die ästhetische Vernunft", in: Klaus L. Berghahn (Ed.): *Friedrich Schiller. Zur Geschichtlichkeit seines Werks*, Kronberg/Ts, 1975. p. 244.
- <sup>11</sup> Kant: *Ibid.*: p. 151.
- <sup>12</sup> Klaus Düsing: "Der Übergang von der Natur zur Freiheit und die ästhetische Bildung bei Kant", in Johannes Schurr, Karl Hein Broecken, Renate Broecken (Eds.): *Humanität und Bildung*, Georg Olms Verlag, 1988. p. 87-100
- <sup>13</sup> Julia Kristeva (Ed.): *Hannah Arendt*, Columbia University Press, New York, 2001. p. 227.
- <sup>14</sup> Otfried Höffe: *Immanuel Kant*, Beck, München, 2000. p. 273.
- <sup>15</sup> Paul Ricoeur: "Aesthetic Judgment and Political Judgment According to Hannah Arendt", in *The Just*. The University of Chicago Press, Chicago, 2000. p. 94-109.
- <sup>16</sup> Hannah Arendt: *Lectures on Kant's Political Philosophy*, p. 14.
- <sup>17</sup> *Ibid.*: p. 4.
- <sup>18</sup> Ronald Beiner: "Introduction", in Ronald Beiner (Ed.): *Hannah Arendt: Lectures on Kant's Political Philosophy*, The University of Chicago Press, Chicago, 1982. p. vii-viii.
- <sup>19</sup> *Ibid.*: p. 89-156.

- <sup>20</sup> *Ibid.*: p. 144.
- <sup>21</sup> Kristeva: *Ibid.*: p. 220, 222.
- <sup>22</sup> Ingeborg Nordmann: *Hannah Arendt*, Campus Verlag, Frankfurt/Main, New York, 1994. p. 108-23.
- <sup>23</sup> Kimberley F. Curtis: „Aesthetic Foundations of Democratic Politics in the Work of Hannah Arendt”, in *Hannah Arendt and the Meaning of Politics*, Craig Calhoun and John McGowan (Eds.), University of Minnesota Press, Minneapolis, London, 1997. p. 28, 29.
- <sup>24</sup> Jürgen Habermas: “Hannah Arendt’s Communications Concept of Power”, in *Social Research*, 44, 1977. p. 22-4.
- <sup>25</sup> Curtis: *Ibid.*: p. 30.
- <sup>26</sup> Seyla Benhabib: *Hannah Arendt. Die melankolische Denkerin der Moderne*, Suhrkamp, Frankfurt/Main, 2006. p. 200, 204.
- <sup>27</sup> Birgit Recki: “Arendt nach Jerusalem”, in *Merkur. Zeitschrift für europäisches Denken*, Stuttgart, Oktober, 2011.

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# KANT ON THE ADVANTAGE OF THE COSMOPOLITAN PERSPECTIVE

Edgar VALDEZ\*

This paper considers the importance of a philosophical perspective for achieving Kant's cosmopolitanism. Kant tells us on many occasions that the highest aim of human nature is a cosmopolitan existence. This cosmopolitanism is the aim Kant conceives in much of his work whether he is speaking of the actions of individuals when doing anthropology or prescribing morality or if he is considering the relationships between nation states as he does in *Toward Perpetual Peace*. Because of Kant's emphasis on international and transnational relations as the pinnacle achievement of the telos of human nature, his call for a cosmopolitanism is often seen through the paradigm of an international or transnational unity. The last two decades have been witness to an acceleration of globalization and a greater interconnectedness between citizens of the world. This has led many to have greater concern for their relation to other citizens and other nations and has made Kant's concern for such relations far more practical and relevant<sup>1</sup>. The real emphasis, however, of cosmopolitanism is not that of a bigger picture but rather that of a clearer picture. Namely, cosmopolitanism is not of value

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<sup>1</sup> Dr. Edgar Valdez is a postdoctoral Teaching Fellow at Seton Hall University, New Jersey, United States. His research focuses on reexaminations of the philosophy of Immanuel Kant. He aims to revisit aspects of Kant's critical philosophy to identify and explore repercussions for various fields of human knowing.

because it incorporates the concerns or experiences of other agents, nations or disciplines. Its value is that it allows for the highest use of reason, a free, public philosophical one. When reason is used locally or doctrinally, it falls short of its aim. Only when reason is used philosophically, cosmopolitically, can it achieve its aim. This isolates philosophy from other disciplines and methods. Other disciplines without philosophy are unable to achieve this cosmopolitan existence. Such a characterization, however also reorients the goal of philosophy. Not only is philosophy charged with making possible a cosmopolitanism but it also must provide the cosmopolitan view for other disciplines.

