Abstract

The author of this paper compares Kant’s notion of cosmopolitan right with contemporary liberal cosmopolitanism of such theorists like James Bohman (Professor of Philosophy at Saint Louis University) and David Held (Professor at the London School of Economics and Political Science). These two theorists bring Kant’s cosmopolitan right and reshape it by taking into consideration the process of globalization and the fact of pluralism. It is necessary to investigate how far these authors have changed the insight into Kant’s cosmopolitan right and its implications as well as how deeply the authors reshape the classical liberal political vocabulary.

Key words

Immanuel Kant, David Held, James Bohman, cosmopolitanism, liberalism, democracy

Introduction

Currently, it is observed that the issues of political philosophy and political science concern not only the internal state relations but also the international, trans- and supranational relations. The perspective of describing political phenomena shifted from the national and local to the global and cosmopolitan. Moreover, the language of political theories has changed. Numerous authors consider this situation to be the result of dwindling explanatory power of the classical political theories and their less adequate descriptions of virtual mutual relations of states and other political actors or entities. As a result, new social and political science theories have evolved. Numerous authors, Giddens, Beck, Held, and Bohman among them, formed theories which describe the “global” political reality and make it more comprehensible. Furthermore, we are given recipes for improving the functioning of international and supranational, governmental and nongovernmental organizations.

In my paper, I would like to narrow my analysis to one aspect, namely the normative cosmopolitan approach that takes its roots from Kant’s enlightenment concept of perpetual peace. Therefore, the main focus of the paper is on the issue of Kant’s heritage concerning cosmopolitan liberal thought (1). I will also try to trace how deeply the modern projects are connected with Kant’s cosmopolitanism. Simultaneously, I will try to answer the question as to what extent the Kantian cosmopolitan paradigm gives us a new language for describing our political sphere and whether such a language goes beyond the
old, classical paradigm of liberal thought,\(^1\) and moreover, if it influences the understanding of relations between domestic and foreign policies (2). Lastly, I will check it whether the liberal cosmopolitanism is coherent and which of its aspects should be reconsidered as requiring redefinition (3).

**Kant and his project of cosmopolitanism**

If we accept the fact that globalization, when understood as a political, cultural and social transgression, is an empirical point of reference, then cosmopolitanism will be an ideological answer to globalization. It is an attempt not only to manage such facts as plurality of values and migrations but also to build a new, more “adequate” political vocabulary which would enable us to better describe our national and international reality. It is also a good way to convince us of the necessity of specific relations and norms.

The notion of cosmopolitanism has Greek origins. It is derived from kosmopolités (the citizen of the world), and is used to describe a variety of different views within the philosophy of politics. However, the most basic and general idea concerning cosmopolitanism is the idea that all human beings, regardless of their political and state affiliation, belong to the same community of people; thus, they have their moral obligation not only towards their fellow-citizens but also to their non-fellow-citizens. It was mostly the Stoics, who in ancient Greek time used such an idea of cosmopolitanism; they claimed that all human beings had the same common element, that is, reason (logos). Kant refers to the Stoics to some extent. Although there are a number of differences between Kant and the Stoics (i.e. the concept of wise man and the virtue), there is one important similarity. It is their common understanding of the relation between morality and politics, which presupposes superiority of morality over politics.

In the second chapter of his essay titled *Perpetual Peace*, Kant offers three definitive articles, in which he discusses normative assumptions of domestic and international political systems from the perspective of universal reason. After discussing these articles we can better understand the Kantian idea of perpetual peace and cosmopolitan rights. The main question concerns the necessary and sufficient conditions, compliance with which can help to achieve perpetual peace.\(^2\)

In his first article Kant claims that “the civil constitution of every state shall be republican”.\(^3\) According to him, republican civil constitution is based on a social contract of equal and free individuals who create a state in which the external freedom of each individual will co-exists with the freedom of everyone else.\(^4\)

Kant argues that citizens are at the same time the bearers and creators of the law, and, if people cannot pass the law regarding themselves, the legislator cannot do it for the people either. Moreover, in such a republican system an actual agreement of all citizens is necessary for declaring war. Such a protective instrument limits irrational policy by means of constitutional imposition of duty of paying the price of the war on those who decide to declare war.\(^5\)

