

Varieties of Cosmopolitanism and Politics of Hospitality

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Introduction

The concept of cosmopolitanism has become one of the key terms of political philosophy. But there is an ongoing controversy among philosophers and political theorists about the central elements of a cosmopolitan vision. For some commentators, it entails a thesis about culture and identity (*cultural cosmopolitanism*).¹ This view emphasises a decentered, multiply situated and hermeneutical conception of culture and identity, thereby drawing our attention to the hybridity and fluidity of world's cultures. For a second group of theorists, cosmopolitanism signifies a thesis about responsibility that highlights the obligations individuals and nations have to non-nationals (*moral cosmopolitanism*).² They emphasise that we have obligations to those whom we do not know and with whom we are not intimate, and that we ought to embrace the foreign in our midst, recognise the common humanity of people beyond our borders and seek to realise a world that transcends frontiers. Cosmopolitanism as a thesis about responsibility, thus, espouses a moral perspective that considers each individual being worthy of equal concern and respect, and which stresses that our obligations to our particularistic attachments do not supersede our duties to distant others. For a third group of theorists, cosmopolitanism signifies a thesis about sovereignty and legality (*legal cosmopolitanism*).³ Although legal cosmopolitanism shares the central arguments of moral cosmopolitanism, in particular the idea that each and every person deserves equal moral respect and concern, it does not just seek to elucidate the moral justification of the cosmopolitan vision. It is equally concerned with another crucial question: How can this moral attitude be translated into practice protecting the lives of individuals?⁴ In this paper, I will mainly concentrate on the normative content and justification of cosmopolitanism, and its political implications by critically examining

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¹ See Jeremy Waldron, "What is Cosmopolitan?" *The Journal of Political Philosophy*, Volume 8, Number 2, 2000, 227-243. See also Seyla Benhabib's conception of culture: Benhabib, *The Claims of Culture* (Princeton N.J.: Princeton University Press, 2002).

² Although the central thesis of moral cosmopolitanism revolves around the concept of responsibility, the precise meaning and content of this term is widely disputed. It must also be stressed that moral cosmopolitanism owes a great deal to the legacy of Kantian cosmopolitanism. See the articles of Jürgen Habermas, Martha Nussbaum and Axel Honneth in James Bohman and Matthias Lutz-Bachmann (ed.) *Perpetual Peace: Essays on Kant's Cosmopolitan Ideal* (Cambridge, Massachusetts: The MIT Press, 1997).

³ Here I should acknowledge my indebtedness to Benhabib's helpful classification and discussion: Benhabib, "The Legitimacy of Human Rights" *Daedalus*, Summer 2008, 94-104; particularly 97.

⁴ Thomas Pogge, one of the advocates of this perspective, argues that legal cosmopolitanism is "committed to a concrete political ideal of a global order under which all persons have equivalent legal rights and duties, that is, are fellow citizens of a universal republic." See Pogge, "Cosmopolitanism and Sovereignty" *Ethics*, 103, 1992, 48-75. For a good collection of essays on this topic, see *The Political Philosophy of Cosmopolitanism*, Gillian Brock and Harry Brighouse (ed.), (Cambridge: Cambridge University Press, 2005). See also David Held, "Cosmopolitan Democracy and the Global Order: A New Agenda" in James Bohman and Matthias Lutz-Bachmann (ed.), *Perpetual Peace: Essays on Kant's Cosmopolitan Ideal* (Cambridge, Massachusetts: The MIT Press, 1997), 235-249.

the seemingly opposed perspectives of Kant and Derrida with a view to highlighting the tension and similarities between their moral orientations. But I will also briefly examine both the thesis of cultural cosmopolitanism and some critical responses to it in contemporary political philosophy.

Kant's discussion of cosmopolitanism concentrates on moral and legal relations which hold among individuals across territorially bounded nations. Kant explores the concept of cosmopolitan right (*Weltbuergerrecht*) in his influential essay "Perpetual Peace" with reference to the duty of hospitality⁵, and reiterates the same thesis, without altering his earlier framework, in the "Doctrine of Right," which constitutes the first part of his *Metaphysics of Morals*.⁶ In these writings, in which we see the most developed form of his theory of cosmopolitanism, he repeatedly insists that hospitality is "not a question of philanthropy but of right." Kant thus explicitly points out that hospitality is not to be viewed as the kindness one may show to strangers. Rather, it is a right that belongs to all human beings, and which is grounded on the reciprocal duty to treat everyone equally. Despite its visionary depth and normative power, his moral cosmopolitanism is limited in terms of its juridical and political implications because in his political texts Kant is also concerned to reconcile his universalistic aspirations with the principle of state sovereignty. As some commentators argue, this is both a concession to political realism on his part and has a normative value in itself.⁷ My contention is that Derrida's view of hospitality and cosmopolitanism, which he develops in a series of essays by particularly invoking the Kantian legacy, represents both a radical extension of Kant's perspective and an attempt to counter the Kantian reconciliation between universalism of equal reciprocal treatment and the idea of state sovereignty with a second moral point of view that has both agonistic implications and unconditional validity.⁸ Many critics and commentators (including Thomas McCarthy, Seyla Benhabib, Bonnie Honig and Axel Honneth)⁹ have concentrated on the tension between Kant's cosmopolitanism and Derrida's "agonistic vision."¹⁰ Although I do not claim that there is some theoretical perspective in which differences between their perspectives can be reconciled, it would be all too easy to think that an unbridgeable abyss separates them. Thus, I have a more modest objective: I want to explore the ways in which they supplement each other and to show how we can consider them as reflecting two intertwined strands of cosmopolitanism.

⁵ Immanuel Kant, "Perpetual Peace," in *Kant's Political Writings*, Hans Reiss (ed.) (Cambridge: Cambridge University Press, 1991), 93-130.