Much of Kant's critical philosophy is a turn to structure over content, to form over matter, to method of investigation as opposed to object of investigation. In the first *Critique*, Kant turns away from the traditional objects of metaphysics and provides an emphasis on a method that looks critically at the limits of human knowing. In the same way, in his *Idea for a Universal History with a Cosmopolitan Aim*, Kant seeks to offer a new method for doing history. This new method is to be less concerned with a recounting of particular facts or events and more concerned with what Allen Wood calls "an a priori conception of a theoretical program to maximize the comprehensibility of human history."<sup>2</sup> What this cosmopolitan aim is concerned with is not an account of history that can capture more details or have more anecdotes. Rather this cosmopolitan aim is concerned with making sense of human history, with understanding the various events and occasions as being threads of a united fabric. This view conceives of a cosmopolis as an eschaton of human progress and a cosmopolitan history as understanding all that leads to it. On its surface this cosmopolis can be seen as a united federation of states or as a polity inclusive of all available viewpoints but

there is in this cosmopolis an analogous federation of ideas and disciplines. When Kant speaks of a universal administration of public right, this concerns not just a lack of political oppression but also a free, public use of reason as it applies to all human endeavors. In cosmopolis not only do states or governments get along for the sake of a perpetual peace but the method of a cosmopolitan view requires the diversity of human inquiry and investigation to work towards making sense of human history.

Kant suggests that human actions while they are subject to the laws of nature, are the appearances of the freedom of the will. That is to say, that what human beings do we can only hope is a phenomenal representation of an exercise of a noumenal freedom of the will.<sup>3</sup> A provincial, or non-cosmopolitan aim of history concerns itself with retelling narratives or anecdotes. For Kant, a cosmopolitan aim of history calls for something more:

History, which concerns itself with the narration of these appearances, however deeply concealed their causes may be, nevertheless allows us to hope from it that if it considers the play of the freedom of the will in the large, it can discover within it a regular course; and that in this way what meets the eye in individual subjects as confused and irregular yet in the whole species can be recognized as a steadily progressing though slow development of its original predispositions.<sup>4</sup>

This cosmopolitan aim calls on us to look at the same events of human history not merely as coinciding events but as elements of a comprehensive understanding of humanity. As such, this is a shift in method more than it is a shift in object of investigation. It calls on our investigations to think of their objects not as they would contribute to this or that understanding but to human understanding in general. Such a method then does not depend upon what is being investigated,

it does not draw conclusions from disparate bits of data. Rather, this method commits to the inclusion of all bits of data in the understanding of the human condition.

For Kant, cosmopolis unveils an aim of nature that is not revealed by looking at the aims of individuals. This stems not just from the flawed and limited nature of particular human beings but from the fact that it is only as a species that human beings can realize their reasonable faculty, “those predispositions whose goal is the use of his reason were to develop completely only in the species, but not in the individual.”<sup>5</sup> For Kant, the intrinsic worth of humanity stems from its freedom from the laws of nature. To be reasonable then is to exercise that freedom. The full expression of reasonableness is then not possible in a particular individual but only as a collective, as an expression of the reasonableness of humanity in general.

Kant holds that the greatest problem before mankind that human nature draws us to is that of a federation of states, “a civil society universally administering right.”<sup>6</sup> Kant goes on to elaborate on the principles of such a federation in *Perpetual Peace* but holds that such a society would aim at the development of all of humanity’s reasonable dispositions. On the level of states, cosmopolis requires “an inwardly and, to this end, also externally perfect state constitution, as the only condition which it can fully develop all its predispositions in humanity.”<sup>7</sup> On the level of human inquiry cosmopolis leads to enlightenment.

The enlightened status of cosmopolis should be understood in terms of Kant’s own account of enlightenment. Kant thinks of enlightenment as a kind of unity between a purely intelligible emancipation and a practical and communal progression. He tells us that enlightenment is understanding; it is being able to think for oneself; and it is the making use of such understanding:

Enlightenment is the human being's emergence from his self-incurred minority. Minority is inability to make use of one's own understanding without direction from another. This minority is self-incurred when its cause lies not in lack of understanding but in lack of resolution and courage to use it without direction from another.<sup>8</sup>

The successes of the enlightenment lie not only in people coming to understand things for themselves. They also lie in people—as individuals and as communities—having the resolve to put into practice what they have come to understand. Thus the freedom enlightenment is twofold. It is a free public use of reason and it is a freedom act on it. While many modern discussions of cosmopolitanism focus on establishing the freedoms of global citizens to act in a certain way and be protected from oppression and poverty, it is essential to understand the role of a free use of reason in a truly cosmopolitan perspective. This public use of reason must be understood as being broader than an administration of political rights. Kant famously criticizes the cleric in his private use of reason,

Thus the use that an appointed teacher makes of his reason before his congregation is merely a private us; for a congregation, however large a gathering it may be, is still only a domestic gathering; and with respect to it he, as a priest, is not and cannot be free, since he is carrying out another's commission.<sup>9</sup>

The use of the cleric's reason is private because it is used instrumentally at the behest of another. In the same way, our use of reason as a world state would be limited if its only uses were directed at administering right.