In his second article Kant asserts that “the right of nations shall be based on a federation of free states”.\(^6\) In his view, there is no other way to achieve perpetual peace among states since any other form of international cooperation carries the threat of war (i.e. the states are not republican) or the threat of limitation of the universal right of self-governing by the people (i.e. the world republic). Of course the states frequently pursue their rights through the war;
however, for Kant, a military victory, as it was in the Middle Ages, does not determine who is right but only reveals which side of the conflict has better army. Thus, Kant claims, without achieving this kind of consensus among the states, it is impossible to establish perpetual peace (foedus pacificum).\footnote{This classical liberal paradigm understands the role of a citizen as one in which we are the subjects of negative rights.}

The third article advocates that “cosmopolitan right shall be limited to conditions of universal hospitality”.\footnote{Kant offers also a set of six preliminary articles in order to reduce the risk of war. These are: a ban on making temporary peace treaties while still planning for future wars, the prohibition of annexations of one state by another state, the abolition of standing armies, the refusal to take on national debts for external affairs, a ban on interference by one state in the internal affairs of another state, and a set of limits on the conduct of war that disallows acts that would cause mistrust and make peace impossible. In “Appendix” and supplements to Perpetual Peace Kant gives us clues about the nature and role of philosophers. He says that: 1. perpetual peace is guaranteed by nature. 2. The opinions of the philosophers on the condition of possibility of public peace shall be consulted by states which are armed for war; this is a chance to criticize the decision of the government (the idea of public reason). See: Immanuel Kant, Perpetual Peace, in: Hans Reiss (ed.), Political Writings, Cambridge University Press, Cambridge 1991, pp. 116–130.} I would like to focus on this article. The mentioned universal hospitality does not mean just “taking care of people”; it also implies that strangers – foreign citizens – should not be treated with hostility, like enemies, on the territory of a foreign state.\footnote{I. Kant, Perpetual Peace, p. 102.}

Cosmopolitan right (ius cosmopoliticum) is an important component of perpetual peace. In this paper it is treated as a necessary supplement of the other two conditions. Without the cosmopolitan right any federation of states (league of nations) would not be possible at all. Cosmopolitan right is the broadest among other rights: it contains the civil right (ius civitis), which concerns the rights of individuals within a state, and the international right (ius gentium), which concerns the mutual relations of states. Cosmopolitan rights concern the rights of human beings as citizens of the universal state of mankind. It can be said that cosmopolitan right as an independent sphere of universal law is the key element of the national and the international law. It transcends particular claims of people and nations and extends the reasonable law to universal humankind.

\footnote{For Kant, perpetual peace is a regulative idea of practical reason which must be established in political practice in order to avoid wars. Thus, it is necessary to maintain transparency of the law to achieve perpetual peace. Any action which does not observe the obligation of law transparency is an act of injustice. In case public maxims cause resistance, then they are unfair. Naturally, transparency of the law is not the sole requirement; additionally, cooperation must exist within the state. Kant understands such cooperation as a confederation of states or a league of nations. In both situations, states are always sovereign and may only voluntarily join this organization because on the cosmopolitan level there is no supranational coercive power.}

\footnote{I. Kant, Perpetual Peace, p. 105.}

\footnote{Kant argues that incessant wars will eventually make rulers recognize the benefits of peaceful negotiation. They will gradually increase freedom of their citizens, because free citizens are economically more productive and, hence, they make the state stronger in its international dealings.}
As discussed earlier, in the Kantian definition, cosmopolitanism means universal hospitality. How one should understand such hospitality can be found in the fact that it denotes respect for the public rights and for customs of others. Universal hospitality must therefore contain certain elements, namely: a) consent to accept the autonomy of others, b) mutual recognition of external and internal freedom of an individual, and c) respect for public law.

Such an understanding of cosmopolitan right enables realization of perpetual peace. According to this approach, if people are equal and free not only as citizens of the state but also as citizens of the world, as rational human beings we will avoid wars either for moral reasons (we accept the universal law) or egoistic reasons (it is profitable to cooperate). It can be asserted that the rights of the citizens of the world consist of rejection of war either for their egoistic motivation, i.e. they could lose their lives and materialistic profits, or for their moral motivation, i.e. they do not want to violate the universal law.