⁶ Kant, *The Metaphysics of Morals* (Cambridge: Cambridge University Press, 1996).

⁷ See Thomas McCarthy, "On Reconciling Cosmopolitan Unity and National Diversity" *Public Culture*, 11(1), 1999, 175-208.

⁸ My analysis of Derrida will particularly concentrate on *Cosmopolitanism and Forgiveness and Of Hospitality*.

⁹ See Thomas McCarthy's criticism of Derrida's perspective: McCarthy, "On the Margins of Politics", *The Journal of Philosophy*, Vol. 85, No. 11, 1988, 645-648. See also the exchange between Benhabib and Honig regarding the tension between Kant's and Derrida's perspectives: in Seyla Benhabib, *Another Cosmopolitanism*, Robert Post (ed.) (Oxford: Oxford University Press, 2006). Axel Honneth's sympathetic commentary is also very illuminating: Honneth, *Disrespect: The Normative Foundations of Critical Theory* (Cambridge: Polity, 2007), 99-128.

¹⁰ The term "agonistic cosmopolitanism" has been coined by Bonnie Honig. See Honig, "Another Cosmopolitanism? Law and Politics in the New Europe" *Another Cosmopolitanism*, 117.

My assessment comprises three steps. I will begin with a critical assessment of some contemporary responses to cosmopolitanism. I will then discuss the moral and political significance, as well as the limitations, of Kant's theory of cosmopolitanism. This discussion may serve as a background to which we will refer to compare Kant's theory of cosmopolitanism with Derrida's perspective. Finally, I will turn to Derrida's agonistic cosmopolitanism and will argue that although his idea of hospitality involves a theoretical dimension (which contains some secularized theological assumptions) that cannot be easily reconciled with the Kantian perspective, Derrida supplements this Kantian legacy with a tension riven principle of infinite and unconditional hospitality that I see worth preserving, and which ought to inform Kant's unfinished moral and political project.

Contemporary Perspectives on Cosmopolitanism

Cosmopolitanism (both cultural and moral/political) has been one of the most hotly debated topics in contemporary political theory over the last two decades. In addition to those philosophers and theorists who wish to retain the cosmopolitan ideal and reformulate its normative ground in light of both contemporary philosophical disputes and recent developments in global politics, there are also some postmodern and communitarian critics who view it as irrevocably dated and even suspect.

For some commentators, who share a theoretical commitment to Critical Theory, cosmopolitanism represents a normative perspective for carrying the universalistic principles of discourse ethics beyond the confines of the nation-state. Habermas, for instance, attempts to reappropriate and update the Kantian idea of cosmopolitan law with a reconstruction of the juridification of international relations and the politics of human rights which he sees as an extension of his own moral (discourse ethics) and political (deliberative democracy) theory.¹¹ Benhabib, who is inspired by the same Kantian legacy and is fully committed to the universalist standpoint of the discourse theory of ethics, focuses on the human rights of legal and illegal immigrants who reside within a state but who are excluded from its polity. She interprets cosmopolitan norms to cover the relationship between states and strangers, and argues that these norms necessarily intersect with the democratic authority of ordinary positive law.¹² James Bohman, drawing on the Kantian idea of perpetual peace and cosmopolitan federalism, emphasises the constructive role played by what he calls "the cosmopolitan public sphere" in the creation of more favourable conditions for global peace.¹³ Karl-Otto Apel claims that we can redeem the import of Kant's cosmopolitan perspective if we dispense with the mentalistic/metaphysical distinction of noumenal vs phenomenal.¹⁴ But these criticisms of Kant's perspective aim to iron out the inconsistencies in his moral and political theory and adapt his cosmopolitanism to contemporary conditions without thereby repudiating his overall project.

¹¹ Habermas, "Kant's Idea of Perpetual Peace: At Two Hundred Years' Historical remove" *The Inclusion of the Other: Studies in Political Theory* (Cambridge, Massachusetts: The MIT Press, 1998), 165-202.

¹² Benhabib, *The Rights of Others: Aliens, Residents and Citizens* (Cambridge: Cambridge University Press, 2004).

¹³ Bohman, "The Public Spheres of the World Citizen" in *Perpetual Peace: Essays on Kant's Cosmopolitan Ideal*, 179-200.

¹⁴ Apel, "Kant's Idea of Peace and the Philosophical Conception of a World Republic" in *Perpetual Peace: Essays on Kant's Cosmopolitan Ideal*, 79-110.

At odds with the above criticisms, many thinkers vocalize more radical objections to cosmopolitanism. Jean-Francois Lyotard, in his study on the postmodern condition, expresses a deep scepticism concerning cosmopolitanism and rejects it wholesale as one more grand narrative of modernity. Moreover, he identifies the notion of progress underlying Kant's cosmopolitanism with the aggressive occidental narrative of unity and homogeneity.¹⁵ Richard Rorty likewise promotes the uncoupling of cosmopolitanism and the Kantian notion of a progressivist teleological notion of nature which he considers not only expendable but also a source of metaphysical obscurity. But in his more politically motivated writings, Rorty urges his readers, especially the American left, not to dismiss patriotism as a value, and indeed to give central importance to "a sense of shared national identity", thereby incidentally proposing liberal patriotism as an alternative to cosmopolitanism. Communitarian critics such as Michael Walzer and Charles Taylor voice similar objections to cosmopolitanism. Like Rorty, they too seem to emphasise that participatory democracy and active citizenship require patriotism. Addressing directly the question of 'strong democracy', Taylor argues that modern representative democracies need "not only a commitment to the common project, but also a special sense of bonding among the people working together", which is in turn dependent upon "much greater solidarity toward compatriots than toward humanity in general."¹⁶ Walzer, too, points to the moral and political significance of local attachments, and claims that cosmopolitans are not sufficiently sensitive to this special sense of bonding which individuals have for their homes and countries. Walzer's following remarks capture the concerns of many philosophers and scholars who are deeply sceptical about the cosmopolitan perspective:

The distinctiveness of cultures and groups depends upon closure and, without it, cannot be conceived as a stable feature of human life. If this distinctiveness is a value, as most people (though some of them are global pluralist, and others only local loyalists) seem to believe, then closure must be permitted somewhere. At some level of political organisation, somethinglike the sovereign state must take shape and claim the authority to make its own admissions policy, to control and sometimes restrain the flow of immigrants.¹⁷

While I believe that Taylor and Walzer raise some invaluable questions about the need for democratic governance and public freedom which seem to echo some of the deeply-seated concerns of the civic humanist tradition, the general malaises of modern (multicultural) societies such as the decline of citizenship and the eclipse of public freedom can hardly be blamed either on cosmopolitanism or on immigrants and asylees. More significantly, in such communitarian criticisms of cosmopolitanism, there appears to be a quick slide from the emphasis on active citizenship and strong democracy first to "the distinctiveness of cultures and groups" and then to "the need for closure" orchestrated by "something like the sovereign state".¹⁸ Both conclusions are problematic for two different reasons. For one thing, a democratic and pluralist polity consists of many cultural traditions and

¹⁵ Lyotard, *The Postmodern Condition* (Manchester: Manchester University Press, 1984).

¹⁶ Taylor, "Why Democracy Needs Patriotism" in Martha Nussbaum, *For Love of Country?* Joshua Cohen (ed.) (Boston: Beacon Press, 2002), 120.

¹⁷ Walzer, *Spheres of Justice* (New York: Basic Books, 1983), 39.

¹⁸ I owe this criticism of the communitarian objection to cosmopolitanism to Benhabib's analysis. See *The Rights of Others*, 114-128.

groups. For another, the supposedly national or local culture itself is shaped by a variety of traditions and narratives. Cultural and ethnic intermingling seems to be almost everywhere the rule rather than the exception simply because of the fact that the globe is not divided into culturally homogenous regions. Thus, a normative perspective that stresses “the need for closure” today raises specters of forced resettlement, massive repression and ethnic cleansing.¹⁹ The existing and growing heterogeneity of many countries makes any type of political community based on ethnocultural homogeneity unsuitable as a normative perspective. In this respect, if we are trying to conceptualize a participatory democracy, then it will have to be compatible simultaneously with the universalist content of the basic rights of all human beings under the rule of law *and* pluralism characteristic of modern societies. This is not something that Walzer would deny. But then we might ask why exactly he insists on closure? I believe that this is partly due to the way in which he defines cultural cosmopolitanism:

To tear down the walls of the state is not, as Sidgwick worriedly suggested, to create a world without walls, but rather to create a thousand petty fortresses. The fortresses, too, can be torn down: all that is necessary is a global state sufficiently powerful to overwhelm the local communities. Then the result would be the world of the political economist, as Sidgwick described it (or of global capitalism, I might add)—a world of deracinated men and women.²⁰

In his *Dictionary of Political Thought*, the conservative writer Roger Scruton gives a similar definition of cosmopolitanism:

The belief in, and pursuit of, a style of life which... [demonstrates] acquaintance with, and an ability to incorporate, the manners, habits, languages, and social customs of cities throughout the world... In this sense, the cosmopolitan is often seen as a kind of parasite, who depends upon the customs of others to create the various local flavours and identities in which he debbles.²¹

What becomes manifest in such characterisations of cosmopolitanism is the longstanding suspicion that the cosmopolitan is insincere and inauthentic, all surface and no substance. This portrayal of the cosmopolitan as rootless and parasite strikes a chord with the enduring critique of cosmopolitanism within modern social and political philosophy. The philosophical roots of this anti-cosmopolitan thinking can be traced back to the earlier versions of communitarianism which were equally concerned with the problem of how to achieve a cohesive community and retain cultural authenticity in a social and cultural landscape increasingly dominated by the cosmopolitan Enlightenment thinking and the social pathologies of radical modernization. Despite the substantial philosophical and political differences between them, many social critics and philosophers share a profound antipathy for the selfish materialism, alienation and cultural rootlessness of modern society, which are

¹⁹ As Benhabib argues, it is extremely problematic to attempt to defend “the need closure” and hence to provide a philosophical justification for anti-immigration legislation in democratic nations, “while condemning Hitler’s denaturalization of German-Jewish citizens upon coming to power.” The question that remains to be answered is, what is the normative criterion that we use to justify the former and criticize the latter? See Benhabib, *The Rights of Others*, 122.

²⁰ Walzer, *Spheres of Justice*, 39.

²¹ Cited in Jeremy Waldron, “What is Cosmopolitan?”, 227.

exacerbated, in their view, by cosmopolitanism and the growing identity crisis that accompanies it. It is worth recalling that Rousseau decries the corruption of cities and their philosophic (hence cosmopolitan) champions who insist on “loving everyone in order to love no one.”²² Burke voices a similar criticism when he asks the question how one can love humankind in any meaningful way, without first loving our own “subdivision,” our own “little platoon.” Even Marx and Engels, who celebrate the Promethean transformation of social reality and the overcoming of traditional society in the nineteenth century, appear to rally against “the private-egotistical cosmopolitanism of free trade”. The charge of rootlessness and alienation reaches a climax in Heidegger’s strong repudiation of cosmopolitanism in his “Letter on Humanism” where he argues that meaningful human existence requires a strong sense of belonging, rootedness and indeed the subordination of the individual in a particular historical community, which is “essentially more primordial and thus more significant for the future than the mere cosmopolitanism of Goethe”.²³

