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Taking the 'Ism' out of Cosmopolitanism

An Essay in Reconstruction

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Abstract

This article addresses the character and potential of the radical cosmopolitanism that is currently flourishing within the social sciences. I explore how cosmopolitanism is articulated in a number of disciplines – including international law, international relations, sociology and political philosophy – and how it conceives of its own age. I focus first of all on the time-consciousness that informs the cosmopolitan representation of modernity, in particular its projection of a *rupture* between the old 'Westphalian' order of nation states and the advancing cosmopolitan order of the present, and, second, on the nature of cosmopolitan critiques of nationalism, socialism and 'modernist' social and political thought in general. Behind this focus lie a question over the extent to which cosmopolitanism replicates in its own normative proposals the defects of that which it criticizes, and another question over the means by which the critical kernel of contemporary cosmopolitanism can be separated from its doctrinal shell.

Key words

■ cosmopolitan ■ nationalism ■ politics ■ state ■ universalism

The Rise of a New Cosmopolitanism

A human being counts as such because he is a human being, not because he is a Jew, Catholic, Protestant, German, Italian, etc. This consciousness, which is the aim of *thought*, is of infinite importance, and it is inadequate only if it adopts a fixed position – for example, as *cosmopolitanism* – in opposition to the concrete life of the state. (Hegel, 1991: §209R)

Perpetual peace is often demanded as an ideal to which mankind should approximate . . . But the state is an individual, and negation is an essential component of

individuality. Thus, even if a number of states join together as a family, this league, in its individuality, must generate opposition and create an enemy. (Hegel, 1991: §324A)

The object of this investigation is a form of radicalism that has flourished since the fall of the Berlin Wall in 1989 and goes by the name of the new or actually existing cosmopolitanism. It is a way of thinking that declares its opposition to all forms of ethnic nationalism and religious fundamentalism as well as to the economic imperatives of global capitalism. It perceives the integrity of contemporary political life as threatened both by the globalization of markets and by regressive forms of revolt against globalization, and aims to reconstruct political life on the basis of an enlightened vision of peaceful relations between nation states, human rights shared by all world citizens, and a global legal order buttressed by a global civil society. It is at once a theoretical approach toward understanding the world, a diagnosis of the age in which we live, and a normative stance in favour of universalistic standards of moral judgement, international law and political action.¹ The new cosmopolitanism has been growing apace within the social sciences. We hear of cosmopolitan international law, cosmopolitan international relations, cosmopolitan sociology, cosmopolitan political philosophy, cosmopolitan political theory and even perhaps of cosmopolitan social theory. Each has its own story to tell. I should say at the start that my aim is not to feed any hostile urge to trash cosmopolitan ways of thinking but, on the contrary, to nurture them through a critique of the new or actually existing cosmopolitanism (Calhoun, 2002: 86).

Cosmopolitanism arises in part out of international law but has a logic that transcends its origins and is in some aspects in contradiction with them. International law is a form of law that recognizes states as legal personalities. Its guiding principle is that of national sovereignty. It upholds the internal and external sovereignty of nations and regulates relations between states on this basis. It guarantees the integrity of states based on the right of national self-determination and the principle of non-interference in the internal affairs of other states. It demands of states that they recognize the rights of other states and it leaves it to the states themselves to enforce their rights with or without the help of other states (Kelsen, 1966). Cosmopolitan law, on the other hand, reaches both inside and outside states. It recognizes individuals and groups in civil society, as well as states, as legal personalities. It is concerned with the rights and responsibilities of world citizens and the key problem it addresses is that the worst violators of human rights are often states or state-like social formations. While international law develops according to the principle that each state has sovereignty within its own territory, cosmopolitan law seeks to impose limits on how states can behave toward the people who live within their territories. While international law admits of no higher legal authority over that of states, cosmopolitan law offers a normative justification of just such an external power. There is a large grey area between international and cosmopolitan law but the core analytical distinction, even if it is not generally acknowledged within legal theory, is between a form of international law that recognizes only states as legal subjects

and one that both descends below the level of states to that of individual right and ascends above the level of states to that of a higher legal body (Charney, 1993).

In the field of International Relations the new cosmopolitanism also contains a logic that transcends its origins. The 'realist' mainstream of International Relations holds that the state is the ultimate source of authority and by implication that there is no legal or moral authority beyond the plurality of sovereign states. In International Relations the idea of an international system composed of sovereign states is generally unquestioned as a point of departure. Either the system of sovereign states is regarded as a natural and immutable order or as a rational order finally achieved at the end of history (Donnelly, 1995; Ringmar, 1996). The cosmopolitan paradigm of International Relations criticizes 'realism' for its proclivity to naturalize or rationalize a system of sovereign states that is in fact historically specific and normatively undesirable. Its argument is that the idea of a sovereign state is itself a product of history and not a permanent feature of the human condition, that its origins are to be explained rather than its ontological status assumed, and that it came into being at a point of time and can be surpassed when it is no longer adequate to changing times. The cosmopolitan paradigm breaks down the categorical distinction within International Relations between the *domestic* field in which individuals freely submit to the state as to their own rational will, and the *international* field that is taken to be devoid of all ethical values. It rejects the temporal matrix which declares that *inside* the state progress can be accomplished over time but that *outside* there can only be an eternal repetition of power and interest. It sees mainstream International Relations as justifying a political order premised on a lack of moral or legal inhibitions on relations between states, and it maintains that the conditions for the reconstruction of this order are now ripe (Doyle, 1993; Walker, 1993; Bartelson, 2001).

In the field of political philosophy, the rise of a cosmopolitan paradigm is based on a revival of the ideas of cosmopolitan right and universal history first expressed by Kant toward the close of the 18th century (Kant, 1991; Archibugi, 1995; Nussbaum, 1997; Fine, 2001; 2003). Its intuition is that Kant's cosmopolitan thinking is as pertinent to our own times as it was to Kant's and that the challenges posed by the catastrophes of the 20th century have given new impetus to his way of thinking (Archibugi et al., 1998; O'Neill, 2000). It acknowledges that Kant's cosmopolitan vision needs to be modified in order to iron out inconsistencies in his thinking, radicalize it where its break from the old order of nation states is incomplete, and modernize it so as to take into account differences in social context and conceptual framework that now separate us from him. It also sees a need to elaborate the linkages between peace and social justice which Kant neglected (Habermas, 1998). Even so, its agenda is to 'think with Kant against Kant' in reconstructing the cosmopolitan idea (Apel, 1997). Cosmopolitan political philosophy affirms the possibility and desirability of overriding national sovereignty in the name of cosmopolitan justice. It appeals to the *historical contingency* of the nation state as the organizing principle of political communities, to

the death of nationalism as a normative principle of social integration, and to the *rationality* of cosmopolitanism as the fulfilment of the Enlightenment project. Its credo is that the universalistic elements of right that were once swamped by the particularistic self-assertion of one nation against another are best suited to the identity of *world citizens*, not to that of citizens of a particular state over against other states. If it concedes that nationalism had value in the past, in the pursuit of anti-colonial struggles or in the building of modern welfare states, the new cosmopolitanism maintains that today nationalism can manifest itself only as something irrational. The new cosmopolitanism renounces the idea that solidarity ties are conceptually linked to the nation state. Its faith lies in the attainment of a postnational, transnational or global democracy (Habermas, 2001).

