Bruce Robbins’s excellent article in *RP* 116 points up the paradox of cosmopolitanism – that it seems ‘perpetually torn between an empirical dimension and a normative dimension’. For Robbins, the paradox of cosmopolitanism is rooted in the limited empirical sense of political community. For genuine democracy people need to belong to the same ‘community of fate’, and there is at present little evidence of such a sense of cosmopolitan consciousness. Although leading (Western) governments make claims in support of cosmopolitan human rights established by virtue of membership of a common humanity, their practice is often limited by the ‘communitarian’ reality. The lack of ‘shared fate’ leads to inequalities in practice as governments are often reluctant to sacrifice either treasury resources or military lives in the cause of others, and citizens appear unwilling to shoulder the tax burdens involved in any potential cosmopolitan redistribution of wealth and opportunities.

Robbins suggests that it would be wrong to use the empirical limits to cosmopolitan practices as an argument against normative cosmopolitan claims. He asserts that there is ‘no possibility of simply choosing the actual over the normative’ and instead suggests that we should accept that the ‘contradiction’ exists. A solution to the problem lies in political change which seeks ‘to bring abstraction and actuality together’. A ‘Left cosmopolitanism’ is one that denies ‘the past authority over the present’ – the empirical reality that ‘there is as yet little evidence of transnational solidarity’ should be the justification for engagement and struggle on the side of the progressive cosmopolitan cause. This campaigning perspective is advocated by several cosmopolitan theorists who, in different ways, seek to develop ideas and mechanisms whereby global civil society can encourage and further cosmopolitan practices against the communitarian inclinations of national governments and their electorates.

This article suggests that the ‘cosmopolitan paradox’ – the gap between universal aspiration and hierarchical practice – is not merely one of cosmopolitan ‘consciousness’ lagging behind an immanent cosmopolitan ‘reality’. Rather, the paradox is rooted in the essence of the cosmopolitan thesis itself. The limitations of abstract normative cosmopolitan conceptions of ‘rights’ and ‘responsibilities’, in a world structured by economic and social inequalities, raise major questions over the progressive claims made by cosmopolitan theorists. In fact, rather than challenging existing international structures of power, there is a real danger that the cosmopolitan impulse will legitimize a much more hierarchical set of international relationships.

**Cosmopolitan democracy?**

Whether the cosmopolitan aspiration takes the form of Robbins’s call for a transnational welfare safety net or claims for the protection and promotion of a more extensive range of human rights, all cosmopolitan perspectives reflect the increasing prominence of individual rights claims in the international sphere. Leading cosmopolitan theorists seek to challenge the restrictions of the UN Charter framework, imposed by the major powers in the aftermath of the Second World War, which formally prioritized the ‘state-based’ principles of sovereignty and non-intervention. They argue that these principles need to be replaced by a new set of cosmopolitan principles, which make the universal individual rights of members of ‘global society’ the primary focus.

Cosmopolitans argue that democracy and rights can no longer be equated with territorially restricted ‘state-based’ politics: ‘democracy must transcend the borders of single states and assert itself on a global level’. They thereby propose replacing the territorially bounded political community of the state as the subject of international decision-making by new flexible frame-
works based on the rights of the global citizen, freed from territorial restrictions:

If some global questions are to be handled according to democratic criteria, there must be political representation for citizens in global affairs, independently and autonomously of their political representation in domestic affairs. The unit should be the individual, although the mechanisms for participation and representation may vary according to the nature and scope of the issues discussed.5

Cosmopolitan theorists accept that there is no global government and suggest that, if there were, it would be a bad thing. They are clear that the establishment of democratic institutions on a global level would meet the opposition of nation-states and that, even if this could be brought into existence, it would involve such a high level of homogenization, through social, economic and cultural regulation, that it could only be imposed through war and repression.6 In which case, there can be no cosmopolitan framework of formal political rights, which enable individual citizens to be represented as political equals. The global citizen cannot have the same sorts of rights as the citizen of a nation-state. For cosmopolitan theorists, the new institutions, through which the cosmopolitan citizen can exercise their rights, must exist independently of states and their governments. For this reason the global citizen can only be represented through global or transnational civil society, which, it is argued, can forward non-statist concerns and hold governments to account through transnational campaigning and media pressure.

There are several difficulties with this perspective. First, there is the question of whether a global civil society exists in a meaningful sense. Without a global state or a global political framework, it is debatable whether it is possible to analyse a sphere beyond nation-states where ‘global’ civil society operates.7 It would appear that ‘global’ civil society is no less orientated around national governments than state-based political structures such as national political parties or other representative institutions. Second, there is little agreement on the extent to which civil society groups can influence government policymaking and thereby create a new mechanism of political ‘accountability’. Third, and most importantly, even if groups in civil society did wield influence over policymakers, this may not necessarily enhance the level of democratic accountability.