It is not difficult to hear overtones of these concerns in the language of contemporary opponents of cosmopolitanism. It is beyond the scope of this paper to tackle this issue directly. What is significant for the purposes of this essay is the misleading dichotomy that is employed both by earlier and recent forms of communitarianism, namely the stark contrast between allegedly pure and authentic local cultures or traditions that are uncontaminated by alien practices or ideas on the one hand, and inauthentic cosmopolitan cultures composed of many fragments on the other. But this dichotomy is mistaken because it is based on two problematic assumptions. First, it defines the essence of a culture in terms of its radical singularity and distinctiveness. Second, and interrelated with the first, it views cultures as coherent wholes and hermetic seals that are closed on themselves and separated from other cultural horizons with insurmountable boundaries. This romantic and essentialist view of culture, however, has been subjected to a strong criticism over the last decades first by philosophical hermeneutics and then by cultural cosmopolitanism. Hans-Georg Gadamer’s hermeneutics provides us with a dialogical vision, one that does justice to our situatedness within a shared context of meaning and experience without thereby implying a dogmatic closure to the possibility of a fusion with other cultures. Perhaps more important, Gadamer’s hermeneutical account acknowledges that living cultures are sites of ongoing debates, critical turns and internal revisions, and that it would be wrong to suppose that cultures are beyond the reach of our interpretations, rearticulations and criticisms. As Gadamer aptly puts it, our horizons are not rigid but mobile.²⁴ From this it also follows that it would equally be wrong to view cultures as centered and homogeneous wholes that exist by themselves without any interaction with other cultures. Some contemporary political theorists also attempt to articulate such a dialogical, cosmopolitan understanding of culture. Waldron argues that “the pure culture, uncontaminated in its singularity is... an anomaly; it is an exception usually explained by historical contingency and

²² For a thoughtful analysis of Rousseau’s ambivalent position on cosmopolitanism, see Helena Rosenblatt, “Rousseau, the Anti-Cosmopolitan?” *Daedalus*, 2008, Summer, 59-67. For a good overview of the themes of cosmopolitan and anti-cosmopolitan thinking within political philosophy, see Darrin M. McMahon, “Fear and Trembling, Strangers and Strange Lands” *Daedalus*, 2008, Summer, 5-17.

²³ Heidegger, “Letter on Humanism” *Basic Writings*, ed. David Farrell Krell, (San Francisco: HarperSanFrancisco, 1993).

²⁴ Gadamer, *Gadamer in Conversation*, (New Haven: Yale University Press, 2001), 48.

extraordinary geographical isolation.”²⁵ Benhabib, too, insists that “all cultures learn and borrow from one another constantly,” that “we should be open to the dizzying multiplicity, variety and incongruity of world’s cultures,” and that “we should acknowledge and embrace a decentered, multiply situated, and hybrid conception of culture as well as identity.”²⁶ Cultural cosmopolitanism as a thesis about culture and identity, inspired by and drawing on the implications of hermeneutical philosophy, thus introduces a crucial transformation in contemporary debates about cosmopolitanism: we need to drop the idea of cultures as completely closed horizons, monolithic blocs and internally self-consistent and pure wholes that are beyond conflict, reinterpretation and transformation, and which are separated from other cultures by insurmountable barriers. The essentialist view of cultures is wrong not only ontologically and empirically but also normatively because it is incompatible with what Kant and Derrida call a cosmopolitan attitude towards sharing the world with others.

Kant’s Cosmopolitanism

Kant’s endeavour to develop a theory of cosmopolitanism was pursued in a series of works in which Kant posed the attainment of a cosmopolitan order as the greatest problem facing humanity, one which is not only necessary for survival but also a requirement of practical reason. His cosmopolitanism has long been a target of those who argue that it is a fantastical idea based upon a beautiful utopian vision and abstract universalism. While it is true that his moral ideal of a kingdom of ends, which he presents in the *Groundwork of the Metaphysics of Morals*, seems to support that characterization, it is essential to recognize that Kant’s moral philosophy is not his political philosophy. Indeed, as some commentators argue, there lies a tension between Kant’s moral theory and his political perspective.²⁷ It must also be stressed that this tension becomes fully manifest in his theory of cosmopolitanism where the moral idea of hospitality is politically circumscribed by his strong emphasis on the principle of state sovereignty. My analysis in this section will aim to demonstrate both the significance of Kant’s legacy and how this tension comes to the surface in his writings on cosmopolitanism.

In his “Idea for a Universal History with a Cosmopolitan Purpose,” written ten years before his influential essay “Perpetual Peace,” Kant argues that by a cosmopolitan order he means an order in which “lawful external relations among states” can be established. The idea of lawful external relations among states is vital to the development of international law and institutions which will treat states as legal subjects with rights and obligations and which will aim to create peaceful relations among them. Kant’s contention is that such a cosmopolitan order requires the institution of “a federation of peoples” under a rule of international law in which “every state, even the smallest, could expect to derive its security and rights not from its own power or its own legal judgement, but solely from this great federation, from a united power and the law-governed decisions of a united will.”²⁸ Kant recognises that there is little sign of such a cosmopolitan order coming into being, but he is convinced

²⁵ Waldron, “What is Cosmopolitan?”, 232.

²⁶ Benhabib, “The Legitimacy of Human Rights”, 97. See also Benhabib, *The Claims of Culture*.

²⁷ See McCarthy’s thoughtful analysis: McCarthy, “On Reconciling Cosmopolitan Unity and National Diversity”, 184.