Analogous forms of cosmopolitan thinking may be found in the field of sociology. It is expressed, for instance, in attempts to dissociate the core concepts of sociology, especially that of 'society' itself, from the presuppositions of the nation state (Wagner, 2001). Its argument is that the strong notion of a *national* society that has prevailed in sociology was the joint product of the discipline's own national consciousness and the solidity of national societies during the time of sociology's development (Smelser, 1997). Seeing the concept of 'society' marked at birth by the coincidence between the rise of sociology as a discipline and the formation of nation states as the primary form of modern political organization, the new cosmopolitanism emphasizes the historicity of this analytical framework and its inappropriateness for comprehending social life in an age of globalization. It maintains that the old national framework is no longer capable of addressing global risks that have no respect for national boundaries or power structures outside national frameworks of democratic accountability. It maintains that the internal heterogeneity and hybridity of populations within nation states and the proliferation of external relations between nation states are driving them inexorably beyond the framework of *national* societies. To the cosmopolitan consciousness these changes in social life indicate the need for a corresponding change in social theory in the direction of a global sociology which takes the world itself as its primary unit of experience and analysis. Its contention is that we must free ourselves from a conceptual world that no longer exists by overcoming categories of understanding and standards of judgement that depend on a national framework (Beck, 2002a; Urry, 2000).

The new cosmopolitanism should be understood as a *configuration* of these and doubtless other disciplinary paradigms (e.g. cultural studies and social geography) in the social sciences. In spite of its internal differences and conflicts, it remains an identifiable intellectual movement, united through a shared diagnosis of the age of which it is part, and subject to investigation by social theorists as a discrete object of inquiry.

How Does the New Cosmopolitanism Apprehend Our Own Times?

The new cosmopolitanism sees in our own times the decline and fall of the Westphalian (or modern) model of sovereign states, dating back to the Treaty of Westphalia of 1648, and in place of this anarchic but surprisingly long-lasting order, it sees the rise of a new cosmopolitanism in which the old *Realpolitik* is finally giving way to ideas of global order, justice and solidarity. The defining moment of this social transformation is not as clearly enunciated as the inauguration of the Westphalian order. Many commentators cite the Nuremberg Charter of 1945 as an important index of the emergence of cosmopolitan law (Fine, 2000). Nuremberg established a multinational legal framework to prosecute and punish perpetrators of war crimes and crimes against peace. It created the offence of 'crimes against humanity' and declared that individuals acting within the legality of their own state could still be held responsible for these crimes. It stipulated, as Alain Finkielkraut (1992) has put it, that service to the state does not exonerate any official in any bureaucracy or any scientist in any laboratory from his or her responsibilities as an individual. It removed the excuse of perpetrators that they were 'only obeying orders' and it held that those who sit behind desks in government offices planning atrocities are as guilty as those who participate directly in their execution. Not least, it signified that atrocities committed against one set of people, be it Jews or Poles or Roma, are an affront not only to these people but to humanity as a whole, and that humanity would find the means of punishing the perpetrators. In 1945 the philosopher, Karl Jaspers (1961) gave expression to this new cosmopolitan spirit when he heralded the Nuremberg Charter and the trials that followed, notwithstanding their limitations, as the realization of the cosmopolitan ideal first enunciated by Kant in his essays on perpetual peace and universal history.

Although one may point to a number of other coeval cosmopolitan initiatives – we might think, for instance, of the Universal Declaration of Human Rights and the Genocide Convention of 1947 and 1948 – these first shoots of a new cosmopolitan order were undeveloped and short-lived. The shortcomings of the Nuremberg trials from a cosmopolitan point of view have often been rehearsed: they were organized through multinational rather than international tribunals; they exempted representatives of the victorious powers from prosecution; there was a reluctance to use the charge of 'crimes against humanity' against defendants for fear of defying established norms of national sovereignty; the tribunal was vulnerable to the charge of 'victors' justice' (Douglas, 2001). Further, to the extent that a cosmopolitan precedent was set at Nuremberg, it was quickly suspended when the Cold War restored national frameworks of understanding together with a particularly virulent *Realpolitik*. For 40 years or more, cosmopolitan ideas went onto the backburner – except among a few radical intellectuals and civil society groupings who remained committed to holding all governments, west and east, to account for the crimes they committed and who responded to oppressive forms of nationalism with something other than another

form of nationalism.² In this long post-war period there was no shortage of crimes against humanity or even genocide being committed but cosmopolitan trials, if we can use this term, were few and far between and the most notable were still for crimes committed by the Nazis during the Second World War. It was only after 1989, at the close of the Cold War, that a new configuration of cosmopolitan practices seemed to change the very character of the epoch.

There are two kinds of evidence the new cosmopolitanism adduces in support of its claim that we are now witnessing and participating in an epochal change: one kind refers to observable reforms, the other to underlying social forces. Regarding the former, the new cosmopolitanism highlights a broad array of cosmopolitan reforms since 1989: human rights conventions have been turned into enforceable international laws; international criminal tribunals have been established to prosecute and punish major violators of humanitarian laws; international and national courts have helped to establish the principle that even former heads of state can be prosecuted for the crimes they have committed; a permanent International Criminal Court has been instituted in spite of continued opposition from the big powers; human rights law has been diffused through regional conventions like the European Convention on Human Rights; military interventions have been justified to stop state-organized genocides and atrocities and punish those responsible for them; and what might be called cosmopolitan criticism has been levelled at the failure of the UN and western powers to prevent or stop genocide and crimes against humanity in other cases, such as in Srebrenica and Rwanda (Cassese et al., 2001; Ignatieff, 2000). The new cosmopolitanism also refers to the movement of the United Nations away from its old agenda of defending national sovereignty and toward the protection of people from their own rulers. One often cited instance is the re-interpretation of Chapter 7 Article 32 of the UN Charter, which states that 'The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken . . . to maintain or restore international peace and security.' This article was originally taken to mean that intervention should be contemplated *only* to maintain or restore international peace and security and that otherwise humanitarian intervention was illegal. It has now been re-read as allowing the Security Council to authorize the use of force against certain 'rogue states' for the crimes they commit against their own people and to form ad hoc criminal tribunals to try their leaders for atrocities they commit. Exploiting ambiguities present in the text of the Charter, creative work has been done by lawyers and non-governmental organizations to strengthen the weight assigned to human rights law in relation to state sovereignty.

