

CHAPTER 10



Enlightenment Cosmopolitanism: Western or Universal?

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Introduction

This paper offers a qualified defence of Enlightenment cosmopolitanism against the criticism that it is expressive of a Western or Eurocentric cultural and political particularity that undermines its claim to universal applicability. It acknowledges the validity of questioning the universalistic claims of Enlightenment cosmopolitanism on the grounds that its ideas not only originate in the West but also reflect a Western value system and in some sense express Western interests. It acknowledges the necessity of resisting the temptations of colonial bias in our thinking, of bringing to the surface questions of power and exclusion in our treatment of others, and of confronting long-standing inequalities between the West and the rest. It acknowledges that the abstraction of universal values from differences of power can serve to reproduce Western hegemony. However, it is argued that the universalism advanced under the register of Enlightenment cosmopolitanism should be understood more as a self-critique of the West by the West rather than as an instrument of Western hegemony. It is by no means a trivial observation to say that there is Western and Eurocentric bias to be found among Enlightenment thinkers — doubtless more in some than in others — but I want to defend three basic claims about Enlightenment cosmopolitanism:

- (i). The critique of Eurocentrism or Western-centrism has the wrong target when it is directed at Enlightenment cosmopolitanism.
- (ii). The universalism advanced from within Enlightenment cosmopolitanism has a material and emancipatory efficacy of its own that goes beyond reproducing Western values or interests.
- (iii). Enlightenment cosmopolitanism should be understood not as a global design to control the world but as an emancipatory project that points to the common humanity of West and East and the inhumanities imperial designs have brought upon the world.

In addressing what Enlightenment cosmopolitanism is, over and above its own emancipatory character, I wish to put forward the following additional claims:

- (iv). Enlightenment cosmopolitanism confronts two closely related problems: one



is the enduring tendency to absolutism in modern European states; the other is the imperial power of European states over non-European peoples.

- (v). The ambivalence of Enlightenment cosmopolitanism in relation to Europe and the West is manifest in its sense that on the one hand Europe has become in the modern period of world history the mainspring of human progress, and on the other Europe is in danger of becoming the principal source of human injustice and violence.

Taking Kant as the highpoint of Enlightenment cosmopolitanism, its universalism was expressed in a philosophy of right which gives rise to the following additional claims:

- (vi). Enlightenment cosmopolitanism represents a critique of the 'rights of man' from the perspective of the rights of man; or more precisely a critique of the exclusions and silences present within the idea of the 'rights of man' from the perspective of the right of all human beings to have rights.
- (vii). Enlightenment cosmopolitanism analyses the pathologies of the European world in terms of its non-relationality: the proclivity to elevate one's own right over the rights of others, to elevate one particular right (e.g. the right of property or the right of the state) over other rights, and to abuse the language of rights in the service of one's own interests.
- (viii). Whilst Enlightenment cosmopolitanism poses its critique of modernity in the traditional language of a natural law theory, it also seeks to place the idea of right above any contingent European manifestations, the relationality of rights above any absolute European claims and the open-endedness of rights above any premature European closure.

This appreciation of Enlightenment cosmopolitanism needs to be qualified by an understanding of the historical limitations of its conceptual framework, scientific development and political self-reflection. We can end then with these less supportive claims:

- (ix). The actual face of Enlightenment cosmopolitanism can be distorted by all manner of prejudices and contortions. The debate over Kant's *Anthropology*, how far it is marked by Eurocentric or even racial ways of thinking, should be viewed in this light. However, the claim that Kant's *Anthropology* reveals the Eurocentrism or racism of the Enlightenment cosmopolitan project as a whole should not be supported.
- (x). The limitations of the natural law framework in which Enlightenment cosmopolitanism was set were addressed by the rise of social theory. How far social theory was able to retain the universalistic aspects of Enlightenment cosmopolitanism while overcoming its naturalistic aspects is a question that should remain open to further inquiry.

These ten propositions cover the ground of this paper. They cannot substitute for the kind of detailed analysis one finds in this collection, but they can help frame the ways in which we think about it.

Cosmopolitanism and Eurocentrism

In his seminal *Orientalism* Edward Said elaborated his view that the West tends to regard the East as something ‘other’ than itself. His critique of orientalism had the heuristic capacity to bring to the surface questions of power and exclusion, and to sensitize us to the extent to which we in the West are caught up in a project of reducing others to an inferior status.² A common narrative, for example, is that the question of where universal human rights come from can be answered through an exclusively Western history of civilization which traces its intellectual lineage back to the European Enlightenment, enters political history through revolutions in France and America, and more or less explicitly represents non-Western traditions in terms of lack or deficiency.³ Said’s objection to crude representations of the ‘East’ by some ‘Western’ observers is well taken but it does not mean, of course, that Western observers *always* or *necessarily* regard the East as ‘other’ or always cast the East as in need of the ‘civilizing’ influence of the West. Such an inverted orientalism would essentialize the ‘West’ in ways that mirror Said’s critique of how Westerners essentialize the ‘East’.⁴ The question remains, nevertheless, whether Enlightenment cosmopolitanism can properly be said to fit this image.

The appropriate target of this ‘orientalist’ criticism is a Western or Eurocentric chauvinism which declares that *only* the West or *only* Europe has come to an understanding of universal values, that only the West has learned to respect all human beings as such,⁵ and that these values have little or no resonance in other societies. This paper will argue, however, that Enlightenment cosmopolitanism cannot be *reduced* to a Western chauvinism of this sort. Its project was to overcome the holistic fallacy of treating cultures as homogenous entities, to treat with caution the very categories of ‘East’ and ‘West’ since they serve more as imaginary communities rather than distinct social realities, and to welcome encounters with other cultures as opening a road towards critical *self*-examination.