In her article *Kant's Conception of the Nation-State and the Idea of Europe*, Susan Shell argues that the guiding principles of

the modern European Union in fact fall short of Kant's conception of a federation of states and his view of cosmopolitanism. In part, Shell argues that the current understanding of a federation of states fails to appreciate the use of reason Kant was advocating and in turn shift the dynamic to a nationalistic affective unifying identity. This kind of federation is not Kantian in that it does not grasp the richness of the ideal of cosmopolis,

What finally unites the peoples of Europe is not some shared positive ideal or goal, but only a negative tolerance or forbearance—a common relinquishment of the 'drive' toward an 'overarching organic-cultural national identity' displacing that of other member states. Citizenship proceeds, not directly, through participation in a common civic project, but only indirectly, through a reciprocal unwillingness to foist the conditions of one's own sense of belonging upon others.<sup>10</sup>

When we think of cosmopolis as merely a lack of fighting, a lack of expressed hatred between peoples, we conceive of cosmopolis too narrowly. In so doing we conceive of a private use of reason. We look to make reason work for us to accomplish some end rather than freely follow reason towards the human telos.

Kant is quite clear on the fact that this cosmopolis has not been realized. We should not, however, be waiting for such cosmopolis to engage in cosmopolitan inquiry. Quite the contrary, Kant suggests that cosmopolitan inquiry is a step towards cosmopolis,

A philosophical attempt to work out a universal world history according to a plan of nature that aims at the perfect civil union of the human species, must be regarded as possible and even as furthering this aim of nature.<sup>11</sup>

A cosmopolitan perspective for human inquiry requires such inquiry to be more reasonable. When the focus of human inquiry is shifted away from the matter or content and towards the reasonableness of the inquiry, we have a clearer insight into the ends of human reason. It is in this way that Kant seeks to shift philosophy away from a traditional discipline. It is rather a method for all human inquiry. Philosophy allows our aims in history, physics and economics to be cosmopolitan:

Hitherto the concept of philosophy has been a merely scholastic concept—a concept of a system of knowledge which is sought solely in its character as a science and which has therefore in view only the systematic unity appropriate to science and consequently no more than the logical perfection of knowledge. But there is likewise another concept of philosophy, a *conceptus cosmicus*, which has always formed the real basis of the term ‘philosophy’, especially when it has been as it were personified and its archetype represented in the ideal philosopher. On this view, philosophy is the science of the relation of all knowledge to the essential ends of human reason (*teleologia rationis humanae*)....<sup>12</sup>

Of course when considering cosmopolitan aims we must acknowledge the danger of colonization, a risk on the level of states, ideas and inquiry. No doubt a form of cosmopolis was used as justification by many imperialists when they sent soldiers across borders or professors when they tell world history by beginning with Greece<sup>13</sup> or many academic vice presidents when they eliminated Slavic and Romance language departments to create Modern language departments. Many of these—and many far more pernicious than these—we know not to have been motivated by cosmopolitan concerns and rather only falsely justified so but is there a danger in these kinds of exclusionary, suppressive and sometimes oppressive movements resulting from cosmopolitan intentions. Kant’s

own former student J.G. Herder expressed concerns over the Enlightenment's eurocentrism. He was particularly worried about thinking of the eschaton of human history looking towards the happiness of the species or humanity in general and not to the happiness of individuals. With the eschaton so located, many individuals could have their particular happiness or success thwarted for the sake of the ends of humanity.

The first thing to note is that Kant is not himself ignorant of such dangers. In fact, arriving at a cosmopolis, whether considered in terms of states or inquiry "is at the same time the most difficult and the latest to be solved by the human species."<sup>14</sup> The interaction of ideas, persons and states seems to always find an antagonism in society that those in authority are quick to use as a justification for war.<sup>15</sup> But the critique of such vicious practices is only possible with a cosmopolitan view. Only under an aim that seeks to make sense of the totality of human activity and inquiry can such practices be shown to be flawed. It is only without a cosmopolitan aim that we can blind ourselves to shortcomings of imperialism. Only when thinking provincially can a vice president look away from the error of eliminating a department of classical languages.<sup>16</sup> Moreover, to adopt a cosmopolitan aim is not to exclude any individual. Cosmopolis is not a call for an individual to sacrifice her own happiness for the sake of society. Rather it is to suggest that there are some achievements and successes that belong to no individual but instead to humanity in general. This becomes even clearer when we situate the discussion in terms of human inquiry. There is a coalescence on the part of enlightenment, on behalf of thinking philosophically or cosmopolitically that belongs to no discipline or school of thought. An ideal university achieves its end not through the strength of a particular department or the accomplishments of a few of its brightest students. Rather there is a reasonableness to the ideal university

that permeates throughout its departments and students. And of course, Kant does not conceive of cosmopolis as yielding happiness for anyone. Kant does not think of cosmopolis as the city of God. Kant is concerned with a free, public use of reason and such use of reason has no guarantees—for individuals or collectives—about attaining happiness. Concerns for our ultimately happiness, for Kant, must rest with faith in God.\*