²⁸ Kant, “Idea for a Universal History with a Cosmopolitan Purpose” *Political Writings*, 47-51.

that “however wild and fascinating this idea may appear, it is nonetheless the inevitable outcome of the distress in which men involve one another,” and maintains that it is the highest purpose of nature and the most encompassing idea of practical reason. As visionary and convincing as these considerations may seem *prima facie*, they lead to two further and interrelated moral difficulties. First, Kant insists that the institutional form of this cosmopolitan order should be a federation of independent nation-states, that is to say, “a perfect civil union of mankind” which recognizes and respects the autonomy of peoples and states. Second, Kant does not even mention the idea of a cosmopolitan law which will guarantee the fundamental rights of every individual, by virtue of their humanity, whether or not these rights are acknowledged by individual nation-states. Thus, in this 1784 essay on cosmopolitanism, Kant’s major priority seems to be to vindicate the autonomy of independent nations and the need to abandon “a lawless state of savagery” and “enter into a federation of peoples.”

If we move now from his “Idea for a Universal History” to “Perpetual Peace,” the centre of gravity of his cosmopolitanism undergoes a radical transformation, though the central elements of his conception of state sovereignty remain essentially the same, and this further complicates the link between his moral theory and political perspective. The theoretical innovation introduced in this essay is that Kant formulates three interrelated levels of right which he presents as three “definitive articles for a perpetual peace between states.” The first level is that of the state and domestic law which should be in accordance with a republican constitution. The second component is what Kant calls the “right of nations”, which specifies the sphere of rightful and peaceful relations among nations, a domain which is an outcome of the treaty obligations among free and independent states. The third article for perpetual peace reveals the most innovative aspect and the visionary depth of Kant’s theory of cosmopolitanism: this is the sphere of cosmopolitan right where Kant argues that “cosmopolitan right (or world citizenship [*Weltbuergerrecht*]) shall be limited to conditions of universal hospitality.”²⁹ Kant once again remarks that cosmopolitan right is “not fantastic and overstrained; it is a necessary complement to the unwritten code of political and international right, transforming it into a universal right of humanity.”³⁰ Thus, cosmopolitan right appears to transcend the particular claims and obligations of nations and states, thereby extending to all in the universal community. What makes this article particularly important is that Kant here emerges as the first philosopher in the history of political philosophy who attempts to articulate the moral norms that ought to govern the relations among individuals to each other in the universal community of humanity as well as to foreign states.

Kant introduces the term hospitality with reference to cosmopolitan right. He limits the scope of cosmopolitan right to “the conditions of universal hospitality” by which he means “the right of a stranger not to be treated with hostility when he arrives on someone else’s territory.”³¹ In accordance with his moral philosophy, which revolves around the concepts of respect, duty and human dignity, Kant remarks that universal hospitality is “not concerned with philanthropy, but with *right*.” In other words, it is not to be viewed as the kindness one may display towards strangers who happen to come to one’s land for a variety of reasons. It is a natural right, i.e., “the natural right of strangers,” which belongs to all human beings qua human beings. But Kant qualifies this remark by adding that this natural right is *not* unconditional:

²⁹ Kant, “Perpetual Peace”, 98-108.

³⁰ Kant, “Perpetual Peace”, 108.

³¹ Kant, “Perpetual Peace”, 105.

although a foreigner ought not to be treated with hostility “so long as he behaves in a peaceable manner,” he can be turned away “if this can be done without causing his death.”³² Why does Kant insist that cosmopolitan right is *not* unconditional? Does this not contradict his moral philosophy? If so, why is he willing to limit its unconditional validity? Conveyed within this question another one, namely, what is the precise content and justification of the universal and yet conditional right of hospitality? Kant anticipates such questions and seems to respond to them as follows:

The stranger cannot claim the right of a guest to be entertained, for this would require a special friendly agreement whereby he might become a member of the native household for a certain time. He may only claim a right of resort, for all men are entitled to present themselves in the society for others by virtue of their right to communal possession of the earth’s surface. Since the earth is a globe, they cannot disperse over an infinite area, but must necessarily tolerate one another’s company.³³

Kant emphasizes that cosmopolitan right allows people the right to enter into relations, and to enjoy an exchange of ideas and goods, with the inhabitants of another country, which will foster mutual relations among peoples, “thus bringing the human race nearer and nearer to a cosmopolitan constitution.”³⁴ Kant’s cosmopolitan right, thus, seems to be grounded in our universal right to seek human association, which in turn is rooted in the finitude of the earth that is our common home. But Kant’s universal right of hospitality does not extend as far as the right to permanent settlement, let alone the right of full citizenship. True, Kant explicitly states that the right of hospitality entails a claim to temporary residency which cannot be refused if such refusal leads to the destruction of the other. Is this a utopian vision? Kant strongly disagrees because he is convinced that there are some underlying historical trends and empirical evidence to support its validity. As Kant argues in one of the most well-known passages of this remarkable essay, the peoples of the modern world have already entered in varying degrees into a universal civil society “where a violation of rights in one part of the world is felt everywhere.”³⁵ But at the same time, as Benhabib reminds us:

Kant distinguishes the ‘right to be a permanent visitor,’ which he calls *Gastrecht*, from the ‘temporary right of sojourn’ (*Besuchsrecht*). The right to be a permanent visitor is awarded through a freely chosen special agreement which goes beyond what is owed to the other morally and what he is entitled to legally; therefore, Kant names this a *wohltaetiger Vertrag*, a ‘contract of beneficence.’ It is a special privilege which the republican sovereign can award to certain foreigners who abide in their territories, who perform certain functions, who represent their respective political entities, who engage in long-term trade, and the like.³⁶

Within the terms of the argument presented here, this is an important contention, because cosmopolitan right, thus understood, on the one hand, transcends the particular claims of states and nations and connotes a right that must be fully recognised if people are to learn to coexist peacefully. But on the other hand, it merely imposes an imperfect, and hence a conditional, duty to help those who either

³² Kant, “Perpetual Peace”, 106.

³³ Kant, “Perpetual Peace”, 106.

³⁴ Kant, “Perpetual Peace”, 106.

³⁵ Kant, “Perpetual Peace”, 107-108.