The nub of the new cosmopolitanism is to explore the normative possibilities of global justice such initiatives open up. Its premise is that these reforms are neither short-term nor merely contingent but visible expressions of deeper social processes and historical trends. This leads us to the second kind of evidence adduced in support of the cosmopolitan diagnosis of our epoch. Here it is argued that the national framework that once prevailed in the Westphalian order has now

been irrevocably undermined by social factors connected with the phenomenon of globalization to which we have made reference in the first section: for example, movements of populations that have undermined the nation state from within and expansion of connections across national boundaries that have undermined it from without. These social processes are taken to indicate that the world is becoming interconnected to the point that 'a violation of rights in one part of the world is felt everywhere' (Kant, 1991: 107–8). The cosmopolitan intuition is that social forces are driving the world beyond the bounds of the old order of nations and that this change in social and political life demands a corresponding change in our categories of understanding and standards of judgement.

The Time-consciousness of the New Cosmopolitanism: The Representation of Westphalia

The time-consciousness of the new or actually existing cosmopolitanism presumes a radical break or rupture between a past conceived in national terms and an increasingly cosmopolitan future. It heralds the dawn of perpetual peace against the backdrop of an order of nation states characterized in terms of perpetual violence. Following Kant (1991), it represents the modern order of states as a Hobbesian state of nature writ large, a war of all states against all, a condition of natural violence between states that justifies the new international Leviathan. Paradoxically, the new cosmopolitanism also presents this order of nation states as remarkably stable and secure – lasting well over three hundred years from the Peace of Westphalia to our own times. To be sure, it recognizes that the Westphalian order was not static – that it assumed different shapes and forms and that its structures were modified, extended and generalized over time. However, the shaky premise of the new cosmopolitanism is that no fundamental change has occurred until recent times. Events as momentous as the political revolutions of the late 18th century and the rise of the modern nation state, the growth of imperialism, colonization and scientific racism in the late 19th century, the collapse of the mainland European empires in the First World War and the formation of a raft of newly independent nation states out of their fragments, the rise of totalitarian regimes with global, anti-national ambitions in the inter-war period, the collapse of overseas empires after the Second World War and the formation of a new raft of post-colonial nation states – all these events are presented as mere punctuation marks in a continuous Westphalian or modernist narrative. Even the forms of international co-operation established among nation states – the League of Nations following the First World War and the United Nations following the Second – and the emergence of a *world system* of independent nation states, are seen only as consolidating the principle of national sovereignty and its accompanying *Realpolitik* (Giddens, 1985: Chapter 10).

In this image of political modernity all events prior to the rise of the new cosmopolitan order seem to reproduce the old Westphalian order. It is as if the old adage, *le plus ça change, le plus c'est la même chose*, holds absolute sway in this

sphere of life. It is an image that in fact mirrors the modernist paradigms that the new cosmopolitanism opposes, by equating the Westphalian order with political modernity and by assuming a rupture between tradition and modernity dated in the mid-17th century (Wagner, 2001: 83). It differs from this modernism only in that it refuses to see political modernity as an end of history and proposes a second rupture: one that brings into being the postnational or cosmopolitan constellation. In this story, it would appear that nothing *substantial* happened for around 300 years and then, all of a sudden, in our own times, everything happens at once.

This time-consciousness may give to the new cosmopolitanism an air of nostalgia. It looks back to an age before the advent of political modernity when politics was still guided by the ethical considerations of natural law. It faces up to the violence of political modernity by looking to the restoration of an undivided past, or by admitting the irreversibility of this rupture and focusing on the moral values that modernity has now made unattainable, or more typically by seeking a re-adjustment of the existing order toward a unity that was once destroyed and must now be repaired. If the strength of the new cosmopolitanism lies in its refusal to accept the present on the grounds that nothing better can be expected in this temporal world of power politics, it nonetheless accepts the parameters of the modernism it opposes except that it adds a third stage to the dichotomy of tradition and modernity. It presents history as a progression in which the thesis is presented as the *traditional unity* of morality and politics, the antithesis as the *modern diremption* of morality and politics, and the synthesis or moment of reconciliation as the *reunification* of morality and politics under cosmopolitan auspices.

In this conception of political modernity the legal form of relations between states is dismissed as a mere semblance.³ Kant argued that the idea of right, if it existed at all in this order of states, meant merely a right to go to war, to use any means of warfare deemed necessary, to exploit newly discovered colonies as if they were 'lands without owners', and to treat foreigners in one's own land as if they were enemies (Kant, 1991: 105–6). For Kant, this was *in effect* no right at all. True, unlike Hobbes who conceived of the state of nature as fundamentally lawless, Kant defined the state of nature as a hypothetical legal order in which the idea of right was already present. The strict dichotomy between a natural and a civil condition disappears in this reconstruction, replaced by a distinction between 'provisional' and 'preemptory' right (Cavallar, 1999; Flikschuh, 2000: 176; Harris, 2002). At the level of the individual state, Kant envisaged the transformation of provisional into preemptory right as a process of reform in which the a priori obligation of individuals to enter into a civil condition is turned into a political reality. At the international level, he also envisaged this transition as a process of reform that would eventually encompass the world through the establishment of an international civil society under the legal authority of a federation of nations.