There can be a final concern that asks whether or not the eschaton of human history is one of a perfection or elevation of reason. Could it not perhaps be something less than that (chaos or brute animal existence) or perhaps something more (glory or divine salvation)? Is Kant in some way being too optimistic in believing in the order and structure of the human telos. He suggests that as practical, human beings must have faith that there is an order and a telos to human nature and that we simply do not have at our disposal the access to make any claims about the noumena of human nature. To address this question any further with regards to human existence it beyond the scope of this paper but when we consider human inquiry, without doubt the elevation of human inquiry is to make it most reasonable. This I argue occurs only when inquiry is taken on with a cosmopolitan aim.

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\* Elsewhere in this volume there are lengthier discussions of Kant's vision of cosmopolis and its relationship to a city of God as well as discussions concerning Kant's faith in God as being the way to ensure the highest good, a proportionate juxtaposition of virtue and happiness.

## NOTES

- <sup>1</sup> At the beginning of *Perpetual Peace* Kant includes a disclaimer—perhaps facetitiously—that claims that since he sees himself as doing political theory and since politicians have no time for political theorists, he expects not to be considered as someone making trouble for the establishment.
- <sup>2</sup> Anthropology, History, Education, p. 107.
- <sup>3</sup> Kant in many places suggests that what is unique to humanity is a personality that is free of the restrictions of the laws of nature. As phenomenal human beings, however, our actions will always be subject to some laws of nature and so much the way that we must have humility in the face of noumena concerning the traditional objects of metaphysics, Kant suggests we can only hope that our actions represent a free will.
- <sup>4</sup> Universal History 8:17.
- <sup>5</sup> Universal History 8:18.
- <sup>6</sup> Universal History 8:22.
- <sup>7</sup> Universal History 8:27.
- <sup>8</sup> What is Enlightenment, 8:35.
- <sup>9</sup> What is Enlightenment, 8:38.
- <sup>10</sup> Idea of Europe, p. 239.
- <sup>11</sup> Universal History 8:29.
- <sup>12</sup> Critique of Pure Reason B867.
- <sup>13</sup> Kant goes out of his way to explain that his mention of the Greeks here is to point to the first record we have of history not to suggest that the first relevant entry in human history is that of the Greek state. Even with this disclaimer there is room to suggest that Kant is guilty of this same oversight. An oversight that a cosmopolitan perspective would call on us to avoid.
- <sup>14</sup> Universal History 8:23.
- <sup>15</sup> About this Kant seems to suggest that while on the other end of war there seems to be a tranquility or order that might move us closer to cosmopolis, the wars themselves do not seem to be inevitable.
- <sup>16</sup> To give some credit to university administrators I am here not ignoring the possible set of constraints that she might address in taking such action but whatever those constraints are, they cannot be cosmopolitan. It is difficult to see how the elimination of the study of any language moves the narrative of human history towards its eschaton, towards its most reasonable.

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# **Program of the Workshop**

## **Cosmopolitanism and Philosophy in a Cosmopolitan Sense**

Main organizers: Gary Banham, Áron Zsolt Telegdi-Csetri

Co-organizers: Camil Pârvu, Tamara Cărauş, Dan Lazea

International Workshop,  
New Europe College, Bucharest

21- 22 October, 2011

### **Day 1 – 21st of October, 2011**

#### **Parrallel sessions (1-2):**

**9.00 – 13.00: Session 1. The Cosmopolitan Philosophical Tradition**

#### **Keynote speaker:**

**Mihály SZILÁGYI-GÁL (ELTE Budapest) – *Kant and Hobbes on Peace***

#### **Participants:**

1. Mete Ulaş AKSOY – Assistant Professor, Gediz University, Turkey – *Classical Political Philosophy and Cosmopolitanism*
2. James ALEXANDER – On sabbatical at Downing College Cambridge Dept. Political Science, Assistant Professor, Bilkent University, Ankara, Turkey – *The Atheistic Metaphysics of Modern Cosmopolitanism*
3. Heike HÄRTING – Associate Professor, Université de Montreal, Canada – *Trespassing Cosmopolitanisms*
4. Michael RINGS – PhD Candidate, Dept. of Philosophy, Indiana University, Bloomington, USA – *The Aesthetic Cosmopolitan and Transcultural Conversation*