³⁶ Benhabib, *The Rights of Others*, 28.

seek human association or whose life and well-being are at stake. The temporary visitation is a right, but it is conditional, while permanent residency is not even a universally valid right but a privilege. In other words, the first one is a conditional duty, whereas the second is dependent on a contract of beneficence. Is this, as some commentators imply, simply a concession to political realism? Kant certainly thinks that cosmopolitan right ought to trump positive domestic and international law, but he also knows that there is no higher sovereign authority that can enforce it. Nevertheless, Kant also claims that the sovereignty of all states deserves, normatively speaking, an unconditional respect. This can clearly be seen in the Preliminary Articles which constitute the first section of his “Perpetual Peace.”³⁷ The Second Preliminary Article clearly demonstrates that for Kant the state is a moral person with a claim to self-determination and inviolability of its sovereignty. The ambivalences in Kant’s view of the universal right of hospitality are connected with precisely this point. A further set of problems connected with this difficulty occurs in Kant’s argument where he claims that cultural and national differences are “natural” because “nature wills” them, which for him means that they are part of the providential ordering of things. From this Kant concludes that any viable conception of cosmopolitan right has to be compatible with national diversity, since “nature wills” this diversity, and “uses two means to separate the nations and prevent them from intermingling—*linguistic* and *religious* differences.”³⁸ These are the two main reasons why Kant is so attentive to the distinction between a “world government” and a “world federation.” Both a fusion of distinct cultures and nations and a failure to respect the inviolability of the sovereignty of all states would inevitably result in a “universal monarchy” which would be a “soulless despotism,” disregarding the sovereignty of states and the diversity of peoples. According to Kant, this is not only impractical but also potentially dangerous. Consequently, Kant tries to reconcile his cosmopolitan vision, clearly grounded in his moral theory, with two ideas that stand in an uneasy tension with it: national diversity and state sovereignty. Thus, he espouses the more achievable goal of a voluntary league of sovereign nation-states under an international law that is not public coercive law backed by the power of a universal state of nations.

The cosmopolitan right formulated in Kant’s final and most systematic work of “Doctrine of Right,” Part 1 of *The Metaphysics of Morals*, is to a very large extent the same as that presented in “Perpetual Peace”. His tripartite division of public right in *The Metaphysics of Morals* mirrors his analysis in the earlier essay: the right of a state pertains to relations of right between persons within a state; the right of nations is concerned with relations of right between sovereign states; and cosmopolitan right specifies relations of right between persons and foreign states. But here, too, Kant stresses the undesirability and impracticability of a world republic and proposes a league of independent nation-states, once again confining cosmopolitan right to the right of hospitality and emphasizing the inviolability of the sovereignty of all states.³⁹

³⁷ The six Preliminary Articles of Kant’s essay formulate six normative conditions that must be fulfilled if a truly permanent peace among the nations is to emerge.

³⁸ Kant, “Perpetual Peace”, 113-114.

³⁹ Katrin Flikschuh’s thoughtful analysis of Kant’s cosmopolitanism mainly focuses on *The Metaphysics of Morals*: Flikschuh, *Kant and Modern Political Philosophy* (Cambridge: Cambridge University Press, 2000).

Ultimately, the universal right of hospitality is so politically circumscribed that we are left with an ambiguous Kantian legacy.⁴⁰

In light of the foregoing, it may well be said that the most problematic aspect of Kant's theory of cosmopolitanism is less its so-called abstract universalism and utopianism than its contradictions with his own universalistic moral theory. As I have showed, Kant is reluctant to define cosmopolitan right as an unconditional human right which can be framed and justified along the lines of a universalistic morality. In that respect, Kant's cosmopolitanism is certainly less robust than what his conventional critics attributed to his theory of cosmopolitanism. True, Kant anticipates and attempts to justify a universal civic society governed by cosmopolitan principles of justice. But he also attempts to develop such a cosmopolitan vision from within a theoretical and political framework which is strictly committed to the premise of a divided world society that is organized into sovereign political entities. In that respect, it may well be argued that one of the most important achievements of Kant's theory of cosmopolitanism is that it highlights the paradox within the nation-state system and permits us to capture the tension between the universalistic ideal of cosmopolitanism/hospitality and the particularistic ideal of national sovereignty, though Kant's own perspective provides an ambivalent answer to this paradox. Moreover, Kant's quasi-naturalistic view of peoples and nations with some distinctive and homogeneous cultural characteristics, too, needs to be revised in the light of our growing awareness of cultural cosmopolitanism. Both of these assumptions are not merely concessions to political realism on Kant's part. More significantly, as I have argued, they seem to have some distinctive value in themselves.

Derrida's Agonistic Cosmopolitanism

Although both Kant and Derrida present their cosmopolitan visions in terms of the idea of hospitality, there appears to lie the chasm of an enormous kind between Kantian universalism and Derrida's understanding of hospitality. First, Derrida aims to demonstrate the ambivalence of the concept of hospitality by indicating the interdependence of hostility and hospitality. He coins the term "hostipitality" to indicate this agonistic paradox. Secondly, and more significantly, Derrida, by contrast with the Kantian emphasis on the conditionality of the juridical and political domain, sees hospitality not only in terms of "right" but also as a moral encounter with the other, a fundamental welcoming, an unconditional receptivity towards the stranger and a principle of responsibility beyond reciprocal duties. In so doing, Derrida distinguishes two orders of hospitality and justice that coexist in paradoxical relations and yet constitute complementary moral points of view. The demarcation line he formulates is between justice as unconditional hospitality, boundless obligation to and infinite care and responsibility for the other, and the conditional hospitality of the juridical and political domain, the exercise of justice as law and right, legitimacy and legality. I will first examine the second argument and will then take a look at the significance of the interdependence of hostility and hospitality.