Consider, for instance, the relation of cosmopolitanism to the history of human rights.⁶ The idea of the ‘rights of man and citizen’ advanced in Enlightenment thought, and then put into practice in eighteenth-century revolutions, signified that every ‘man’ should be conceived as a person or bearer of rights. This notion contrasted with those societies in which this idea of a person was altogether absent, or in which personality was a privileged status distinct from the majority of the population. Broadly speaking, Roman law distinguished between the status of persons who had the right to have rights and slaves, who did not. More ‘modern’ natural law theories from the seventeenth-century and eighteenth-century declarations of the rights of man and citizen universalized the status of personality so that every ‘man’ could in principle be deemed a bearer of rights. The more radical wing of eighteenth-century republicanism recognized that multiple exclusions were still present in these declarations, but argued that they nonetheless provided the framework in which struggles for the rights of women, slaves, colonial subjects, Protestants, Jews, workers, criminals, lunatics and other excluded groups could be attached to the original republican conception.⁷ With more or less success, the excluded sought to gain entrance into the universality of rights and in most

cases struggles for 'inclusion of the other' were based on an alliance of the excluded themselves with their intellectual protagonists.

To take one well-documented instance, the Black Jacobins of Saint-Domingue (later to be called Haiti) embraced the idea of the universal rights of man in their own struggles for emancipation from slavery. They lobbied for the abolition of slavery to be included in the Declaration of the Rights of Man and Citizen, joined forces with French revolutionaries in the Society of the Friends of Blacks (including Mirabeau and Talleyrand), and drew on anti-slavery thematics contained within Enlightenment thought.⁸ Diderot, for example, had prepared the ground by affirming a strong notion of common humanity and by dismissing the very idea of 'inferior' and 'superior' peoples as well as the European pretence to 'civilize' non-Europeans.⁹ The next chapter of this story was the reinstatement by the French government in 1803 of the infamous Code Noir (originally drawn up in 1685 and rescinded in 1794), and then the declaration of a republic in Saint-Domingue in opposition to French rule. It is difficult to conclude that this episode in the history of human rights was simply a marker of the Western provenance of human rights. One is more tempted to say that there is a connected history linking struggles in France with struggles in the colonies. Perhaps we can extrapolate outwards to make the bolder claim that the history of modernity is a history of connected cultures.¹⁰ Ideas most closely associated with 'the West' often turn out to have historical origins around the globe, and the imperatives of trade, travel, migration, exile, diaspora and warfare have long since meant that most cultures cross-fertilize. In the modern world cultures are not sealed boxes.¹¹

In his interesting paper on 'the obscenity of human rights', Slavoj Žižek offers an example of what is at issue here. He challenges what he calls the 'Western' perception that ethnic cleansing movements in former Yugoslavia were the mark of a fundamentalism peculiar to the Balkans.¹² The paradox he notes is that what 'Western' observers have most deplored in the Balkans is precisely what 'the West' introduced there. Žižek cites the outrage some eighteenth-century 'Western' travellers expressed in seeing Jews, Christians and Muslims mix in the same market place; in seeing a church, a mosque and a synagogue side by side; in seeing Turks, Jews, Catholics, Armenians, Greeks and Protestants conversing for business or pleasure. The irony Žižek points to is that what some people in the West today celebrate as the sign of its cultural superiority, the cosmopolitan spirit of multicultural tolerance, was dismissed by Western travellers in this period as symptoms of the 'degeneracy of Mahomedanism'. To Žižek we might say that some Western observers no doubt did distrust what they saw as the 'cosmopolitan spirit' of the East, but this cosmopolitan spirit may not have been as cosmopolitan as it seemed and this distrust was not characteristic of *all* 'Western' observers.¹³ The rational kernel of the East versus West argument is that just as religious intolerance and national homogeneity have roots in the West as well as the East, so too cosmopolitan tolerance has roots in the multinational empires of the East as well as in the West. In any event, where an idea comes from does not determine its content. Žižek sets himself in opposition to such tyranny of provenance when he notes that Christian imagery imposed on American Indians by the Conquistadors

was converted by the subjugated into emblems of resistance. Whilst a certain kind of ‘Marxist’ criticism points to the gap between universal values and the particular interests that sustain them, in order to demonstrate the ideological character of the values themselves, Žižek observes that universal values are not a mere semblance. Formal freedom is not the same as no freedom at all, and values do not become a fiction because one can point to material interests behind them. The universal rights espoused in the name of cosmopolitanism have an efficacy of their own which leaves traces in the materiality of social life. Just as the idea of ‘formal freedom’ in the French Revolution set in motion all manner of political demands far beyond the original conception of the Rights of Man and Citizen, so too the idea of universal humanity has its own symbolic power. It designates a space of politicization in which the right to universality as such, that is, the right of every human being to assert him or herself as a universal subject, is given its own efficacy. As Žižek concludes, as soon as politics is conceived without reference to rights of universality, it is reduced to a mere negotiation of particular interests.

The important point made in Žižek’s critique of human rights is that the self-affirmation of ‘the West’ in seeing itself as the sole fount of human rights and cosmopolitan tolerance does not stand up to scrutiny. It is well known, for instance, that the ‘universal rights’ advanced in the American Declaration of Independence were proclaimed without directly confronting the question of slavery and that black people continued (until 1964!) to be denied equal rights. Alexis De Tocqueville (1835) recognized the contradictory nature of the language and practice of rights in the West when he wrote: ‘The Europeans [...] first violated every right of humanity by their treatment of the Negro, and they afterwards informed him that those rights were precious and inviolable. They affected to open their ranks to the slaves, but the Negroes who attempted to penetrate into the community were driven back with scorn.’¹⁴ Equally, the experience of antisemitism, imperialism and totalitarianism in twentieth-century Europe demonstrated the dark side of Western civilization as well as the cogency of the cosmopolitan principle that, as Hannah Arendt put it, ‘human dignity needs a new guarantee which can be found only in a new political principle, a new law on earth whose validity this time must comprehend the whole of humanity.’¹⁵ Looking back, some might say that the West has shown a special capacity to learn from its equivocal history and that this capacity has not been shared by other cultures.¹⁶ However, cosmopolitan projects are not predicated on a defence of Western civilization against barbarism, but rather on an acknowledgement that barbarism has roots that are internal to Western civilization. Writing during the Cold War, Arendt’s own concern was that the subterranean streams of Western civilization were showing signs of rising once more to the surface.¹⁷

From the conquest of the Americas in the sixteenth and the seventeenth centuries, through the advances of European dominion in eighteenth-century India, to the colonization of Asia and Africa in the nineteenth and the early twentieth centuries, hegemonic ideas of global unity have been formed and reformed under the register of Europe’s Christian, civilizing and modernizing missions. In relation to such imperial global designs, however, cosmopolitan projects have always been to some degree emancipatory and dissenting. While imperial global designs have been

driven by the will to control the world, and by the notion that the colonizers are fundamentally superior to the colonized, cosmopolitan projects by contrast have pointed to our common humanity and to the dangers, excesses and inhumanities these global designs have brought to the world. Of course, this bald statement omits all the ways in which cosmopolitan writers might be creatures of their own age and compromised by temptations of power and prejudice; but the opposition of cosmopolitan projects to imperial global designs offers us the most heuristically useful starting point.