Civil society operates in close relationship to the sphere of formal politics but, by definition, organizations in civil society – whether they are community groups, single-issue pressure groups, NGOs, grassroots campaigns, charities, media organizations, research groups, or non-government-funded policy advisers – operate outside the political sphere of institutionalized democratic equality and accountability. Civil society groups play a legitimate and often crucial role in policymaking but, as Michael Edwards notes, it is vital to ‘differentiate between the views of special interest groups (however well intentioned) and formal representation from below’.8

The opportunity for participation depends on the organization concerned. For example, many of the NGOs most active and influential in defending rights, like Human Rights Watch, the International Crisis Group or the International Commission of Jurists, have no mass membership and concentrate on elite advocates to enable them to gain admittance to government and international officials. The extent of any participation differs between organizations, and even where there are high levels of participative involvement this generally stops short of having any say over policy. There is no direct link between (non)participation and any conception of citizenship rights which can be given content through formal mechanisms of democratic accountability. We are not all equally involved in civil society, we do not vote for policies in civil society and we cannot hold civil society to account.

In the cosmopolitan framework, it would appear problematic to talk about the exercise of rights, or of democracy, outside the framework of nation-states. As Steve Charnovitz highlights, even the involvement of international NGOs in policymaking cannot make nation-states more accountable: the establishment of NGO advisory committees actually gives nation-state governments greater control over decisionmaking as the real power belongs to the international officials who determine which NGOs to appoint.9 This reality of dependency is acknowledged in the frameworks articulated by Daniele Archibugi and David Held, and in similar reform proposals forwarded by the Commission on Global Governance. These allow citizens and civil society groups to participate in global or regional institutional forums where they have specific competencies, for example in those that deal with the environment, population issues, development or disarmament. However, this participation ‘would supplement but not replace existing intergovernmental organizations’. ‘Their function would be essentially advisory and not executive’.10
Despite the claims of cosmopolitan advocates, there appears to be little evidence of the new ‘rights’ promised to the global citizen. The new ‘rights’ of global citizens are exercised not by the rights-holders but by international institutions, which have new ‘duties’ corresponding to the new rights created. The duties and rights created in the cosmopolitan discourse are of a qualitatively different nature to those established under the domestic framework of the rule of law and enforced through the police and the courts. The equation of the ‘right’ of the global citizen or global civil society with the ‘duty’ of international institutions creates a new level of rights on paper but is problematic in practice. This is clearly demonstrated in the area of the prevention of wide-scale abuses of human rights.

The exercise of a right of protection or prevention of acts of genocide or domicide is dependent on the actions of international institutions and major powers, which have the economic and the military resources to intervene. The new rights of cosmopolitan citizens, additional to their territorial citizenship rights, are ones which they cannot act on or exercise themselves, and in this crucial respect the new rights imply dependency rather than freedom or autonomy. While there may be a duty to protect the new rights of the cosmopolitan citizen the cosmopolitan framework provides no mechanism of accountability to give content to these rights. There is no link between the ‘right’ and the ‘duty’ of its enforcement. The additional rights upheld in the cosmopolitan framework may thus turn out to be a chimera. Rather than exercising ‘direct control’, the cosmopolitan citizens and cosmopolitan civil society groups remain dependent on powerful nation-states to decide whether or not to enforce their claims. The imperative of action to defend the human rights of cosmopolitan citizens ironically entails a realpolitik that is highly state-centric. Rather than internationally extending the rights of individuals vis-à-vis states, it would appear that the new ‘rights’ being created imply additional ‘duties’ and ‘responsibilities’ for major powers.

What makes the cosmopolitan project important is not so much the chimera of empowering global citizenship but the consequences which this framework has for the defence of existing democratic and political rights. While the new rights may be difficult to realize, the cosmopolitan cause has helped cohere a powerful consensus on the need to recast the relationship between international institutions and the nation-state. Far from a utopian theory of hope in progress and the development of democracy, cosmopolitan theory appears to be a reflection of a growing disillusionment with politics at the international level. Cosmopolitan theorists are disappointed that after the end of the Cold War the resources of international society have not been devoted towards resolving outstanding ‘global concerns’. Liberal international relations theorists often display a teleological or idealistic view of progress at an international level, assuming that the creation of international society in itself established a framework through which differences could be put aside and new means developed for the resolution of global problems. It appears that the only thing stopping progress today, after the ‘diversion’ of the Cold War, is the narrow preoccupation of nation-states with appeasing their electorates as opposed to addressing global concerns.

This disillusionment with the narrow or selfish interests of realpolitik, and its legitimization through democratic mandates, has resulted in a growing attention to the prioritization of ethical or moral approaches. In contrast to realist approaches to international relations, which have been accused of justifying the status quo, ethical international relations theory sets out a radical agenda of criticism. The question cosmopolitans seek to address is how to legitimize moral and ethical policy ends against the apparently ‘narrow limits’ of liberal-democratic frameworks and of sovereign government. Its advocates are hostile to sovereignty and strongly in favour of international regulation of the sovereign sphere, but not in order to strengthen the mechanisms of democratic accountability. They challenge the existing order because they represent a growing belief that progressive ends – such as the protection of human rights, international peace or sustainable development – would be more easily achieved without the institutional constraints of democratic accountability or the formalized rights of state sovereignty. In fact, the moral and ethical premisses of cosmopolitan democracy lead advocates of this perspective to downgrade the importance of the rights framework of democracy and political equality.