The harsh judgement Kant made of the Westphalian order may be deserved, but his moral indictment exaggerates its illegality to highlight the rupture effected

by cosmopolitan thinking. His account may be contrasted with Adam Smith's historical observation, that 'Grotius, Pufendorf and the rest' – as Kant disparagingly referred to Westphalian jurists – were the first to give the world anything like a regular system of natural jurisprudence. They were the first to conceive of the unity of the human race in spite of its division into nations; the first to base this unity not only on the natural species but on the moral kinship of all human beings; the first to argue that human unity was a natural law even if it was not acknowledged as such by those who held that the duties of humanity ought to be conferred on fellow-citizens alone and who treated foreigners as enemies whom it would not be wrong to hurt. They did not simply abandon the doctrine of 'just war' but recast it in terms of the idea of right: for a war to be right, it had to be waged by a legitimate sovereign state, have good cause (it was wrong to attack another state without some preceding offence), and set peace as its end. As a movement, these jurists stipulated that every state had the right of self-defence, third parties were entitled to help them enforce their rights, and certain barbarous methods of fighting (for instance, systematic rape) were unlawful. They held that states had to observe secondary laws such as those guaranteeing the inviolability of ambassadors, and occasionally they even granted the right of subjects to disobey their sovereigns when the commands they received were contrary to the laws of nature.

It is perfectly true that within traditional jurisprudence there was little sign of conceding the historical existence or even ethical possibility of 'a human legislative power of universal character and world-wide extent'. It was noted only as a matter of regret that the scope of legitimate war had been expanded to the point where 'there was hardly anyone against whom war could not be undertaken'. It was recorded only as a sad experience of modern times that the majority of nations seek only to strengthen themselves at the expense of others. Yet the achievements of the Peace of Westphalia were real enough. It brought to a close the Thirty Years War and the condition of absolute mistrust between states. It laid the ground for excluding the religious point of view from international politics, ratifying the co-existence of religious parties and recognizing the independence of the Protestant Church. It established a system of inter-state relations based on human will and empirical observation rather than divine command or revelation. It liberated states from the fixed morality of the One Church, terminated the religious wars that accompanied the dissolution of this doctrine, and recognized the legal principle of pluralism among states (Hegel, 1956: 412ff.).

The purpose of these observations is not to defend the normative standing of the Westphalian order, nor lament its passing, least of all call for its restoration, but it is to question the moral point of view toward the past adopted by both Kant and the new cosmopolitans. A more historical understanding of relations between past and future would no longer conceive of them in terms of a rigid *dichotomy* of perpetual violence and perpetual peace, and in social theory we need a more fluid apprehension of permanence and change than one which understates the internal fractures of a particular period and overstates the rupture that terminates it. The cosmopolitan view of the past, that Westphalian legal codes

were without the slightest legal force *because* they lacked a higher legal authority to enforce them, fits closely with a view of the future in which the *semblance* of legality is transformed into the *substance* of legality through the formation of a higher legal authority to enforce international law (or as Kant put it, when nation states 'renounce their savage and lawless freedom . . . [and] adapt themselves to public coercive laws', Kant, 1991: 105). In this image of social change, the formation of a higher legal authority appears as a kind of alchemy that transforms perpetual war into perpetual peace. However, the positivization of international law, that is, the movement of the idea of right from sovereign right to positive law, cannot annul its point of departure. The proposition that the absence of an international third party in itself invalidates the legal form of relations between states and the corresponding proposition that the establishment of an international third party harmonizes the conflicting rights of sovereign entities, are equally misconceived. They reinforce the conception of cosmopolitanism as a *new* stage in human history coming *after* the nation state, rather than as a struggle with nationalism that, as Kant himself bears witness to, is as *old* as the nation state itself.

The strength of the new cosmopolitanism is to challenge the 'methodological nationalism' of the social sciences and to address the *historical contingency* of the nation state as an organizing principle of political community (Beck, 2002b: 51). However, the limits of this challenge are revealed in its adoption of the terms of reference of what it criticizes. To be sure, it denies that the nation state is a *natural* form of socio-political organization, but it accepts that it is (or was) the natural form of socio-political organization *in the modern age* – i.e. that it is *the* organizing principle of political modernity. This strangely re-natured view of the nation state downplays the co-presence of other modern forms of political organization (empires, colonies and totalitarian regimes); it takes a relatively brief period of modern political life when the idea of the nation state was most prevalent (the post-war period from 1953 to 1989) as the exemplary period of political modernity and even then imposes a retrospective image of the solidity of the nation state that was arguably not shared at the time (Chernilo, 2002); and it often presumes a stylized history of an Enlightenment ideal of nationhood followed by its ethnic degeneration. The diagnosis of the current epoch in terms of the decline of the nation state is advanced against the naturalistic backdrop of the solidity of the nation state as *the* form of political modernity, but it is precisely this image of solidity that should be in question.

Reconciling the Universal and the Particular

The moral denigration of nationalism and idealization of cosmopolitanism go hand in glove. In fact, the new cosmopolitanism devalues both cornerstones of the self-understanding of modern societies: nations and classes (Fine and Chernilo, 2003). It opposes nationalism and socialism on the grounds that they turn the idea of the nation and the class respectively into supreme principles that

prioritize the particular interests of a nation or of a class over the universal interests of humanity. It rejects the old shibboleths of the *universal class* (be it, the state bureaucracy or the proletariat) and the *universal nation* (be it, France after 1789 or Russia after 1917 or the USA after 1989) on the grounds that they falsely identify the interests of a particular class or a particular nation with the general interests of humanity as a whole. It portrays nationalism and socialism as circular discourses: first, a class or nation presents its own concerns as general concerns; then critics expose the spuriousness of these universals and the particular interests concealed behind them; finally, these same critics present their own particular interests as the general interest and the whole cycle begins again. As long as political argument takes this form, the new cosmopolitanism declares that there can be no resistance that does not mirror the power it opposes. It draws close parallels between the idea of 'class enemy' and a 'national enemy', tracing the continuity in the violence directed at these 'Others'. It even represents socialist *internationalism* as a lie put forward by national rulers to justify their own particular interests, or more concretely as the disguise behind which were concealed the imperialist agenda of the Soviet Union. Internationalism is portrayed as a politics that allows some national interests to masquerade as universal and suppresses other national interests in the name of class solidarity, as if the former were all-bad and the latter all-good. Against these competing forms of particularism and the *spurious* universals they generate, the new cosmopolitanism presents itself as a *genuinely* universalistic outlook that recognizes the point of view of humanity as a whole as well as the diversity of the human species. It presents itself as reconstructing our categories of understanding in such a way as to overcome the *narrow particularism* and *abstract universalism* constitutive of these modern forms of political imagination.