For example, the Valladolid debates of 1550 were basically concerned with the question of whether indigenous Indian people in Mexico were or were not human. We see here signs of an emergent humanist consciousness — however uneven. Sepulveda famously argued ‘the Spaniards rule with perfect right over the barbarians who are [...] as inferior to the Spaniards as [...] monkey to men’. The Jesuit priest Las Casas did not oppose Spanish conquest but he insisted the Spanish should respect the established customs of indigenous people and treat them as human beings capable of conversion to Christianity.¹⁸ In the follow-up to these debates Francisco de Vitoria, known as the founder of international law, argued that natural right belongs to every human being, and Indians could not be robbed of theirs. They could not, for instance, be deprived of their land simply on the ground of their not having developed it.¹⁹ When natural lawyers in the Renaissance asked themselves ‘what is man?’, they could not escape the fact that some human beings (Europeans) were conquering, brutally mistreating and killing other human beings both in Spain and across the Atlantic.²⁰ Their humanism was forged out of the critique of violence.

European cosmopolitan projects always had to confront a twofold target: one was a tendency to absolutism in the states of Europe; the other was the imperial power of European states over non-European peoples. In this respect 1492 was exemplary. It marked the victory of Christianity over the Moors and the Jews within the Iberian Peninsula and the establishment of Atlantic trade routes. The opening lines of Christopher Columbus’s *Journal* may serve to illustrate this conjunction of concerns:

So after expelling the Jews from your dominions, your Highnesses, in the same month of January, ordered me to proceed with a sufficient armament to the said regions of India, and for that purpose granted me great favours and ennobled me that henceforth I might call myself Don and be High Admiral of the Sea [...]²¹

First there came the development of the nation ‘at home’, through the exclusion of Muslims and Jews; then came colonial domination abroad. Out of both, the very idea of ‘Europe’ was born. Both Jews in Europe and indigenous people in the new colonies had cause to cry: ‘Now Europe, O Europe, my hell on earth.’²² The words are from Samuel Usque, the Portuguese Marrano chronicler, writing one generation after the Spanish expulsion and Portuguese conversion of Jews. My contention is that, whatever their limitations, cosmopolitan projects are radical in relation to these global designs. In the name of modernity’s universalistic promise they seek to break or at least impede the circuits of dehumanization which have accompanied both dimensions, external and internal, of modern power.

Understanding Kant's Cosmopolitanism

As a case in point let us return to Kant, whose legal, political and cultural writings display central themes of this volume (see especially Galin Tihanov's essay). Many writers have remarked on Kant's signal contribution to cosmopolitan ways of thinking, but others have noted the apparently racial and Eurocentric underpinnings of his anthropology. The literature is divided. One can start with an analysis of Kant's political writings, 'Idea for a universal history with a cosmopolitan purpose' (1784) and 'Perpetual peace: a philosophical sketch' (1795), and draw a universalistic cosmopolitan agenda.²³ Or one can start from Kant's lectures on anthropology and geography, also written around the time of the French Revolution, and discern in them a proclivity toward colonial or racial attitudes which seem to undermine the former.²⁴

Eduardo Mendieta, for example, argues that Kant's cosmopolitanism is grounded on a series of assumptions that place him firmly in the camp of 'imperial cosmopolitanism'.²⁵ Enrique Dussel suggests why: it is that Kant's answer to 'what is Enlightenment?' presupposes that indigenous people are incapable by themselves of escaping a state of 'immaturity' and that only Europeans can acquire the capacity to become autonomous human beings capable of thinking for themselves.²⁶ Emmanuel Eze cites passages in which Kant writes of the 'race' of Indians that they lack the motivating force to be educated and of the 'race' of Negroes that their idleness makes them suitable only to be educated as servants.²⁷ David Harvey writes that Kant's anthropological lectures conjure up 'a threatening image of unwashed Hottentots, drunken Samoyeds, conniving and thieving Javanese and hordes of Burmese women lusting to get pregnant by Europeans [...] all clamouring for the right to cross borders and not be treated with hostility.'²⁸ He argues this image of the Other enables us to understand why Kant insisted on a strictly provisional 'right of hospitality', and saw it as the prerogative of the state to deny citizenship to those who failed to exhibit the necessary maturity or rationality. Walter Mignolo concludes that the problem with Kant's cosmopolitanism is that it was thought from one geopolitical location, Western Europe, as if there alone civilized nations were to be found. Mignolo sums up the problem thus: whilst we may agree with Kant on his ideas of equal rights and perpetual peace, we cannot take these ideas at face value without addressing the prejudices he had concerning race and civilization. A key task of contemporary cosmopolitanism is to clear up these 'encumbrances of the past' since it cannot be without consequence for the cosmopolitan project that Kant thought Europeans the only mature species of humanity.²⁹

These are telling criticisms. It is difficult to know quite what to say about Kant's representation of Native Americans as too weak for hard work, Africans as adapted to the culture of slaves, Asians as civilized but static, and Europeans as capable of progress toward perfection, except that they reveal a susceptibility to some of the worse prejudices of his day. The assigning of differences to particular groups is bound to introduce its own fixities. It cannot be enough merely to say that Kant was a child of his time. His time was one in which the idea of statehood was restricted to Europe and North America, while the rest of the world was either

under their control or threatened by Western powers, or else outside world society altogether. Kant saw cosmopolitanism as a legacy of the Enlightenment movement and *critique* of his times. The question, however, is whether Kant's anthropology undermines his political writings.