Although we have separated the moral reason from the egoistic reason, it must be added that, from the cosmopolitan point of view, morality and politics are equal. They are different sides of the same coin, the universal rational law. Political rules are based on morality, and, on the domestic level, external freedom creates the environment for it. On the international level, within a voluntarily established federation of states, politics and morality are equated (cosmopolitan level).

Kant’s inspiration and contemporary examples: James Bohman and David Held

In this paragraph, I would like to focus on two examples illustrating typical application of the Kantian idea of cosmopolitanism, the James Bohman’s and David Held’s theories of cosmopolitan democracy. Before I move to these theories, I have to mention that we can find a few of the most typical ways of argumentation within the broader range of theories that support the cosmopolitan model of political relation. Below, I shall reconstruct the most common argumentation and motives:

a) A state’s power and the role of the state is questioned as supreme in domestic and international policies; the concept of the national state is considered old-fashioned; cosmopolitans try to create a new concept of power: net power or soft power of the civil society, etc;

b) Particularly, liberal cosmopolitans advocate establishing a global civil society and they usually associate this idea with the concept of global public opinion. They also refer to Kant’s idea of cosmopolitan right and they have reformulated it in order to adapt Kant’s theory to the conditions of globalization;

c) Liberal cosmopolitans would like to establish international institutions that enable individuals or groups to influence global matters, i.e. global ecology and global justice. Authors who refer to such arguments frequently use Kant’s rhetoric, in order to proclaim cosmopolitan democracy.

Therefore, we shall turn to the idea of cosmopolitan democracy in the theory of Bohman and Held.

1. Let us start with Bohman’s theory. He thinks that presently we have an opportunity to create international or transnational civil society. He refers to Kant’s ius cosmopoliticum understanding it as a moral human right of democratic self-government. Simultaneously, he rejects Kant’s idea of sovereign
states and claims that we live in the pluralistic and multicultural world in which the state’s public opinion can have a great influence on establishing the cosmopolitan international law. According to cosmopolitan assumption, most actions taken by some power or authority depend on their public acceptance. In other words, when we expand liberal democracy in the whole world, democratic states will create global cosmopolitan organization.

This global cosmopolitan organization is based on the idea of public reason, which is not only critical and reflexive but also dialogical. Kant limited his idea of public reason to intellectuals who can, in the public sphere, make critical comments about the current political life. Bohman modifies this idea. In his theory, human beings generally can criticize the power. To Kant’s cosmopolitan perspective Bohman adds the idea of plurality and the idea of democracy, and from Kant’s cosmopolitan rights he derives the idea of unstrained communication. For him, it is a necessary condition for establishing the global public sphere. In such a sphere where the public use of reason is dialogical, critical and reflexive, everybody is equal and has some degree of influence on global decisions. Thus, in the global public sphere citizens have equal access to decision-making processes.\(^{14}\)

According to Bohman, presently, a critique of the existing law and authorities cannot be citizens’ only goal within the international public sphere. Citizens of the world should be able to communicate in such a way as to achieve public agreement. The citizens’ aim is to create a “pluralistic consensus” in accordance with the interests of different political communities. In such a case, public opinion must be influential enough to change the institutional framework of political debate. In Bohman’s opinion, such cosmopolitan public can renew democracy in two ways: a) through a pluralistic public sphere within the state and b) through an informal network of communications among governmental, non-governmental, national and supra-national organizations which establish international civil society.

\(^{10}\) From the perspective of universal law the pure reason deduces that reasonable freedom realizes itself as external and internal freedom. Each of these requires different legislation to enable us to turn from animal lawlessness (Wirkür) to human freedom (Wille). With regard to internal freedom, legislation takes a moral form (categorical imperative); in the second case, external freedom is regulated through acts (Gesetz) which have a coercive sanction. As regards cosmopolitan right, one must remember that it has no such sanction. The representatives of the people join the federation of the states voluntarily. Thus, taking into consideration the priority of morality over politics and Kant’s understanding of politics as a domain of ethics, we can assume that the background of Kant’s cosmopolitanism is his practical imperative: “Act in such a way that you treat humanity, whether in your own person or in the person of another, always at the same time as an end and never simply as a means” (Immanuel Kant, Grounding for the Metaphysics of Morals with On a Supposed Right to Lie because of Philanthropic Concerns, trans. J. W. Ellington, Hackett Publishing Company, Indianapolis 1993, p. 36).