The new cosmopolitanism presents itself as a way of thinking that is conscious of the traps set by modern politics and knows how to escape them. It sees itself as constructing a radically different relation: one which no longer looks to a particular class or nation as the embodiment of universal values, nor to the destruction of another class or nation as the condition of human emancipation, but offers a genuinely universalistic alternative to all such *spurious* forms of reconciliation. Its difficulty, however, is to discover what *genuine* reconciliation might look like. On this question we find competing visions.

At the *universalistic* end of the cosmopolitan spectrum, we might cite the work of Martha Nussbaum who defines the cosmopolitan as one whose politics is 'based upon reason rather than patriotism or group sentiment' and is 'truly universal rather than communitarian' (1997). She looks to antiquity as a source of modern cosmopolitanism: to Zeno's 'cosmopolis' – a world-city based on a common law for all humanity in which even barbarians and slaves could be citizens; to Diogenes's dissenting claim to be a 'citizen of the world' – a claim denounced by Plutarch as absurd as well as dangerous; to Cicero's faith in a 'society of humanity' and in the 'common right of humanity'; to Seneca's maxim that 'we look neither to this corner nor to that, but measure the boundaries of our nation by the sun'. Nussbaum wishes to build on this ancient cosmopolitan

tradition even as she recognizes that it was rarely innocent, based in some cases on the elevation of the Greek *polis* as a model for the whole world and in others on the ambitions of the Roman empire to turn the whole world into a common people under its own rule (Pagden, 2000). The limitation of *ancient cosmopolitanism*, however, may be seen to be more fundamental than this: to lie in the fact that, although universality was present in the ancient world, the right of particularity or subjective freedom was little developed (Hegel, 1991: §260A). From this viewpoint, what makes the new cosmopolitanism new is that it distances itself from this classical tradition and seeks instead to reconcile the idea of universal species-wide human solidarity with particular solidarities that are smaller and more specific than the species (Hollinger, 2001: 238).

Such reconciliation takes many forms. Following in the footsteps of Emile Durkheim, Kwame Anthony Appiah (1996) uses the concept of 'cosmopolitan patriots' to convey the idea that a sense of belonging to a particular community is a necessary aspect of turning cosmopolitanism into a desirable and realizable political project. Jürgen Habermas looks to the harmonization of cosmopolitan institutions with the re-affirmation of national identity in the form of 'constitutional patriotism' (2001a: 74–6).⁴ Will Kymlicka (1995) warns of the danger of constitutional patriotism being used by existing nation states to crush minority nationalisms and seeks to construct a cosmopolitanism that will protect national minorities and prevent their incorporation into larger states. Gayatri Spivak emphasizes the repression of other minorities and of sections of the minority nation itself that takes place within national minorities, and speaks of the violence done in the name of national integrity. She stresses the integration of cosmopolitanism with a 'strategic communitarianism' that recognizes the contingent domains of civil society in which individuals form voluntary and transitory communities on the basis of their varied experiences. These writers have differing priorities but they are united in a desire to reconstruct cosmopolitanism in a way that is incompatible with all homogenizing claims. If the ancient idea of the *cosmopolis* expressed the principle of the *polis* writ large, the new cosmopolitanism expresses the principle of the modern state writ large: that is, in Hegel's words, to allow 'the principle of subjectivity to attain fulfilment in the *self-sufficient extreme* of personal particularity, while at the same time *bringing it back to substantial unity* and so preserving this unity in the principle of subjectivity itself' (Hegel, 1991: §124). In this conception, the unity of the cosmopolis, no less than that of the state, cannot be conceived apart from the will of individuals who retain their particular interests, identities and rights, for its principle is to harmonize species-wide universality with the freedom and well-being of individuals. The new cosmopolitanism is not advanced as an abstraction ruling over the plurality of particular needs and interests, nor as a power to which individuals must bow as if to their own rational will, but as the rational form in which the universal and the particular are finally reconciled.

Very good – but we need to look more closely at how this idea of reconciliation of universal beliefs with particular interests, identities and needs is to be attained. For example, a danger identified by Kant was that a federation of

nations might become a 'counterfeit' concealing the rule of a single power (today perhaps the USA), or might become itself a 'universal despotism' denying freedom to all (an apprehension re-iterated in Hardt and Negri's *Empire* (2000)). Following Kant, the new cosmopolitanism may look for an answer in the form of a federation of nations based on mutual co-operation and voluntary consent among a plurality of independent states, all of which would retain their own rights of particularity up to and including the right to withdraw from the federation itself. However, as Jürgen Habermas observes, it is inconsistent to establish a federation of nations as a supreme authority and yet base it on a purely voluntary principle. A federation of nations cannot become a stable and legitimate body without its law being *binding* on individual governments. Such observations lead us to a conception of the federation of nations as a coercive body imposing its will on individual states, but this in turn raises a new set of difficulties. The new cosmopolitanism may present the attainment of postnational or cosmopolitan *democracy* as a real and desirable end, yet its protagonists speak more in terms of a benevolent grouping of powerful states acting in the best interests of individual rights bearers than of their having a firm democratic mandate. Since this imagined community functions as a means of protecting rights *without* requiring anything more than a formal democratic mandate, it fits better with a Lockean or liberal idea of rights being imposed on the sovereign legislator as an external barrier than with any strong notion of democracy. There are, to be sure, all manner of practical difficulties in conceiving of, let alone implementing, cosmopolitan democracy: representative problems (how to establish a cosmopolitan party system and deliberative assembly), administrative problems (how to implement democratic decisions and channel deliberative power into concrete policy initiatives), enforcement problems (how to ensure individual state actors comply with cosmopolitan legislation), and legitimacy problems (how to make people identify with cosmopolitan institutions, accept their decisions and respect other members as free and equal). In the face of such difficulties, it is an attractive solution to advocate a cosmopolitan order responsible for the protection of basic rights rather than one in which liberal rights go hand in glove with democratic politics.