One possible response might be to revisit the *Anthropology* in the light of Kant's cosmopolitanism. For all its manifold problems, his theorization of 'race' was opposed to polygenetic views of the origins of the human species, that is, to the view that the different races had no common origin and no possibility of a common end. His anthropology may be read as an attempt to explain the emergence of differences between 'races' in terms of geographical, climactic and economic conditions and to conceive of human development in terms of the surpassing of 'race' through a succession of different modes of production.³⁰ A conception of history based on evolution through hunting, pastoral, agricultural and commercial modes of production was widely spread through the Enlightenment, as was the identification of the commercial mode of production, as Adam Smith put it, with the possibility of becoming a 'state of natural liberty'.³¹ To be sure, the theory of historical stages could be deployed to warrant the subjection of less advanced modes of production by the more advanced, but this was not the case for Smith or Kant. Kant's monogenetic argument was an attempt to demonstrate that the development of so-called 'racial' differences does not challenge the biological unity of the human race — a unity that was set according to nature's plan. Kant's claim was that all natural capacities are destined to be developed throughout the human species and that at the time he was writing the universality of the human condition was beginning to become a legal, political and moral reality. In other words, race was becoming an idea of the past. This surely tentative reading of Kant's *Anthropology* needs to be explored further, but one advantage is that it rescues some connectivity between his political and anthropological writings. It begins to address the risk that reading the *Anthropology* may serve as a pretext to devalue the political writings.

Cosmopolitanism and the Critique of European Power

Kant's cosmopolitanism was critical of the European state system and colonial project, as well as of the European tradition of natural law through which they were represented. Kant attacked the 'depravity' of the state system in Europe because it lacked any effective legality in its external relations. Kant held that *ius gentium* was more semblance than substance, since it lacked the coercive force required of any genuine law. In his view, it merely painted a legal gloss on an 'order' in which rulers granted themselves the licence to go to war as they pleased, used any means of warfare necessary, exploited newly acquired colonies as if they were 'lands without people', and treated foreigners as rightless aliens.³² He argued that it was necessary to annul the 'old right' of European sovereigns to declare war without consulting their subjects, to engage in barbaric acts of warfare, to expropriate other peoples' lands and to interpret laws as they pleased.

Kant's cosmopolitan project was to reform the European order through the formation of an international authority over the states themselves. This external

authority was not to be a world state which was destined to become a 'universal despotism' worse than that of particular states. As Arendt later observed, there is nothing to stop a world state from deciding one fine morning that a section of the world's population is surplus to requirements: 'The barbaric idea that "right" is what is good for the whole does not lose its destructive force whether the whole is "the German people" or "the proletariat", or if the unit to which "the good for" applies is as large as mankind itself.'³³ To curtail the excesses of European states, Kant looked to the establishment of a Federation of Nations based on mutual co-operation and voluntary consent. The idea was not to supersede the rights of states as such but to challenge their prerogative to make their own law without limit.³⁴ It was not to abolish sovereignty, but render it relative.

It could be said that Kant's cosmopolitanism was 'Western' in the sense that it was designed to organize Europe or Western Europe more cohesively, the better to exploit the non-European world. However, it was also opposed to European colonial practices.³⁵ In the section on 'cosmopolitan right' in *The Metaphysics of Morals* Kant attacked as an *abuse of the language of rights* the attempts by apologists of European colonialism to justify the conquest of non-European lands in rights terms. He objected to the representation of territories outside Europe as *res nullius*, that is, areas which, because indigenous people had not improved the land they occupied, belonged to no one. He referred to the 'Jesuitism' of attempts to justify the subjugation of non-European peoples on the specious grounds that they violated the right of hospitality of European travellers — 'travellers' who were actually armed invaders. He defended trade restrictions imposed by China and Japan on European 'visitors' whose intentions were exploitative and invasive. The abuse of the language of rights in these instances glossed over what Kant described as the mistreatment, enslavement, or even extermination of colonized peoples.³⁶ He rejected apologetics for European colonialism which declared that it brings culture to uncivilized peoples and purges the home country of depraved characters: an unlikely combination which cannot wash away the stain of injustice from the means used to implement it.³⁷ More often than not, European states and citizens were 'civilized only in respect of outward courtesies and proprieties'. Kant defended the right of all people, not only European peoples, to develop their own institutions of political freedom, and he affirmed the necessity of state sovereignty in the colonized world in order to fend off rapacious colonizers. This was hardly the stuff of a global imperial design.

It seems to me that the cosmopolitan project Kant embarked on was aimed primarily at European doctrines of sovereignty, like Hobbes' *Leviathan*, which venerated the state as an 'earthly God'. In opposition to this tendency, Kant's aim was at once to *generalize* sovereignty to encompass all the nations of the earth, and to *relativize* sovereignty to temper the hubris of European states. The specific problem in the non-European world was that the autonomy of indigenous peoples was not respected by 'guests' demanding their 'right of hospitality'.³⁸ The problem was not one of interconnectedness as such, but of its particular social form. Kant defended the right of citizens of the world to visit all regions of the world, to initiate communication with other peoples, to try to engage in commerce with them, and

to appeal to them for help and asylum. But the world he envisaged was one of multiple interconnections, and not one of European domination.

To be sure, this reading of Kant's cosmopolitan project is contentious but, I would argue, it can be supported by a wider reading of his *Metaphysics of Justice*. In this work Kant remained firmly within a traditional natural law framework. At the start of the *Metaphysics* he was explicit on this point: 'the student of natural right [...] has to supply the immutable principles on which all positive legislation must rest.'³⁹ However, Kant criticized that tradition in a number of ways. First, he gave natural law a more *critical form* than he found in the old jurisprudence. He maintained that immutable principles of right cannot be based on what the law happens to say in any particular place or time, which in his day included in effect a right of war and conquest, but can be based only on laws to which 'an obligation can be recognized *a priori* by reason without external legislation'.⁴⁰ Second, Kant argued that a rational conception of natural right cannot stop at the gates of the city. In a domestic context, Kant developed a relational theory of rights according to which a subject can only be free in relation to others, and public law is required to harmonize the freedom of each individual with the freedom of everyone else.⁴¹ He carried this relational theory of rights forward to the sphere of inter-state relations: a state can only be free in relation to other states through public law. Since all public law is coercive and has the potential to become despotic, the task was to discover a form of public law resistant to this temptation: for Kant, this could only be a republican form of state at the domestic level and a Federation of Nations at the international level.⁴² Third, Kant understood that rights in the modern world constitute a system, and that the freedom of the subject requires a complex architectonic of laws and institutions. It was necessary to uphold private rights of personality and property, moral rights of judgment, public rights of participation, political rights of representation, and cosmopolitan rights to live in peace and travel the world. Kant's point was that every sphere of right must have its due if freedom is to be actualized in modern social life. While these rights emerge at different points of historical time, the modern citizen requires them all to be free.⁴³