5. (Chair/Rapporteur) Researcher **Tamara CĂRĂUȘ** – New Europe College, Bucharest, Romania – *Discussion*

**Day 1 – 21st of October, 2011**

**9.00 – 13.00: Session 2. Cosmopolitanism as Social and Cultural Practice**

**Keynote speakers:**

**Garry ROBSON (Jagiellonian University Krakow)** – *Some Social Consequences of Globalization in Britain: multiculturalism, cosmopolitanism and narcissism in a global society*

**Elena TRUBINA (Ural Federal University, Ekaterinburg)** – *Multiscalar Cosmopolitanism: Problematizing the Normative Assumptions*

**Participants:**

1. Viorela DUCU – PhD Candidate, Department of Sociology and Social Work, Babeș-Bolyai University, Cluj-Napoca, Romania – *The Cosmopolitan Attitude in Romanian Transnational Families*

2. Sarah GRUNBERG – PhD Student, Graduate School for Social Research, Warsaw, Poland – *Racial Difference in an Extremely Homogenous Society*

3. Dr. Malte Fuhrmann – Researcher Orient Institut Istanbul - *On Port City Societies and Cosmopolitanism*

4.(Chair/Rapporteur) **Dan LAZEA** – Post-doctoral Researcher, New Europe College, Bucharest, Romania – *Discussion*

**13.00 – 14.30: Lunch break**

**Day 1 – 21st of October, 2011**

**Regular session:**

**14.30 – 19.00: Session 3. Cosmopolitan Politics**

**Keynote speakers:**

**Garrett W. Brown (University of Sheffield)** – *Responding to Global Challenges in a Multipolar World: Understanding Cosmopolitanism as the new Realism*

**Speranța DUMITRU (Université Paris Descartes)** – *Is global equality of opportunity compatible with citizenship*

**Participants:**

1. Alessio CALABRESE – PhD Candidate in Philosophy and Bioethics, Faculty of Philosophy, University of Naples “Federico II”, Italy – *The problem of the “right to compel” in the present perspective of a cosmopolitan right*

2. Kjartan Koch MIKALSEN – PhD Candidate, Department of Philosophy Norwegian University of Science and Technology, Trondheim, Norway – *Cosmopolitan Defense of State Sovereignty*

3. Ciprian NIȚU – PhD Candidate, Political Science Department, West University of Timișoara, Romania – *Cosmopolitanism as a Paradigm in Contemporary Political Theory*

4. (Chair/Rapporteur) **Camil PÂRVU** – Post-doctoral Fellow, New Europe College, Bucharest, Romania – *Discussion*

**19.00-20.30: Dinner**

**Day 2: 22nd of October, 2011**

**Regular session:**

**9.00 – 13.00: Session 4. Kant's Cosmopolitan Ideal**

**Keynote speakers:**

**Gary BANHAM (KANT STUDIES ONLINE, UK)** – *Cosmopolitan Right and Universal Citizenship*

**Sorin BAIASU (Keele University, UK)** – *Cosmopolitanism and the Highest Political Good*

**Participants:**

1. Kostas KOUKOUZELIS - PhD, Lecturer at the Philosophy & Social Studies Department, University of Crete, Rethymnon, Greece – *Republican citizenship and public use of reason from a cosmopolitan point of view*

2. Enikő FERENCZ – PhD student, Department of Philosophy, Babeş-Bolyai University, Cluj-Napoca, Romania – *Kant's Cosmopolitanism*

3. Edgar VALDEZ – PhD, PostDoctoral Teaching Fellow, Seton Hall University, New York – *Kant on the Advantage of the Cosmopolitan Perspective*

4. Andrej Mitic – PhD student, Faculty of Law, University of Nis, Serbia : *New reading of Immanuel Kant's Philosophy of Law: The Idea of Cosmopolitan Democracy*

5. (Chair/Rapporteur) **Áron TELEGDI-CSETRI**, – Post-doctoral Reseracher, New Europe College, Romania – *Discussion*

**13.00 – 14.30: Lunch break**

**Day 2: 22nd of October, 2011**

**14.30 – 17.00: Round table.**

Rapporteurs **Tamara CĂRĂUȘ**, **Dan LAZEA**, **Camil PÂRVU** and **Áron TELEGDI-CSETRI** introduce the issues from their respective sessions, proposing discussion topics for all participants.

**17.00 – 17.30: Coffee break**

**17.30 – 18.30: Final discussion**

Based on the rapporteurs' and the main speakers' proposals, future plans and practical actions are discussed and initiated.