\(^{11}\) It is good to bear in mind that Kant rejects Pax Romanum because he would like to remove the war outside the sphere of law.

\(^{12}\) Kant uses two notions of morality: the first one (thin) refers to the notion of law and the second one (thick) refers to the notion of virtue.


\(^{14}\) Today we have a heated discussion among the members of the European Union about the future of European integration. One of the important issues is the content of the EU Constitution and set of the EU citizen rights.
Bohman’s theory is referred to with special attention on its two aspects. Firstly, we can see Bohman’s pragmatic use of Kant’s idea. Kant rejected democracy as a good political system of ruling the state; at the international level he introduced coalition of republican states without a global public sphere. The public sphere is possible only within a state, and cosmopolitan right literally means hospitality which we could understand as a requirement of negative toleration (we do not have to give active political rights to strangers). Secondly, the language which is used by Bohman is suggestive and persuasive. He tells about the power of the world citizens’ public opinion on the international level as regards to Kant’s idea of cosmopolitanism. It means that he takes Kant’s notions and binds them with contemporary western values such as pluralism, human rights, etc. Bohman, of course, sees the difference between his project and Kant’s theory; however, the question remains whether his strategy of changing Kant’s idea is effective.

2. Similar difficulties are found in David Held’s project of cosmopolitan liberalism. In the article titled: “Cosmopolitan Democracy and the Global Order: A New Agenda”, he expounds his understanding of cosmopolitanism in the following way:

“The cosmopolitan conception of democracy is a means of strengthening democracy ‘within’ communities and civil associations by elaborating and reinforcing democracy from ‘outside’ through a network of regional and international agencies and assemblies that cut across spatially delimited locales”.15

Of course democracy on the global level cannot be a direct result of democracy on the local level (intra-state). Democracy generally demands special procedures and institutions which constitute the next level of political representation, the level which is independent from limitation of national state’s boundaries. Also, like in Kant’s project, Held’s idea of cosmopolitan democracy does not mean a proclamation of the end of the national state and formation of one super-state. The aim of cosmopolitan democracy is to raise the governing to the planetary level by providing the existing international institutions such as the UNO with wider competence.

According to Held, there are a short and a long term policies of transformation of national and transnational rules, institutions and mechanisms. At the end of such a path we should achieve the following results: the Security Council of the UNO should be more representative, and the International Court should have more power to be able to enforce basic civil, economic and social rights. Furthermore, there should be a “global” democratic state’s assembly that would decide every important global issue concerning environmental protection, wars, economics or health policy etc. The objectives of such an assembly would be obvious: it would reduce the number of dangerous conflicts and strengthen democratic rights in the international law.16 Held holds that in order to achieve such goals it is necessary to create a cosmopolitan democratic law functioning as a means of establishing cosmopolitan community, an international net of common political decision-making.17

This is only a fragment of Held’s theory. Yet, while comparing the Kantian and Heldian ideas of cosmopolitanism it must be asserted that for Held Kant’s cosmopolitan right is too narrow a concept. Universal hospitality cannot be ensured if the economic and social standards of citizens’ lives are shaped without their acceptance. Moreover, Held claims that we are able to fulfill cosmopolitan right when we understand it as the cosmopolitan democratic public law under which there is authentic accountability. In this case, the line
between ethical right and political law is diminished, which consequently obfuscates the correct understanding of this relation. It seems that Held takes for granted the doctrine of human rights and he defines international institutions on the global level from a liberal perspective, in which nevertheless sovereignty of the state occurs less important than cosmopolitan right. This is not exactly Kantian perspective, though.

Conclusions

Numerous cosmopolitan theories agree with the liberal assumption concerning the superiority of liberal democracy. Yet, all of them share the same premise: the western form of life is better than that of others and because of that the westerners have a moral right to propagate it all over the world. Such a perspective shows that there is no reason to maintain the boundaries of national states when we accept the global democratic form of governing. Thus, we need a more effective global institutional system and a stronger civil society.