European Power and the Critique of Kant's Cosmopolitanism

After the French Revolution Kant acknowledged that the cosmopolitan ideals that had lit up its dawn quickly faded and that an age of nationalism was taking their place. His response was to try to reconcile the principle of national self-assertion with universal principles of right. The duty, which Kant insisted on, to act in accord with universal principles of right was bound to appear as an unwanted inhibition from a nationalist point of view. However, Kant maintained that there were tendencies in modern society conducive to the cosmopolitan project that had to do with the economic utility of peaceful exchange in a commercial age, the escalating costs and risks of warfare, the higher level of education of republican citizens, the increased influence of the people over political decision making, and not least a growing awareness of the world as a 'universal community' in which 'a violation of rights in one part of the world is felt everywhere'.⁴⁴ Kant acknowledged countervailing

tendencies, but maintained that ‘the germ of enlightenment necessarily evolves toward a universal end, the perfect civil union of humankind’, and this end is guaranteed ‘by no less an authority than the great artist *Nature* herself’.⁴⁵ It can be argued that this reconstruction of natural law in the form of a philosophy of history signified an illusory celebration of progress or even rationalization of violence in the name of progress.⁴⁶ However, there is little sign of rosy optimism or resignation in the face of violence in Kant’s writings; only an acknowledgement that the education Nature offers us is ‘harsh and stern’ — even to the point of nearly destroying the whole human race.⁴⁷

Certainly Kant was closer to the European natural law tradition than he acknowledged. On the one hand, the natural law jurists he lumped together as ‘sorry comforters’ of the old European order were not as uniformly locked in global designs as Kant imagined. They were, after all, the first to conceive of the unity of the human race in spite of its division into nations and races; the first to argue that universal human unity was a natural law, even if it went unacknowledged by those who held that the duties of humanity ought to be conferred on compatriots alone. The more important point for these purposes, however, is that Kant overstated the break represented by his cosmopolitan project from the European natural law tradition.⁴⁸ In this respect, we can learn a lot from Hegel’s comments on Kant’s cosmopolitanism in his own *Philosophy of Right*.

The rights of man and citizen, Hegel argued, may be transmuted into a duty of unconditional obedience to the state that grants these rights and a feeling of patriotic identification with the state.⁴⁹ Republican states may require the consent of the people to go to war or at least to finance war, but responsibility for making war and peace and for the command of armed forces usually remains with the executive, and in any event ‘the people’ may be more prone to martial enthusiasm than their rulers. In times of war, when the independence of the state is at risk, popular identification with the state may be intensified so that the rights of individuals become a matter of indifference compared with the survival of the state.⁵⁰ Wars may remain useful for republican states as a means of averting internal unrest and consolidating the power of the state within, and can even appear ethical because they elevate the interests of the community over the private interests of individuals or because the security of the people appears at risk. Modern states may be *driven* to establish colonies by the inability of civil society to prevent extremes of poverty even amidst its own excess of wealth. The roots of colonialism are to be found not *only* in the deficiencies of the international legal order, but also in the social question in the bowels of bourgeois society: ‘the emergence of a mass of people who cannot gain satisfaction for their needs by their work when production exceeds the needs of consumers.’⁵¹

Perhaps the key problem with Kant’s political philosophy was that it was not critical enough of the emerging European political order. As Hegel put it, the project of simply cancelling the empirical world in favour of the *a priori* allowed for definite social institutions to be ‘smuggled’ back in. The essential element of Kant’s relational theory of right was ‘the *limitation* of my freedom or *arbitrary will* in such a way that it may coexist with the arbitrary will of everyone else in accordance with a universal law’.⁵² Since this idea of right contains only a *negative* determination,

the limitation of my arbitrary will by the arbitrary will of others, what is advanced as public law may appear merely as a limitation on my freedom and give rise to the demand that it be abolished. Once the principle is accepted that the idea of 'doing as you please' is the main aim of life and that law is a 'perennial and hostile struggle against one's own satisfaction', the path is prepared for treating all legal determination as a limitation on my freedom.⁵³ At the level of states, every state can from this point of view consider legal determination to be a limitation on its freedom, and treat its arbitrary will as the only true freedom on the international stage. It is in the nature of the modern state, as Hegel put it, to see itself as an 'earthly divinity' and to demand that it be treated as such.

Kant's principal response to such difficulties was to impose his own *Sollen*, or 'ought', on the world, but this simply gives some of his work an authoritarian texture. In the text of the *Metaphysics* we find troublesome statements from the perspective of a liberal sensibility: the unilateral will of individuals must give way to a 'collective, universal and powerful Will'; people must obey the law once they have entered into a 'civil condition';⁵⁴ the duty of the citizen is to 'endure even the most intolerable abuse of supreme authority'; the 'well-being of the state' must not be confused with 'the welfare or happiness of the citizens of the state';⁵⁵ the state legislature can do 'absolutely no injustice to anyone'; the people's duty is to 'endure even the most intolerable abuse of supreme authority'.⁵⁶ In 'What is Enlightenment?' Kant affirmed the right of citizens to think for themselves, but immediately restricted it to 'the use which anyone may make of it as a man of learning addressing the entire reading public'. Otherwise, as in the case of an officer receiving a command from his superiors or a clergyman receiving an order from the church, the duty is to obey.⁵⁷ Freedom, as Kant articulated it, does not lie in one's capacity to choose for or against the law but only in the 'internal legislation of reason'.⁵⁸ On the basis of these passages it is difficult to avoid the conclusion that, just as a certain race-consciousness enters into Kant's anthropology despite its humanism, so too a certain state-consciousness and distrust of the people still haunts the antechambers of Kant's cosmopolitanism, despite its critical thrust.