**Note:**

This event is organized under the research project "The Political Radicalization of the Kantian Idea of Philosophy in a Cosmopolitan Sense", supported by UEFISCDI, contract nr. 61/05.08.2010

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This event is organized with the support of the Faculty of Political Science of the University of Bucharest.



# NEW EUROPE FOUNDATION NEW EUROPE COLLEGE

## Institute for Advanced Study

*New Europe College (NEC)* is an independent Romanian institute for advanced study in the humanities and social sciences founded in 1994 by Professor Andrei Pleșu (philosopher, art historian, writer, Romanian Minister of Culture, 1990–1991, Romanian Minister of Foreign Affairs, 1997-1999) within the framework of the *New Europe Foundation*, established in 1994 as a private foundation subject to Romanian law.

Its impetus was the *New Europe Prize for Higher Education and Research*, awarded in 1993 to Professor Pleșu by a group of six institutes for advanced study (the Center for Advanced Study in the Behavioral Sciences, Stanford, the Institute for Advanced Study, Princeton, the National Humanities Center, Research Triangle Park, the Netherlands Institute for Advanced Study in Humanities and Social Sciences, Wassenaar, the Swedish Collegium for Advanced Study in the Social Sciences, Uppsala, and the Wissenschaftskolleg zu Berlin).

Since 1994, the NEC community of fellows and *alumni* has enlarged to over 500 members. In 1998 the New Europe College was awarded the prestigious *Hannah Arendt Prize* for its achievements in setting new standards in research and higher education. New Europe College is officially recognized by the Romanian Ministry of Education, Research and Innovation as an institutional structure for postgraduate studies in the humanities and social sciences, at the level of advanced studies.

Focused primarily on research at an advanced level, NEC strives to create an institutional framework with strong international links that offers to the young scholars and academics in the fields of humanities and social sciences from Romania, and to the foreign scholars invited as fellows working conditions similar to those in the West, and provides a stimulating environment for interdisciplinary dialogue and critical debates. The academic programs NEC coordinates and the events it organizes aim at promoting contacts between Romanian scholars and their peers worldwide, at cultivating the receptivity of academics and researchers in Romania for fields and methods as yet not firmly established here, thus contributing to the development of a core of gifted young academics and scholars, expected to play a significant role in the renewal of research and higher education in Romania.

**Academic programs currently organized and coordinated by NEC:**

- ***NEC Fellowships (since 1994)***

Each year, up to ten NEC Fellowships for outstanding young Romanian scholars in the humanities and social sciences are publicly announced. The Fellows are chosen by the NEC international Academic Advisory Board for the duration of one academic year (October through July). They gather for weekly seminars to discuss the progress of their research, and participate in all the scientific events organized by NEC. The Fellows receive a monthly stipend for the duration of nine months, and are given the opportunity of a one-month research trip abroad, at a university or research institute of their choice. At the end of the academic year, the Fellows submit papers representing the results of their research, which are published in the New Europe College Yearbooks. This program also includes a number of international fellowships.

- ***Ștefan Odobleja Fellowships (since October 2008)***

The fellowships given in this program are supported by the National Council of Scientific Research in Higher Education, and are meant to complement and enlarge the core fellowship program. The definition of these fellowships is identical with those in the NEC Program, in which the Odobleja Fellows are integrated.

- ***The GE-NEC III Fellowships Program (since October 2009)***

A new program supported by the Getty Foundation started this academic year. It proposes a research on, and a reassessment of Romanian art during the interval 1945 –

2000, that is, since the onset of the Communist regime in Romania up to recent times, through contributions coming from young scholars attached to the New Europe College as Fellows. As in the previous programs supported by the Getty Foundation at the NEC, this program will also include a number of invited guest lecturers, whose presence is meant to ensure a comparative dimension of the program, and to strengthen the methodological underpinnings of the research conducted by the Fellows.

- ***The Black Sea Link (starting in October 2010)***

This Fellowship Program, sponsored by the VolkswagenStiftung, invites young researchers from Moldova, Ukraine, Georgia, Armenia and Azerbaijan, as well as from other countries within the Black Sea region, for a stay of one or two terms at the New Europe College, during which they will have the opportunity to work on projects of their choice. The program welcomes a wide variety of disciplines in the fields of humanities and social sciences. Besides hosting a number of Fellows, the College will organize within this program workshops and symposia on topics relevant to the history, present, and prospects of this region.

**Other fellowship programs organized since the founding of New Europe College:**

- ***RELINK Fellowships (1996–2002)***

The RELINK Program targeted highly qualified young Romanian scholars returning from studies or research stays abroad. Ten RELINK Fellows were selected each year through an open competition; in order to facilitate their

reintegration in the local scholarly milieu and to improve their working conditions, a support lasting three years was offered, consisting of: funds for acquiring scholarly literature, an annual allowance enabling the recipients to make a one-month research trip to a foreign institute of their choice in order to sustain existing scholarly contacts and forge new ones, and the use of a laptop computer and printer. Besides their individual research projects, the RELINK fellows of the last series were also required to organize outreach activities involving their universities, for which they received a monthly stipend. NEC published several volumes comprising individual or group research works of the RELINK Fellows.