However, this kind of argumentation has a few weak points. I have shown only some problems with understanding of cosmopolitan ideas. Generally, this kind of liberal cosmopolitanism describes global community as a community of all democratic states. Some authors, like Chantal Mouffe, ask a question as to who will decide which country is democratic or not and who will define the selection criteria. The cosmopolitan thinkers admit that international institutions have the right to violate the state’s sovereignty in the name of cosmopolitan values. So in many cases they reject the citizens’ right to democratic self-governing.18


16 It is of course very interesting what is meant by “democratic rights” or “cosmopolitan democratic law” and how they are different from the classical liberal perspective of international affairs, which is not so clearly presented in Held’s book.

17 Held proclaims 8 cosmopolitan principles: 1. equal worth and dignity – we must think of people as having equal moral value (egalitarian individualism); 2. active agency – we have ability to shape human community in the context of the choice of others; 3. personal responsibility and accountability – legitimate differences of choice must be distinguished from unacceptable needs; 4. such principles required a non-coercive political process where people can negotiate their public interconnection and life chances; 5. collective decision making about public matters need to be linked with voting at the decisive state (majority rule); 6. inclusiveness and subsidiary – drawing proper boundaries around units of collective decision making; 7. avoiding serious harm – public policy should be focus on the eradication of severe harm inflicted on people; 8. sustainability – all economic and social development must be consistent with stewardship of the world’s core resources. See: David Held, Principles of Cosmopolitan Order, in: Gillian Brock, Harry Brighouse (eds.), The Political Philosophy of Cosmopolitanism, Cambridge University Press, Cambridge 2005, pp. 12–16.

18 Liberal cosmopolitans resign the old sovereignty rights and replace them by “new” rights which are not so clearly defined. Cosmopolitan right denies the citizens of many countries their right to democratic self-governing and legitimizes the violation of the state’s sovereignty by international institutions. Mouffe tries to improve the liberal cosmopolitan project. She builds her own conception of the “pluriversal” politics in which she points out, as mentioned above, the weak elements of cosmopolitan democracy idea. She criticizes cosmopolitan concept of governance which replaces the concept of power and an idea of government resulting from it. She is against cosmopolitanism and is in favor of multilateral/multipole global order, where we accept differences and plurality. She advocates not for universe but pluriverse in which politics is understood as an agonistic sphere of confrontation among contradictory hegemonic views. See: Chantal Mouffe, On the Political, Routledge, London–New York 2005.
This leads us to another problem of liberal cosmopolitanism. There is no clear division between human rights and cosmopolitan rights. We do not know whether cosmopolitan rights concern individual or group rights, who the subject of such rights is, etc. It is so easy to imagine that within a civil society some organization will speak on behalf of the excluded groups, in the name of the people who cannot speak. However, we cannot be sure that those speakers will not take advantages of the “silent” groups and represent them in an improper way. Furthermore, the cosmopolitan approach strongly emphasizes legitimizing role of human rights. Thus, this is a moral, not a political, perspective because there is no cosmopolitan political law which could be enforced. In this sense, there is no difference between cosmopolitan rights and human rights. Simultaneously, the post-political character of cosmopolitan perspective is revealed when moral universalisation of the notion of the citizen as a citizen of the world causes its de-politicization.

Let us explain this outcome more clearly. Cosmopolitans want to create world citizens. It is obvious for them that the transition from the notion of a ‘citizen’ to the notion of a ‘world citizen’ is unproblematic. However, in the original Greek etymology, kosmopolitês has not only a political but also a moral aspect. According to the Stoics’ theory, a citizen of the world rejects particular polis (political dimension) in the name of universal natural right (kosmos). Up until today the notion of ‘cosmopolitan’ has apolitical character in its essence. Supporters of cosmopolitanism try to overcome the apolitical insight of this notion, which leads to a redefinition of the conditions of the citizens’ political practice.