Conclusion: Enlightenment Cosmopolitanism and Social Theory

Enlightenment cosmopolitanism was not the beginning of the idea of universal humanity; it was preceded by the 'humanism' of the sixteenth and seventeenth centuries.⁵⁹ Nor was it the end; it was followed by the rise of 'social theory' in the nineteenth and twentieth centuries.⁶⁰ It is difficult to accept the conclusion to Sankar Muthu's otherwise magnificent book on *Enlightenment against Empire*, where he states that Enlightenment cosmopolitanism was unable to endure into the nineteenth century because of a sea-change that occurred in philosophical assumptions, arguments and temperaments.⁶¹ It could be argued that the rise of social theory had less to do with the abandonment of cosmopolitan ideals in favour of nationalism, racism, antisemitism, imperialism, etc. than with a sense of foreboding of a time soon to come when the idea of humanity might be crushed under the weight of capitalism's 'devaluation of all values'.⁶²

Cosmopolitan currents have flowed through much, though of course not all, of social theory, not only in the sense that the word itself has endured but also in the sense that the spirit of human universality has likewise endured. Social theorists have asked themselves ‘what is it to be human?’ in the context of capitalist societies in which the humanity of wage workers was in stark contradiction with the conditions of their life and labour, and the humanity of the colonized was in equally stark conflict with the conditions of their servitude and degradation. Karl Löwith’s observation in *Max Weber and Karl Marx* that the idea of humanity as such is at the heart of social theory’s project is persuasive, however much that project is obscured by value-free science on one side or by the revolutionary praxis of the proletariat on the other.⁶³ Social theory has always been a contested field, but faced with the task of resisting the ‘devaluation of all values’ the spirit of Kant was not forgotten.⁶⁴

One temptation facing the ‘new cosmopolitanism’ is to jump over the tradition of social theory altogether and look back to the European Enlightenment as its ideal and exclusive point of origin. The other temptation is to denounce Enlightenment cosmopolitanism as tending toward a cult of sameness, whose elimination of plurality and lack of respect for what makes others different belies the hidden agenda of the West over the rest.⁶⁵ There is reason to think that both poles should be resisted. On the one hand, the European Enlightenment was not a *wholly* finished or consistent article, not *always* successful in defending its own principles, and not the only source of cosmopolitan ideas. On the other hand, Enlightenment cosmopolitanism is not reducible to an imperial abstraction stemming from the West and ruling over the plurality of particular needs, interests and values in the East. Taking Kant as our exemplar, we may conclude with the following generalization. Enlightenment cosmopolitanism was less an attempt to impose a model of the West on the rest than an internal critique of the West from within the West that resonated beyond the West. The dialectic of universality it embraced was the expression of a magnificent struggle to transgress the boundaries of Western power. Confined within the conceptual confines of the European tradition of natural law, however, it could be lured into falling short of its own standards and never quite reaching the idea of universal humanity it reached toward.

Notes to Chapter 10

1. I should like to give my thanks to Glynis Cousin, Daniel Chernilo and Gurminder Bhambra for in very different ways inspiring this paper. Also many thanks to the editors of this volume, David Adams and Galin Tihanov, who have been magnificent from start to end.
2. Edward Said, *Orientalism: Western Conceptions of the Orient* (London: Penguin, 1995). See discussions by Stuart Hall, ‘The West and the Rest: Discourse and Power’, in *Race and Racialisation: Essential Readings*, ed. by Tania Das Gupta et al. (Ontario: Canadian Scholars Press, 2007), pp. 56–60; and especially by Glynis Cousin, ‘Rethinking the Concept of Western’, *Journal of Higher Education Research and Development*, 30.5 (forthcoming 2011).
3. For further discussion of this narrative, see Gurminder K. Bhambra and Robbie Shilliam, ‘Introduction: Silence and Human Rights’, in *Silencing Human Rights: Critical Engagements with a Contested Project* (Basingstoke: Palgrave Macmillan, 2009).
4. See Gilbert Achcar, ‘Orientalism in Reverse: Post-1979 Trends in French Orientalism’, *Mouvements*, 54 (2008), 128–44.
5. A Western-centric tendency is to my mind present in Samuel Huntington, *Clash of Civilisations and the Remaking of World Order* (New York: Simon and Schuster, 1996).