- ***The NEC-LINK Program (2003 - 2009)***

Drawing on the experience of its NEC and RELINK Programs in connecting with the Romanian academic milieu, NEC initiated in 2003, with support from HESP, a program that aimed to contribute more consistently to the advancement of higher education in major Romanian academic centers (Bucharest, Cluj-Napoca, Iași, Timișoara). Teams consisting of two academics from different universities in Romania, assisted by a PhD student, offered joint courses for the duration of one semester in a discipline within the fields of humanities and social sciences. The program supported innovative courses, conceived so as to meet the needs of the host universities. The grantees participating in the Program received monthly stipends, a substantial support for ordering literature relevant to their courses, as well as funding for inviting guest lecturers from abroad and for organizing local scientific events.

- ***The GE–NEC I and II Programs (2000 – 2004, and 2004 – 2007)***

New Europe College organized and coordinated two cycles in a program financially supported by the Getty Foundation. Its aim was to strengthen research and education in fields related to visual culture, by inviting leading specialists from all over the world to give lectures and hold seminars for the benefit of Romanian undergraduate and graduate students, young academics and researchers. This program also included 10-month fellowships for Romanian scholars, chosen through the same selection procedures as the NEC Fellows (see above). The GE–NEC Fellows were fully integrated in the life of the College, received a monthly stipend, and were given the opportunity of spending one month abroad on a research trip. At the end of the academic year the Fellows submitted papers representing the results of their research, to be published in the GE–NEC Yearbooks series.

- ***NEC Regional Fellowships (2001 - 2006)***

In 2001 New Europe College introduced a regional dimension to its programs (hitherto dedicated solely to Romanian scholars), by offering fellowships to academics and researchers from South–Eastern Europe (Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Greece, The Former Yugoslav Republic of Macedonia, the Republic of Moldova, Montenegro, Serbia, Slovenia, and Turkey). This program aimed at integrating into the international academic network scholars from a region whose scientific resources are as yet insufficiently known, and to stimulate and strengthen the intellectual dialogue at a regional level. Regional Fellows received a monthly stipend and were given the opportunity of a one-month

research trip abroad. At the end of the grant period, the Fellows were expected to submit papers representing the results of their research, published in the NEC Regional Program Yearbooks series.

- ***The Britannia–NEC Fellowship (2004 - 2007)***

This fellowship (1 opening per academic year) was offered by a private anonymous donor from the U.K. It was in all respects identical to a NEC Fellowship. The contributions of Fellows in this program were included in the NEC Yearbooks.

- ***The Petre Țuțea Fellowships (2006 – 2008, 2009 - 2010)***

In 2006 NEC was offered the opportunity of opening a fellowships program financed the Romanian Government though its Department for Relations with the Romanians Living Abroad. Fellowships are granted to researchers of Romanian descent based abroad, as well as to Romanian researchers, to work on projects that address the cultural heritage of the Romanian *diaspora*. Fellows in this program are fully integrated in the College's community. At the end of the year they submit papers representing the results of their research, to be published in the bilingual series of the *Petre Țuțea* Program publications.

- ***Europa Fellowships (2006 - 2010)***

This fellowship program, financed by the VolkswagenStiftung, proposes to respond, at a different level, to some of the concerns that had inspired our *Regional Program*. Under the general title *Traditions of the New Europe. A Prehistory of European Integration in South-Eastern Europe*, Fellows work on case studies that attempt to recapture the earlier history of the European integration, as it has been taking shape over the centuries in South–Eastern Europe, thus

offering the communitarian Europe some valuable vestiges of its less known past.

- ***Robert Bosch Fellowships (2007 - 2009)***

This fellowship program, funded by the Robert Bosch Foundation, supported young scholars and academics from Western Balkan countries, offering them the opportunity to spend a term at the New Europe College and devote to their research work. Fellows in this program received a monthly stipend, and funds for a one-month study trip to a university/research center in Germany.

New Europe College has been hosting over the years an ongoing series of lectures given by prominent foreign and Romanian scholars, for the benefit of academics, researchers and students, as well as a wider public. The College also organizes international and national events (seminars, workshops, colloquia, symposia, book launches, etc.).

An important component of NEC is its library, consisting of reference works, books and periodicals in the humanities, social and economic sciences. The library holds, in addition, several thousands of books and documents resulting from private donations. It is first and foremost destined to service the fellows, but it is also open to students, academics and researchers from Bucharest and from outside it.