Some critics of the new cosmopolitanism chip away at the whole project by casting doubt on the success of its reconciliation of the particular and the universal. On a factual level, they re-assert the continuing significance of state power and class relations in relation to global governance, alluding to the short-term, transitory or downright illusory character of the social and political changes highlighted by the new cosmopolitanism. They argue that just as the tentative cosmopolitan precedent set by the Nuremberg Charter in 1945 was rapidly extinguished by the onset of the cold war, so too the cosmopolitan precedents established since 1989 will prove to be equally provisional (Zolo, 1997; 1999) Some may accept that the order of sovereign nation states is being surpassed, but on a normative level they provide a far more pessimistic reading of the postnational constellation that is replacing it. What is presented in the guise of cosmopolitanism is revealed as the political form of the dominance of global capital over

the life-world or of America over the globe. In the analysis offered by Hardt and Negri (2000), what is discerned is the transformation of rival empires and nations into a singular, overwhelming Empire. In this case cosmopolitanism is not criticized for its claim that the democratic structures and political life of the nation state are becoming obsolete, but for its failure to see that this social transformation only intensifies the abstract, universal character of domination.⁵

Critics of cosmopolitanism point to the particularistic cultural assumptions, national prejudices and power positions that remain intact behind its universalistic discourse and institutions. They reject cosmopolitanism either as an abstract ideal irrelevant to the real world, or as a mask that the sole remaining superpower, America, uses to conceal its own political and financial interests. They depict the new cosmopolitanism as an ideology for a new state system under American dominance, arguing that its repudiation of the sovereignty of nation states when they violate human rights in their own territories and its defence of the legality of humanitarian intervention, coincide with the interests of American hegemony and are invoked only when American interests are at stake. They maintain that cosmopolitanism perpetuates the illusion that the current global order is ruled by universal ideals and by a supranational body authorized to enforce these ideals, whereas in fact it is ruled by a hierarchy of co-operating and competing nation states – different from the Westphalian order only in the fact that never before has one nation dominated others as does the USA today (Douzinas, 2000). There is even a revival of the old refrain of Carl Schmitt that it might be better to return to a time before the ‘moralization’ of war – when nation states made friends and enemies on the basis of power and interest alone. Criticisms such as these have become a familiar part of the political and intellectual landscape. They arise from the ‘left’ and ‘right’ and have gelled into an ‘anti-cosmopolitanism’, which treats the new cosmopolitanism as an enemy to be defeated.

Whatever insight this counter-doctrine has into the defects of cosmopolitanism, it is my conviction that it falls short of what it criticizes inasmuch as it lacks any understanding of the concept. When the *Kantian approach* seeks to universalize existing legal forms of justice beyond the boundaries of the nation state, I agree it remains fundamentally at the level of conceptual thinking. Its formalism neglects the fact that every universal is the universalization of a particular, but it is superior to the cold-eyed *realist reaction* that says that cosmopolitan attempts to universalize are really just forms for promoting particular interests in the name of a spurious universal. The cosmopolitan error correspondingly is to think that it has overcome the difficulty and therefore to identify *all* criticism with the doctrine of anti-cosmopolitanism. So it is that in his defence of Kant’s theory of cosmopolitan right, Habermas is too quick to equate Hegel’s critique – which actually did not reject the idea of cosmopolitan right as such but only its rationalization by Kant as a ‘fixed idea’ – with Schmitt’s attempt to destroy the idea itself (Fine, 2001: 140; 2003).

The simple conclusion I am inching toward is that the new cosmopolitanism encounters the same kind of antinomies that it exposes in its critique of

modernist politics. We need a framework that can comprehend cosmopolitan legal forms in terms of their *limits*. This is not to deny them all veracity or value, but neither is it to see them as milestones along a unilinear journey with a recognized beginning and identifiable and achievable end. The point may be illustrated through Hegel's observation, in his critique of Kantian cosmopolitanism, that a league of sovereigns is just as capable of constructing enemies as an individual state: 'The state is an individual and negation is an essential component of individuality. Thus even if a number of states join together as a family, this league in its individuality must generate opposition and create an enemy' (Hegel, 1991: §324A). Hegel had in mind the Holy Alliance between Russia, Austria and Prussia which set itself up as a court with jurisdiction over other states but soon fell apart as rival interests reasserted themselves (1991: §259A). A more recent example might be the alliance of France, the USSR, the UK and the USA after the war, which set up a court at Nuremberg with jurisdiction over crimes committed by Nazis but then quickly fell apart. There is plenty of scope for a state to feel that it has suffered an injury, that this injury comes from another state and that its own welfare and security are at stake. In short, the propensity to war shown by states in isolation is not simply overcome when they combine into a federation.

Conclusion: Taking the 'Ism' out of the New Cosmopolitanism

The idea of cosmopolitan right exists. It is a definite form of right and like all forms of right it contains the potential for violence against those who violate it. It aims to overcome the violence of the modern state but it is itself a legal power subject to the same conflicts of freedom and coercion as are to be found in all legal forms. Nor is it something apart from the ceaseless turmoil of passions and interests that comprise modern political life. Cosmopolitan right is the product of a definite period of human history, a creature of the modern age, but the idea of a rupture between a legal order based on the rights of states and one based on laws governing states extinguishes the extent to which the conflict between right and coercion present in the former is reproduced at the higher level.

Radical intellectuals like to think of themselves as living in a critical moment of history and playing a pivotal role in its outcome (Chernilo, 2002). The protagonists of the new cosmopolitanism are no exception. Their bold claim is that that we live in turbulent times, an epoch of major social transformation, in which old certainties of nation and class are finally giving way to a new cosmopolitan order. It is this intuition that informs a contribution to the social sciences that is at once theoretical, empirical and normative. Yet if I am right in my analysis, their cosmopolitan way of thinking also turns genuine insight into something fixed, abstract and absolute. They too quickly discard the core concepts of the social sciences because of their national associations, too quickly overstate the crisis of the nation state and the newness of the present condition,

too quickly stigmatize nationalism as one-sidedly negative and elevate cosmopolitanism into an ideal. Sometimes they seem to construct an image of the world *as it ought to be* that has little connection with the world as it is; at other times they seem to leave the world of power politics roughly as they find it – merely painting over its cracks with a bright cosmopolitan gloss. In one case they begin by asking specific questions on important matters, for example, the prevention and punishment of genocide, and end with the utopian project of overcoming the structures of wealth and power associated with the modern system of nation states. In another, their project appears liberal or even conservative, designed to make fine adjustments to international institutions in the hope that all will then be well with the world (Hirsh, 2003). Sometimes they look utopian and liberal at the same time: constructing a new world order and expressing the phenomenology of a privileged class whose experience of global mobility is a far cry from that of stateless refugees (Calhoun, 2002). Yet for all the defects of the new cosmopolitanism *as a doctrine*, I would conclude by saying that today cosmopolitan thinking plays an indispensable part in the social sciences and that this makes it all the more urgent, as it were, to take the ‘ism’ out of the cosmopolitan.