6. For a perceptive critique of human rights from the Western or Eurocentric perspective discussed in this paper, see Costas Douzinas, *The End of Human Rights* (Oxford: Hart Publishing, 2000) and *ibid.*, *Human Rights and Empire: The Political Philosophy of Cosmopolitanism* (London: Glasshouse, 2007).
7. Lynn Hunt, *Inventing Human Rights: A History* (New York and London: W. W. Norton, 2007).
8. Unlike the 1789 Declaration, article 18 of the 1793 Declaration explicitly prohibited slavery: 'Every man can contract his services and his time, but he cannot sell himself nor be sold: his person is not an alienable property.' See Susan Buck-Morss, *Hegel, Haiti and Universal History* (Pittsburgh, PA: University of Pittsburgh Press, 2009); Siba Grovogui 'No more, no less: what slaves thought about their humanity', in *Silencing Human Rights: Critical Engagements with a Contested Project*, ed. by Gurminder Bhambra and Robbie Shilliam (Basingstoke: Palgrave Macmillan, 2009), pp. 43–60; Laurent Dubois, 'La République métissée: Citizenship, Colonialism and the Borders of French History', *Cultural Studies*, 14.1 (2000), 14–31.
9. Sankar Muthu, *Enlightenment against Empire* (Princeton, NJ: Princeton University Press, 2003).
10. For the development of this idea, see Gurminder K. Bhambra, *Rethinking Modernity: Postcolonialism and the Sociological Imagination* (Basingstoke: Palgrave Macmillan, 2007).
11. See for example Jerry Brotton, *The Renaissance Bazaar: From the Silk Road to Michelangelo* (Oxford: OUP, 2003); Aziz Al-Azmeh, *Islams and Modernities* (London: Verso, 1996).
12. Slavoj Žižek, 'The Obscenity of Human Rights: Violence as Symptom' (2005). Online at <<http://www.lacan.com/zizviol.htm>> (no pagination).
13. On the first point we should not forget that Christians and Jews had to pay a special tax and were denied certain privileges in Muslim lands. The second point may be illustrated through Voltaire's celebration of the mixture of religions in the London Royal Exchange. In the *Letters concerning the English Nation* (1733), Voltaire wrote: 'Take a view of the Royal Exchange in London, a place more venerable than many courts of justice, where the representatives of all nations meet for the benefit of mankind. There the Jew, the Mahometan, and the Christian transact together, as though they all professed the same religion, and give the name of infidel to none but bankrupts. There the Presbyterian confides in the Anabaptist, and the Churchman depends on the Quaker's word. At the breaking up of this pacific and free assembly, some withdraw to the synagogue, and others to take a glass. This man goes and is baptized in a great tub, in the name of the Father, Son, and Holy Ghost: that man has his son's foreskin cut off, whilst a set of Hebrew words (quite unintelligible to him) are mumbled over his child. Others retire to their churches, and there wait for the inspiration of heaven with their hats on, and all are satisfied' (Letter 6, <<http://www.fordham.edu/halsall/mod/1778voltaire-lettres.html>>). Thanks to the editors for alerting me to this passage.
14. Alexis de Tocqueville, *Democracy in America*, trans. by Henry Reeve (Clark, NJ: Lawbook Exchange, 2003), p. 361. For further discussion of this point, see Victoria Margree and Gurminder K. Bhambra, 'Tocqueville, Beaumont and the Silences in Histories of the United States: An Interdisciplinary Endeavour across Literature and Sociology', *Journal of Historical Sociology*, 24.1 (forthcoming).
15. Hannah Arendt, *The Origins of Totalitarianism* (New York: Harcourt Brace, 1979), p. ix.
16. In my judgment, Jürgen Habermas slips between a cosmopolitan viewpoint that Europe must learn universal lessons from its equivocal history and a more Eurocentric viewpoint that Europe has a specific form of life that is uniquely capable of learning from its equivocal history. See Robert Fine, 'Nationalism, Postnationalism, Antisemitism: Thoughts on the Politics of Jürgen Habermas', *Austrian Journal of Political Science* (forthcoming 2011).
17. In *Eichmann in Jerusalem: A Report on the Banality of Evil* (Harmondsworth: Penguin 1977), Arendt argued: 'it is in the very nature of things human that everything that has made its appearance and has been recorded in the history of mankind stays with mankind as a potentiality [...] once a specific crime has appeared for the first time, its reappearance is more likely than its initial emergence could ever have been' (p. 273).
18. Walter Mignolo, 'The Many Faces of Cosmo-polis: Border Thinking and Critical Cosmopolitanism', *Public Culture*, 12.3 (Fall 2000), 721–48 (p. 727).
19. See Tzvetan Todorov, *The Conquest of America: The Question of the Other*, trans. by Richard Howard (Norman: University of Oklahoma Press, 1999), pp. 166–68. For discussion of the

- debate between Sepúlveda and Las Casas, see M. J. Rodríguez-Salgado, “How oppression thrives where truth is not allowed a voice”: The Spanish Polemic about the American Indians’, in *Silencing Human Rights: Critical Engagements with a Contested Project*, ed. by Gurminder K. Bhabra and Robbie Shilliam (Basingstoke: Palgrave Macmillan, 2009), pp. 19–42.
20. See Michel-Rolph Trouillot, *Silencing the Past: Power and the Production of History* (Boston, MA: Beacon Press, 1995), p. 75; and Mignolo, ‘Many Faces of Cosmo-polis’, p. 727.
 21. Cited in Jon Stratton, *Jewish Identity in Western Pop Culture: The Holocaust and Trauma through Modernity* (New York: Palgrave Macmillan, 2008), pp. 10–11.
 22. Stratton, *Jewish Identity*, p. 18. Ella Shohat comments that ‘European Christian demonology prefigured colonialist racism [...].The reconquista policies of settling Christians in the newly conquered areas of Spain, as well as the gradual institutionalisation of expulsions, conversions and killings of Muslims and Jews in Christian territories, prepared the ground for similar *conquista* practices across the Atlantic’ (‘Taboo Memories and Diasporic Visions’, in *Performing Hybridity*, ed. by Joseph May and Jennifer Fink (Minneapolis: University of Minneapolis Press, 1999), pp. 136–37).
 23. Both texts can be found in Immanuel Kant, *Political Writings*, ed. by Hans Reiss, trans. by H. B. Nisbet (Cambridge: Cambridge University Press, 1991).
 24. Immanuel Kant, *Anthropology from a Pragmatic Point of View*, ed. by Robert Louden and Manfred Kuehn (Cambridge: Cambridge University Press, 2006).
 25. Eduardo Mendieta, ‘From Imperial to Dialogical Cosmopolitanism’, *Ethics and Global Politics*, 2.3 (2009), 241–58.
 26. Enrique Dussel, ‘Eurocentrism and Modernity’, in *Postmodernism in Latin America*, ed. by J. Beverley, J. Oviedo, and M. Arona (Durham, NC: Duke University Press, 1995), pp. 65–76 (p. 68).
 27. Emmanuel Eze, ‘The Color of Reason: The Idea of “Race” in Kant’s Anthropology’, in *Postcolonial African Philosophy: A Critical Reader*, ed. by Emmanuel Eze (Cambridge, MA: Blackwell, 1997), pp. 117–19.
 28. David Harvey, *Cosmopolitanism and the Geographies of Freedom* (New York: Columbia University Press, 2009), p. 16 (cited in Mendieta, p. 246).
 29. Mignolo, p. 736.
 30. See Thomas McCarthy, *Race, Empire and the Idea of Human Development* (Cambridge: Cambridge University Press, 2009), pp. 42–68.
 31. For a wider discussion of this ‘stagist’ conception of history in Adam Smith, see Robert Fine, *Democracy and the Rule of Law: Marx’s Critique of the Legal Form* (Caldwell, NJ: Blackburn Press, 2002), pp. 37–50.
 32. Kant, *Political Writings*, pp. 103–05.
 33. Arendt, *Origins of Totalitarianism*, p. 299.
 34. Garrett Brown, ‘State Sovereignty, Federation and Kantian Cosmopolitanism’, *European Journal of International Relations*, 11.4 (2005), 495–522.
 35. Sankar Muthu, ‘Justice and Foreigners: Kant’s Cosmopolitan Right’, *Constellations*, 7.1 (2000), pp. 23–44.
 36. Immanuel Kant, *The Metaphysical Elements of Justice* (Indianapolis, IN: Bobbs-Merrill, 1965), § 62.
 37. Kant, *Political Writings*, p. 173.
 38. Kant, *Political Writings*, p. 106.
 39. Kant, *Political Writings*, p. 132.
 40. Kant, *Metaphysics*, p. 26.
 41. Kant wrote: ‘Right is the restriction of each individual’s freedom so that it harmonizes with the freedom of everyone else in so far as this is possible within the terms of a general law. And *public law* is the distinctive quality of the *external laws* which make this constant harmony possible. Since every restriction of freedom through the arbitrary will of another party is termed *coercion*, it follows that a civil constitution is a relationship among *free* men who are subject to coercive laws, while they retain their freedom *within* the general union with their fellows’ (Kant, *Political Writings*, p. 73). The editors have pointed out that it remains ambiguous whether public law is needed *in order* for this harmonization to take place or whether harmonization is a *requirement* placed on public law.