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Beside the above-described programs, New Europe Foundation and the College expanded their activities over the last years by administering, or by being involved in the following major projects:

## **In the past:**

- ***The Ludwig Boltzmann Institute for Religious Studies towards the EU Integration (2001–2005)***

Funding from the Austrian Ludwig Boltzmann Gesellschaft enabled us to select during this interval a number of associate researchers, whose work focused on the sensitive issue of religion related problems in the Balkans, approached from the viewpoint of the EU integration. Through its activities the institute fostered the dialogue between distinct religious cultures (Christianity, Islam, Judaism), and between different confessions within the same religion, attempting to investigate the sources of antagonisms and to work towards a common ground of tolerance and cooperation. The institute hosted international scholarly events, issued a number of publications, and enlarged its library with publications meant to facilitate informed and up-to-date approaches in this field.

- ***The Septuagint Translation Project (since 2002)***

This project aims at achieving a scientifically reliable translation of the Septuagint into Romanian by a group of very gifted, mostly young, Romanian scholars, attached to the NEC. The financial support is granted by the Romanian foundation *Anonimul*. Seven of the planned nine volumes have already been published by the Polirom Publishing House in Iași.

- ***The Excellency Network Germany – South-Eastern Europe Program (2005 - 2008)***

The aim of this program, financed by the Hertie Foundation, has been to establish and foster contacts between scholars and academics, as well as higher education entities from

Germany and South–Eastern Europe, in view of developing a regional scholarly network; it focused preeminently on questions touching upon European integration, such as transnational governance and citizenship. The main activities of the program consisted of hosting at the New Europe College scholars coming from Germany, invited to give lectures at the College and at universities throughout Romania, and organizing international scientific events with German participation.

- ***The ethnoArc Project–Linked European Archives for Ethnomusicological Research***

*An European Research Project in the 6th Framework Programme: Information Society Technologies–Access to and Preservation of Cultural and Scientific Resources (2006-2008)*

The goal of the *ethnoArc* project (which started in 2005 under the title *From Wax Cylinder to Digital Storage* with funding from the Ernst von Siemens Music Foundation and the Federal Ministry for Education and Research in Germany) was to contribute to the preservation, accessibility, connectedness and exploitation of some of the most prestigious ethno-musicological archives in Europe (Bucharest, Budapest, Berlin, and Geneva), by providing a linked archive for field collections from different sources, thus enabling access to cultural content for various application and research purposes. The project was run by an international network, which included: the “Constantin Brăiloiu” Institute for Ethnography and Folklore, Bucharest; Archives Internationales de Musique Populaire, Geneva; the Ethno-musicological Department of the Ethnologic Museum Berlin (Phonogramm Archiv), Berlin; the Institute of Musicology of the Hungarian Academy of Sciences,

Budapest; Wissenschaftskolleg zu Berlin (Coordinator), Berlin; New Europe College, Bucharest; FOKUS Fraunhofer Institute for Open Communication Systems, Berlin.

### **Ongoing projects:**

***The Medicine of the Mind and Natural Philosophy in Early Modern England: A new Interpretation of Francis Bacon*** (A project under the aegis of the European Research Council (ERC) Starting Grants Scheme) – In cooperation with the Warburg Institute, School of Advanced Study, London (since December 2009)

***Business Elites in Romania: Their Social and Educational Determinants and their Impact on Economic Performances.*** This is the Romanian contribution to a joint project with the University of Sankt Gallen, entitled ***Markets for Executives and Non-Executives in Western and eastern Europe***, and financed by the National Swiss Fund for the Development of Scientific Research (SCOPES) (since December 2009)

***Civilization. Identity. Globalism. Social and Human Studies in the Context of European Development*** (A project in the Development of Human Resources, under the aegis of the National Council of Scientific Research) – in cooperation with the Romanian Academy (starting October 2010)

***The EURIAS Fellowship Programme***, a project initiated by NetIAS (Network of European Institutes for Advanced Study), coordinated by the RFIEA (Network of French Institutes for Advanced Study), and co-sponsored by the

European Commission's 7th Framework Programme - COFUND action. It is an international researcher mobility programme in collaboration with 14 participating Institutes of Advanced Study in Berlin, Bologna, Brussels, Bucharest, Budapest, Cambridge, Helsinki, Jerusalem, Lyons, Nantes, Paris, Uppsala, Vienna, Wassenaar. The programme will issue its first call in the nearest future.

***DOCSOC, Excellency, Innovation and Interdisciplinarity in doctoral and postdoctoral studies in sociology***  
(A project in the Development of Human Resources, under the aegis of the National Council of Scientific Research) – in cooperation with the University of Bucharest (starting July 2010)

Other projects are in the making, often as a result of initiatives coming from fellows and *alumni* of the NEC.

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