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Notes

- 1 Its protagonists include leading social scientists of our times and its articulation is to be found in leading social science journals. Some landmarks of the development of this paradigm can be found in Toulmin (1990); Pogge (1992); Archibugi (1995); Held (1995); Walzer (1995); Albrow (1996); Cohen (1996); Bohman and Lutz-Bachmann (1997); Brennan (1997); Smelser (1997); Cheah and Robbins (1998); Beck (1998; 2000); Waldron (1999); Mortimer and Fine (1999); Hutchings (1999); Urry (2000); Habermas (1998); Delanty (2000); Habermas (2001a); Vertovec and Cohen (2002). See also the special issues on cosmopolitanism of *Theory, Culture and Society*, 19, 1–2, 2002, and *Constellations*, March 2000. Many of these writers declare their debt to Kant’s political writings (Kant, 1991). The centre of gravity of this cosmopolitan movement is arguably in Western European and North America, but there are plenty of examples beyond these borders. See, for instance, Appiah (1996; 1998), Zubaida (2002), and Breckenridge and Pollock (2002). On a more practical level, NGOs, the European Social Forum, human rights lawyers and activists have played and continue to play a role in pushing for this perspective.
- 2 I am thinking of the political writings of dissenting radicals like Albert Camus, Hannah Arendt and Bertrand Russell. These remain of seminal importance for the development of cosmopolitan ideas.

3 Kant referred to traditional natural law jurists as 'sorry comforters'. He had in mind people like Francisco Suarez (1548–1617), Hugo Grotius (1583–1645), Samuel Pufendorf (1632–94) and Emmerich von Vattel (1714–67). See Tuck (1979); Bull et al. (1998).

4 In *Professional Ethics and Civic Morals* Durkheim writes:

If each State had as its chief aim, not to expand, or to lengthen its borders, but to set its own house in order and to make the widest appeal to its members for a moral life on a ever higher level, then all discrepancy between national and human morals would be excluded. If the State had no other purpose than making men of its citizens, in the widest sense of the term, the civic duties would be only a particular form of the general obligations of humanity. It is this course that evolution takes, as we have already seen. The more societies concentrate their energies inwards, on the interior life, the more they will be diverted from the disputes that bring a clash between cosmopolitanism - or world patriotism, and patriotism; as they grow in size and get greater complexity, so will they concentrate more and more on themselves . . . societies can have their pride, not in being the greatest or the wealthiest, but in being the most just, the best organized and in possessing the best moral constitution. (1992: 74–5)

In passages such as these, Durkheim seems to believe in the confluence of cosmopolitan and patriotic tendencies, as long as the local identity carried on by the state emphasizes the worth of human values. The better nation is the one which gets closer to a moral conception of human beings. It is not the richest or the strongest.

5 In their endeavour to escape such pessimistic conclusions, Hardt and Negri (2000) construct a kind of 'cosmopolitanism from below' in which an unbounded and nationally indistinct 'multitude' becomes the amorphous and permanently resistant subject of global revolt.

References

- Albrow, Martin (1996) *The Global Age*. Cambridge: Polity Press.
- Apel, Karl-Otto (1997) 'Kant's *Toward Perpetual Peace* as Historical Prognosis from the Point of View of Moral Duty', in James Bohman and Matthias Lutz-Bachmann (eds) *Perpetual Peace: Essays on Kant's Cosmopolitan Ideal*. Cambridge, MA: MIT Press, 79–110.
- Appiah, Kwame Anthony (1996) 'Cosmopolitan patriots', in Joshua Cohen (ed.) *For Love of Country: Debating the Limits of Patriotism – Martha Nussbaum and Respondents*, Cambridge: Beacon Press, pp. 21–9; and in Pheng Cheah and Bruce Robbins (eds) (1998) *Cosmopolitics: Thinking and Feeling Beyond the Nation*, Minneapolis: University of Minnesota Press, pp. 91–114.
- Archibugi, Daniele (1995) *Cosmopolitan Democracy: An Agenda for a New World Order*. Cambridge: Polity Press.
- (2000) 'Cosmopolitical Democracy', *New Left Review* 4(July/August): 137–50.
- Archibugi, Daniele et al., eds (1998) *Re-imagining Political Community: Studies in Cosmopolitan Democracy*. Cambridge: Polity Press.
- Bartelson, Jens (2001) *The Critique of the State*. Cambridge: Cambridge University Press.
- Beck, Ulrich (1998) 'The Cosmopolitan Manifesto', *New Statesman* 20: 38–50.
- (2000) 'The Cosmopolitan Perspective: Sociology of the Second Age of Modernity', *British Journal of Sociology* 51(1): 79–105.

- (2002a) 'The Terrorist Threat: World Risk Society Revisited', *Theory, Culture and Society* 19(4, August): 39–56.
- (2002b) 'The Cosmopolitan Society and its Enemies', *Theory, Culture and Society* 19(1–2): 17–45.
- Bohman, James and Lutz-Bachmann, Matthias, eds (1997) *Perpetual Peace: Essays on Kant's Cosmopolitan Ideal*. Cambridge, MA: MIT Press.
- Breckenridge, Carol and Pollock, Sheldon, eds (2002) *Cosmopolitanism*. Durham, NC and London: Duke University Press.
- Brennan, Tim (1997) *At Home in the World: Cosmopolitanism Now*. Cambridge, MA: Harvard University Press.
- Bull, Hugo et al., eds (1998) *Hugo Grotius and International Relations*. Oxford: Clarendon.
- Calhoun, Craig (2002) 'The Class Consciousness of Frequent Travellers: Toward a Critique of Actually Existing Cosmopolitanism', in Steven Vertovec and Robin Cohen *Conceiving Cosmopolitanism: Theory, Context and Practice*. Oxford: Oxford University Press, pp. 86–109.
- Cassese, A. et al. (2001) *International Criminal Law*. Oxford: Oxford University Press.
- Cavallar, Georg (1999) *Kant and the Theory and Practice of International Right*. Cardiff: University of Wales Press.
- Charney, Jonathan (1993) 'Universal International Law', *American Journal of International Law* 87: 529–43.
- Cheah, Pheng and Robbins, Bruce, eds (1998) *Cosmopolitics: Thinking and Feeling Beyond the Nation*. Minneapolis, MN: University of Minnesota Press.
- Chernilo, Daniel (2002) 'Sociology, Society and Nation-states: Toward a Sociological Understanding of Epochal Changes'. Unpublished working paper, Department of Sociology, University of Warwick.
- Cohen, Joshua, ed. (1996) *For Love of Country: Debating the Limits of Patriotism – Martha Nussbaum and Respondents*. Boston: Beacon Press.
- Delanty, Gerard (2000) *Citizenship in a Global Age*. Buckingham: Open University Press.
- Donnelly, Jack (1995) 'Realism and the Academic Study of International Relations', in James Farr et al. (eds) *Political Science in History: Research Traditions and Political Traditions*. Cambridge: Cambridge University Press.
- Douglas, Lawrence (2001) *The Memory of Judgement: Making Law and History in the Trials of the Holocaust*. New Haven, CT and London: Yale University Press.
- Douzinas, Costas (2000) *The End of Human Rights*. Oxford: Hart.
- Doyle, Michael (1993) 'Liberalism and International Relations', in R. Beiner and W. Booth (eds) *Kant and Political Philosophy: The Contemporary Legacy*. New Haven, CT: Yale University Press.
- Durkheim, Emile (1992) *Professional Ethics and Civic Morals*, trans. Cornelia Brookfield. London: Routledge.
- Fine, Robert (2000) 'Crimes against Humanity: Hannah Arendt and the Nuremberg Debates', *European Journal of Social Theory* 3(3): 293–311.
- (2001) *Political Investigations: Hegel, Marx, Arendt*. London: Routledge.
- (2003) 'Kant's Theory of Cosmopolitanism and Hegel's Critique', *Philosophy and Social Criticism* 29(6): 609–30.
- Fine, Robert and Chernilo, Daniel (2003) 'Classes and Nations in Historical Sociology', in Gerard Delanty and Engin Isin (eds) *Handbook of Historical Sociology*. London: Sage.
- Finkelkraut, Alain (1992) *Remembering in Vain*. New York: Columbia University Press.