In his perhaps most politically charged work, *On Cosmopolitanism and Forgiveness*, which contains some of his most candid assertions about twentieth-century politics (such as the dilemmas of reconciliation and amnesty, the bloody traumas of history, and refugee and asylum rights), Derrida attempts to reveal the

⁴⁰ Benhabib and McCarthy agree on this: Benhabib, *The Rights of Others*, 39; McCarthy, "On Reconciling Cosmopolitan Unity and National Diversity", 191-192.

contradictory logic at the heart of the concept of cosmopolitanism by directly addressing and reconsidering Kant's theory of cosmopolitanism, which he considers to be an invaluable source of inspiration for his own perspective. The double imperative he detects within the concept of cosmopolitanism is this: on the one hand, there is what Derrida calls "the absolute or unconditional hospitality," which at first sight resembles the Kantian moral law or categorical imperative, and which requires that we ought to give the right of refuge to all immigrants, newcomers and strangers. On the other hand, hospitality has to be conditional because of the pragmatic order of society, politics and law, which requires some restrictions on cosmopolitan right. Derrida contends that this double imperative is a crucial subterranean Kantian theme which fully comes to the surface in the passage where Kant defines the universal right of hospitality:

Kant seems at first to extend the cosmopolitan law to encompass universal hospitality *without limit*. Such is the condition of perpetual peace between all men. He expressly determines it as a natural law (*droit*). Being of natural or original derivation, this law would be, therefore, both imprescriptible and inalienable. In the case of natural law, one can recognize within it features of a secularized theological heritage. All human creatures, all finite beings endowed with reason, have received, in equal proportion, "common possession of the surface of the earth."⁴¹

But Derrida argues that Kant introduces two crucial limits to his initially unconditional conception of cosmopolitan right. First, Kant limits the scope of cosmopolitan right to the right of visitation (*Besuchsrecht*). And more significantly, Kant also makes the right of residence "the object of a particular treaty between states," which Derrida finds extremely problematic and highly debatable. Derrida rightly claims that this limitation is intimately linked to Kant's conception of state sovereignty, and he ultimately attributes this restriction to "the juridicality of Kant's discourse." Derrida remarks: "The thinker of the cosmopolitan right to universal hospitality, the author of *Perpetual Peace: A Philosophical Sketch*" (1795), is also, without there being anything fortuitous in this, the one who destroys at its source the very possibility of what he posits and determines in this way."⁴²

Derrida not only expresses his concern about Kant's cosmopolitanism but also points out that our current understanding of internationalism or international law is still tied to the nation-state system and dominated by the inviolable rule of state sovereignty. In fact, our vision of citizenship, democracy and politics is almost totally dependent on the same logic of state sovereignty. Would it be possible to reorient and reform the modalities of political membership, to go beyond the current stage of internationality and national citizenship, and to invent a "New International," "a new concept of citizenship, of hospitality, a new concept of the state, of democracy"?⁴³ In this connection, Derrida reminds us of the question of "open cities" or "refuge cities" where asylum seekers and migrants may seek sanctuary from the pressures of persecution and exile: "Whether it be the foreigner in general, the immigrant, the exiled, the deported, the stateless or the displaced person, we would ask these new

⁴¹ Derrida, *On Cosmopolitanism and Forgiveness*, 20.

⁴² Derrida, *Of Hospitality*, 69-71.

⁴³ Derrida, "The Villanova Roundtable: A Conversation with Jacques Derrida" in John D. Caputo (ed.), *Deconstruction in a Nutshell: A Conversation with Jacques Derrida* (New York: Fordham University Press, 1997), 12.

cities of refuge to reorient the politics of the state.”⁴⁴ Derrida wonders whether such a “new internationalism,” a “new cosmopolitics” might get beyond national sovereignty and citizenship.

Derrida discovers a contradictory logic, another crucial aporia within the concept of hospitality. Hospitality, first and foremost, means to invite and welcome the stranger on the personal level as well as on the level of the community and the state. But Derrida is also interested in the deep ambivalence of this concept and points out that the terms *hospes* (host) and *hostis* (meaning *both* stranger *and* enemy) derive from the same Latin root.⁴⁵ He tries to capture and articulate the inescapable interdependence of hostility and hospitality with a hybrid concept of his own invention: *hostipitality*.⁴⁶ Hospitality, on the one hand, means the welcome extended to the guest or the stranger whose intentions cannot be known or anticipated in advance, and on the other hand, presupposes the power and sovereignty of the host within his own property and land. A host is a host only if they own the place, and the foreigner is expected to respect the host and their property and land. What Derrida calls attention to is the element of anxiety, uncertainty and undecidability that inevitably lurks behind the encounter between the host and the stranger. The former wonders whether the foreigner would be able to speak the language of the host, and whether their home would be violated with the arrival of the strangers. The latter is also concerned: Will they be welcomed with hospitality or rejected with hostility? Will the host send them back to the land from where they are trying to escape? There is, thus, an essential element of anxiety and even a potential of hostility built into the concept of hospitality.

This contradictory logic pervades Derrida’s interpretation of Kant⁴⁷ in which Derrida reads Kant’s conditional view of cosmopolitanism and hospitality in terms of this tension. Neither the host nor the foreigner can know or anticipate one another’s intentions. This indeterminacy bestows a cosmopolitan right on the foreigner (provided that their intentions are peaceful) and imposes an obligation on the host (the duty to grant the foreigner the cosmopolitan right of visitation). But Derrida counters this Kantian reciprocity and conditionality with a more radical view of unconditional or absolute hospitality, which he derives from the Abrahamic tradition and Levinas’s thought:

The absolute or unconditional hospitality I would like to offer the foreigner presupposes a break with hospitality in the ordinary sense, with conditional hospitality, with the right or pact of hospitality... To put it in different terms, absolute hospitality requires that I open up my home and that I give not only to the foreigner, but to the absolute, unknown, anonymous other, and that give place to them, that I let them come, that I let them arrive and take place in the place I offer them, without asking of them either reciprocity (entering into a pact) or even their names. The law of absolute hospitality commands a break with hospitality by right, with law or justice as rights.⁴⁸

The law (in the singular) of unlimited, absolute, “hyperbolic” hospitality commands that we transgress all *the laws* (in the plural) of conditional hospitality, namely those rights and duties that are always conditional, and which are reciprocally

⁴⁴ Derrida, *On Cosmopolitanism and Forgiveness*, 4.