What can philosophers do in such a situation where, on the one hand, the resemblance of Kant’s cosmopolitan theory to liberal cosmopolitanism is only superficial and, on the other hand, the cosmopolitan approach has an internal theoretical and methodological defect? First of all, it is important to see that the cosmopolitan project is still under construction and it seeks appropriate and adequate language to describe its domestic and foreign political relation. Because of that, we have an opportunity to correct the methodological failure at the very beginning. One aspect should be solved definitely: we have to build a research program, investigate the conditions necessary for the cosmopolitan discourse, and examine its language.

Generally, I think that we can come back to Kant’s vision where the notion of a state’s sovereignty is still valid while our definition of cosmopolitan right is narrowed to universal hospitality, or we can skip Kant’s vision and change our political language. However, in this second case, we must be ready to resign the notion of ‘citizenship’ and perhaps start using other notions, such as ‘terrestrial’. We can observe symptoms of the transition within the political language. One of the examples is Rorty’s theory of solidarity among strangers; another one is Appiah’s idea of ethics; there are also postmodern authors like Foucault or Lyotard who reject classical liberal political dictionary as the public/private dichotomy, etc. and focus on the politics of care for the interdependence of a contingent identity. All these trends reveal problems with classical liberalism. Does it mean that this is the end of a state or that Kant’s theory is useless? I do not agree with such stance. The problems of inconsistency within the theory of cosmopolitanism show that there is still a lot of work to be done in order to understand and adequately describe our global and local situation and Kant’s idea of cosmopolitanism can still play an important role in this reconstruction.
References


Rafał Wonicki

Kozmopolitanizam i liberalizam:
Kant i suvremeni liberalni kozmopolitanizam

Sažetak
Autor ovog članka uspoređuje Kantov pojam kozmopolitskog prava sa suvremenim liberalnim kozmopolitanizmom teoretičara poput James Bohmana (profesor filozofije na Sveučilištu Saint Louis) i Davida Helda (profesora na London School of Economics and Political Science). Ova dva teoretičara uzimaju Kantovo kozmopolitsko pravo i preoblikuju ga uzimajući u obzir proces globalizacije i činjenicu pluralizma. Nužno je istražiti koliko su duboko ovi autori promijenili uvid u Kantovo kozmopolitsko pravo i njegove implikacije te također koliko su ovi autori preoblikovali klasični liberalno-politički vokabular.

Ključne riječi
Immanuel Kant, David Held, James Bohman, kozmopolitanizam, liberalizam, demokracija

Rafał Wonicki

Kosmopolitanismus und Liberalismus:
Kant und zeitgenössischer liberaler Kosmopolitanismus

Zusammenfassung
Der Verfasser dieses Artikels vergleicht Kants Begriff des kosmopolitischen Rechts mit dem zeitgenössischen liberalen Kosmopolitanismus der Theoretiker wie James Bohman (Professor für Philosophie an der Saint Louis Universität) und David Held (Professor an der London School of Economics and Political Science). Diese zwei Theoretiker greifen Kants kosmopolitisches Recht auf und umformen es, indem sie auf den Globalisierungsprozess sowie das Faktum des Plura-
Rafał Wonicki, Cosmopolitanism and Liberalism: Kant and Contemporary Liberal...

Schlüsselwörter
Immanuel Kant, David Held, James Bohman, Kosmopolitanismus, Liberalismus, Demokratie

Rafal Wonicki
Cosmopolitisme et libéralisme : Kant et le cosmopolitisme libéral contemporain

Résumé
L’auteur du présent article compare la notion de droit cosmopolitique de Kant au cosmopolitisme libéral contemporain chez les théoriciens tels que James Bohman (professeur de philosophie à l’Université de Saint-Louis) et David Held (professeur à l’École d’Économie et de Sciences Politiques de Londres). Ces deux théoriciens prennent le droit cosmopolite de Kant et l’adaptent en tenant compte du processus de globalisation et du fait du pluralisme. Il est nécessaire d’examiner jusqu’à quel point ces auteurs ont modifié l’idée du droit cosmopolite de Kant et ses implications, ainsi que d’examiner à quel point ces auteurs ont modifié le vocabulaire libéral et politique classique.

Mots-clés
Immanuel Kant, David Held, James Bohman, cosmopolitisme, libéralisme, démocratie