42. Kant deduces from the 'Idea of the state as it ought to be' the institutional forms of a republican constitution: a representative legislature to establish universal norms, an executive to subsume particular cases under these universal norms, a judiciary to determine what is right in cases of conflict, and the constitutional separation of powers to keep these spheres of activity distinct in accordance with the 'moments of its concept' (Kant, *Metaphysics*, § 45).
43. A related argument is to be found in T. H. Marshall. When Marshall analysed the history of citizenship in terms of the development of civil, political and social rights, he assigned them broadly to the evolution of constitutional states in the eighteenth, nineteenth, and twentieth centuries. His distinctive contribution, however, was to argue that modern citizens are only full citizens if they possess all three kinds of right. T. H. Marshall, *Citizenship and Social Class and Other Essays* (Cambridge: Cambridge University Press, 1950).
44. Kant, *Political Writings*, pp. 107–08.
45. Kant, *Political Writings*, p. 114.
46. Karl Löwith writes: 'The term "philosophy of history" was invented by Voltaire [...] to mean a systematic interpretation of universal history in accordance with a principle by which historical events and successions are unified and directed toward an ultimate meaning.' Löwith argues that taken in this sense philosophy of history is 'entirely dependent on theology of history' (Karl Löwith, *Meaning in History* (Chicago, IL: University of Chicago Press, 1949), p. 1).
47. It could mean something simpler but more interesting — a determination to connect the two faces of the modern age, barbarism and progress, without simply succumbing to the former. As Jürgen Habermas has written about the last century, it is necessary not only to keep in mind 'the gruesome features of a century that "invented" the gas chambers, total war, state-sponsored genocide, and extermination camps, brainwashing, state security apparatuses, and the panoptic surveillance of entire populations', but also not to remain 'transfixed by the gruesomeness of the century', thereby 'missing the reverse side of all these catastrophes' (Jürgen Habermas, *The Postnational Constellation: Political Essays* (Cambridge: Polity, 2001), p. 45).
48. Stephen Toulmin, *Cosmopolis: The Hidden Agenda of Modernity* (Chicago: University of Chicago Press, 1992), p. 175.
49. Hegel, *Elements of the Philosophy of Right* (Cambridge: Cambridge University Press, 1991), § 268. For a wider discussion of Hegel's relation to Kant's cosmopolitanism see Robert Fine, 'Beyond Leviathan: Hegel's Contribution to the Critique of Cosmopolitanism', in *Hegel and Global Justice*, ed. by Andrew Buchwalter (New York: Springer, forthcoming 2011).
50. Hegel, *Philosophy of Right*, § 145.
51. Hegel, *Philosophy of Right*, § 246.
52. Hegel, *Philosophy of Right*, § 29.
53. Hegel, *Philosophy of Right*, §139.
54. Kant, *Metaphysics*, § 8.
55. Kant, *Metaphysics*, § 86.
56. Kant, *Metaphysics*, § 86.
57. Kant *Political Writings*, p. 55.
58. Kant, *Metaphysics*, § 28.
59. See Toulmin, *Cosmopolis*.
60. See for example Daniel Chernilo 'A Quest for Universalism: Reassessing the Nature of Classical Social Theory's Cosmopolitanism', *European Journal of Social Theory*, 10.1 (2007), 17–35.
61. Sankar Muthu, *Enlightenment against Empire*, p. 259.
62. In *The Will to Power* Nietzsche writes: 'What does nihilism mean? That the highest values devalue themselves. The aim is lacking; "why?" finds no answer.' F. Nietzsche, *The Will to Power* (New York: Vintage, 1969), p. 9.
63. Karl Löwith, *Max Weber and Karl Marx* (London: Routledge, 1993), pp. 42–44. Equally Emile Durkheim wrote: '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 [...]. Societies can have their pride, not in being the greatest or the wealthiest, but in being the most just, the best organised and in possessing the best moral constitution.' Emile Durkheim, *Professional Ethics and Civic Morals* (London: Routledge, 1992), p. 75.

64. Daniel Chernilo writes: 'The thesis of social theory's claim to universalism plays a key role in justifying the relevance of social theory as an intellectual tradition; it is what makes social theory relevant and contemporary.' Daniel Chernilo, *A Social Theory of the Nation State: The Political Forms of Modernity beyond Methodological Nationalism* (London: Routledge, 2007), p. 162.
65. From his own cosmopolitan point of view Ulrich Beck also argues that Enlightenment cosmopolitanism resulted in a homogenizing universalism with two faces: 'respect and hegemony, rationality and terror'. Ulrich Beck, *Cosmopolitan Vision* (Cambridge: Polity, 2008), p. 49. Also see Gurminder K. Bhambra, 'Cosmopolitanism and Postcolonial Critique', in *The Ashgate Companion to Cosmopolitanism*, ed. by Maria Rovisco and Magdalena Nowicka (Aldershot: Ashgate, 2011).