⁴⁵ Derrida, *Of Hospitality*, 43-45.

⁴⁶ Derrida, “Hostipitality”, in *Acts of Religion* (New York: Routledge, 2002), 356-420.

⁴⁷ Benhabib agrees on this: Benhabib, *Another Cosmopolitanism*, 156-158.

⁴⁸ Derrida, *Of Hospitality*, 25.

imposed on hosts and foreigners.⁴⁹ Derrida sees here an antinomy, an antagonism and a hierarchy between two laws of hospitality. The unconditional law of hospitality is above the laws of hospitality. In that sense, it tends to be illegal, transgressive and outside the laws, because the ethical demand of unconditional hospitality is superior to the pragmatic and conditional order of the juridico-political, in which limits, boundaries and reciprocal duties are established, and where foreigners are turned away and refugees are denied entry. But Derrida also insists that the unconditional law of hospitality needs the conditional laws of the juridico-political order. The law of unconditional hospitality cannot be effective, concrete and determined in isolation from actual political action and decision making. It would risk being too abstract, utopian and even unjust, and would turn over into its opposite. Thus, Derrida does not seek total transcendence of the conditional hospitality of the juridico-political domain, but mediation or negotiation between two contradictory, and yet inseparable, regimes or laws of hospitality. Pragmatic political and legal action ought to be related to, and informed by, the unconditional universality of absolute hospitality. But by the same token, it ought not to be perverted by unconditional hospitality that dispenses with all laws, rights and duties.⁵⁰

Conclusion

As Kwame Anthony Appiah says, the political theory and practice of cosmopolitanism, particularly in our cosmopolitan age, is less a solution than a challenge.⁵¹ This paper has attempted to present and discuss the tensions that constitute the unfinished legacy of cosmopolitanism in the light of Kant's and Derrida's perspectives. Now that I have shown some of the similarities and divergences between their accounts of cosmopolitanism, it is possible now to connect the main arguments raised in this essay and make some observations about the significance of their works for our contemporary understanding of cosmopolitanism.

My analysis of Kant's theory of cosmopolitanism has aimed to demonstrate that his vision is governed by a logic of mediation between his universalistic moral theory, which seems to be the main motivation behind his view of cosmopolitan right, and the idea of the inviolability of state sovereignty. If his great legacy is to be of service to the contemporary project of cosmopolitanism, its commitment to the idea of state/national sovereignty must be revised in the light of recent developments in international law and the normative theory of cosmopolitanism. More significantly, the limitations he introduces to his theory of cosmopolitanism need to be questioned with reference to his own universalistic moral theory, which is of tremendous significance both in contemporary critical theory and in political philosophy broadly considered.

Derrida's perspective seems to introduce a secularized theological dimension to the theory of cosmopolitanism when he insists on the non-reciprocal characteristic of absolute hospitality which is marked by a fundamental welcoming, an unconditional receptivity towards the stranger, the foreigner and the absolute other. This has been questioned by many contemporary Kantian philosophers whose

⁴⁹ It should be noted that the distinction Derrida draws between the law of unconditional hospitality and the laws of conditional hospitality mirrors his deeply illuminating discussion on justice in which he points to a similar constitutive tension between justice and law. See Derrida, "Force of Law: The 'Mystical Foundation of Authority'" *Acts of Religion*, 228-298.

⁵⁰ Derrida, *Of Hospitality*, 135. See also the "Preface" written by Simon Critchley and Richard Kearney to Derrida's *On Cosmopolitanism and Forgiveness*, vii-xii.

⁵¹ Appiah, *Cosmopolitanism: Ethics in a World of Strangers* (New York: Norton, 2006), xv.

lineages are those of critical theory (Benhabib and McCarthy).⁵² Habermas, in particular, remarks that Derrida's thought almost in its entirety is motivated by a desire to return to a premodern anti-Enlightenment tradition, that is, Judaeo-Christian mysticism.⁵³ But I think that Derrida's "agonistic cosmopolitics" is of tremendous significance in the present. More specifically, Derrida's thesis that unconditional hospitality ought to inform the legal and political domain, and that responsible political action must be inspired by a more universal vision (by what he calls "infinite responsibility") is profoundly illuminating. Such a universal vision based upon cosmopolitan responsibility far exceeds and challenges the pragmatic demands of the moment that are more often than not mean spirited, and which are based on exclusion and intolerance. In the final analysis, Derrida, too, acknowledges that the tension between unconditional hospitality (or infinite responsibility) and conditional hospitality (or juridico-political laws, rights and duties) cannot totally be overcome. We will always be threatened by this paradox and this is why we will have to negotiate continuously between these two forms of the concept of hospitality. This dilemma constitutes our incomplete project of cosmopolitanism.

⁵² Richard Bernstein provides a more sympathetic interpretation of Derrida's thought: Bernstein, *The New Constellation* (Cambridge: Polity Press, 1991). See also Richard Kearney, "Derrida and The Ethics of Dialogue", *Philosophy and Social Criticism*, 1993, 19, 1, 1-14.

⁵³ See David Couzens Hoy's commentary on this: Hoy, "Splitting the Difference: Habermas's Critique of Derrida" in Maurizio Passerin d'Entrèves and Seyla Benhabib, *Habermas and the Unfinished Project of Modernity* (Cambridge, Massachusetts: The MIT Press, 1997), 126.