- Flikschuh, Katrin (2000) *Kant and Modern Political Philosophy*. Cambridge: Cambridge University Press.
- Giddens, Anthony (1985) *The Nation State and Violence*. Cambridge: Polity Press.
- Habermas, Jürgen (1998) *The Inclusion of the Other: Studies in Political Theory*. Cambridge, MA: MIT Press.
- (2001a) *The Postnational Constellation: Political Essays*. Cambridge: Polity.
- (2001b) 'Why Europe Needs a Constitution', *New Left Review* 11(September/October).
- Hardt, Michael and Negri, Antonio (2000) *Empire*. Cambridge, MA: Harvard University Press.
- Harris, Phil (2002) '“Perpetual Peace” or “Empire”? A Critical Comparison of Kant and Hardt and Negri on the Nature of the “Global” Condition'. Presented at the Socio-Legal Conference, Aberystwyth, Wales.
- Hegel, W. (1956) *Philosophy of History*. London: Dover.
- (1991) *Elements of the Philosophy of Right*. Cambridge: Cambridge University Press.
- Held, David (1995) *Democracy and the Global Order*. Cambridge: Polity Press.
- Hirsh, David (2003) *Law Against Genocide: Cosmopolitan Trials*. London: Glasshouse.
- Hollinger, David (2001) 'Not Universalists, Not Pluralists: The New Cosmopolitans Find Their Own Way', *Constellations* 8(2).
- Ignatieff, Michael (2000) *Virtual War*. London: Chatto and Windus.
- Jaspers, Karl (1961) *The Question of German Guilt*. New York: Capricorn.
- Kant, Immanuel (1991) *Political Writings*. Cambridge: Cambridge University Press.
- Kelsen, Hans (1966) *Principles of International Law*, ed. and rev. R.W. Tucker. New York: Holt.
- Kymlicka, Will (1995) *Multicultural Citizenship: A Liberal Theory of Minority Rights*. Oxford: Oxford University Press.
- (2001) *Contemporary Political Philosophy: An Introduction*. Oxford: Oxford University Press.
- Mortimer, Edward and Fine, Robert, eds (1999) *People, Nation and State*. London: IB Tauris.
- Nussbaum, Martha (1997) 'Kant and Cosmopolitanism', in James Bohman and Matthias Lutz-Bachmann (eds) *Perpetual Peace: Essays on Kant's Cosmopolitan Ideal*. Cambridge, MA: MIT Press, 25–57.
- O'Neill, Onora (2000) *Bounds of Justice*. Cambridge: Cambridge University Press.
- Pagden, Anthony (2000) 'Stoicism, Cosmopolitanism and the Legacy of European Imperialism', *Constellations* 7(1): 3–22.
- Pogge, Thomas (1992) 'Cosmopolitanism and Sovereignty', *Ethics* 103: 48–75.
- Ringmar, Eric (1996) 'On the Ontological Status of the State', *European Journal of International Relations* 2(4): 439–66.
- Smelser, N. (1997) *Problematics of Sociology*. Berkeley and Los Angeles: University of California Press.
- Toulmin, Stephen (1990) *Cosmopolis: The Hidden Agenda of Modernity*. New York: Free Press.
- Tuck, Richard (1979) *Natural Rights Theories*. Cambridge: Cambridge University Press.
- UN Charter, Chapter 7, Article 32, UN website (2000).
<http://www.un.org/aboutun/charter/index.html>.
- Urry, John (2000) *Sociology beyond Societies: Mobilities for the Twenty-First Century*. London: Routledge.

- Vertovec, Steven and Cohen, Robin (2002) *Conceiving Cosmopolitanism: Theory, Context and Practice*. Oxford: Oxford University Press, pp. 137–64.
- Wagner, Peter (2001) *Theorising Modernity*. London: Sage.
- Waldron, Jeremy (1999) 'What is Cosmopolitan?', *Journal of Political Philosophy* 8(2): 227–43.
- Walker, R.B.J. (1993) *Inside/Outside: International Relations as Political Theory*. Cambridge: Cambridge University Press.
- Walzer, Michael (1995) *Toward a Global Civil Society*. Providence, RI: Berghahn.
- Zolo, Danilo (1997) *Cosmopolis: Prospects for World Government*. Cambridge: Polity Press.
- (1999) 'A Cosmopolitan Philosophy of International Law? A Realist Approach', *Ratio Juris* 12(4, December): 429–44.
- Zubaida, Sami (2002) 'Middle Eastern Experiences of Cosmopolitanism', in Steven Vertovec and Robin Cohen *Conceiving Cosmopolitanism: Theory, Context and Practice*. Oxford: Oxford University Press, pp. 32–41.

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