**Cosmopolitan practice**

The source of democratic practice is the citizen, as a member of a political community, rather than the abstraction of the cosmopolitan or global human individual. As Hannah Arendt noted, the concept of rights, separated from a specific political framework, would mean claimants falling back ‘upon the minimum fact of human origin’. For Arendt:

Equality, in contrast to all that is involved in mere existence, is not given us, but is the result of human organization…. We are not born equal; we become
equal as members of a group on the strength of our decision to guarantee ourselves mutually equal rights.\textsuperscript{11}

The universal human subject of cosmopolitan rights may be identifiable as an individual, but unless that individual can act within a political or legal framework they will be unable to exercise equal legal or political rights. In reinterpreting rights as a moral category, as opposed to a legal and political one, a contradiction appears between the enforcement and guarantee of cosmopolitan rights and the formal equality of the liberal-democratic legal and political framework. Within the ethical framework of cosmopolitan theory, vital areas of formal accountability, at both the domestic and international levels, are questioned while new and increasingly ad hoc frameworks of decisionmaking are seen to be positive.

Take, first, the formal right of sovereign equality under international law. The UN Charter regime was a radical break from the pre-World War II system of legitimate Great Power domination. For the first time, non-Western states had the same legitimacy and international rights as the more developed Western states, despite the inequality of economic and military power. Unlike the UN, which formally recognizes the equality of nation-states regardless of political regime, cosmopolitans argue that many regimes are illegitimate. The right to equality under international law, the central pillar of the postcolonial international system, would be a conditional or residual right under the cosmopolitan framework. States that fail the assessments of their legitimacy will no longer have equal standing or full sovereign rights and could be legitimately acted against in the international arena. Cosmopolitan regulation is actually based on the concept of sovereign inequality: that not all states should be equally involved in the establishment and adjudication of international law. Ironically, the new cosmopolitan forms of justice and rights protection involve law-making and law-enforcement, legitimized from an increasingly partial, and explicitly Western, perspective.\textsuperscript{12}

Second, there is the right of sovereign autonomy or self-government. Cosmopolitans assert that despite adherence to all internationally accepted formal democratic procedures, a state’s government may not be truly democratic. Because of this ‘bias’ of self-interest a decision or choice made by the demos, or the people, even with full information and full freedom of decisionmaking, would not necessarily have political legitimacy. In the cosmopolitan framework a decision by popular vote could be as flawed as national governments having the final say. The demos cannot necessarily be the final arbiter of democracy because the choices of a people, even when made democratically, might be biased by self-interest. It may, for example, be in the interests of the French public to obtain cheap nuclear energy if they manage to dispose of radioactive waste in a Pacific isle under their control, but this will obviously be against the interests of the public living there.\textsuperscript{13}

For cosmopolitan theorists the ethical ends which they advocate are privileged above the sphere of democracy. In this framework a small minority may be more ‘democratic’ than a large majority, if they have an outlook attuned to cosmopolitan aspirations. Mary Kaldor draws out the implications of the argument when she suggests that the international community should not necessarily consult elected local representatives but seek ‘to identify local advocates of cosmo-
politanism’ where there are ‘islands of civility’.

Just as states cannot be equally trusted with cosmopolitan rights, neither can people. Instead of the ‘limited’ but fixed *demos* of the nation-state there is a highly selective ‘*demos*’ identified by international institutions guided by the cosmopolitan impulse.

If governments and people cannot be trusted to overcome their narrow ‘political’ differences and prejudices, then a new authority is needed to enforce cosmopolitan morality. This authority must be ‘independent’ of established political mechanisms of democratic accountability. Cosmopolitan theorists favour an independent and ‘higher’ mechanism of international regulation in the belief that under such a system the ethical ends of cosmopolitan liberalism can be enforced. The authority they wish to establish, without democratic accountability but with the legitimacy to overrule popular opinion and elected governments, is that of cosmopolitan governance. The essential attribute of ‘governance’ is that it is regulation freed from the formal restrictions of ‘government’. Cosmopolitan governance, the less accountable power of international regulation, is the ideological counterpart to the cosmopolitan citizen, who has fewer rights of democratic accountability. In exchange for new ‘rights’ for the global individual, the cosmopolitans want to sacrifice the old rights of self-government, which are seen to restrict the benign and protective actions of international institutions.

These rights would exist under a new body of ‘cosmopolitan democratic law’, a ‘domain of law different in kind from the law of states and the law made between one state and another, that is, international law’. This law ‘transcends the particular claims of nations and states’ and would be upheld by a framework of ‘interlocking jurisdictions’. While there is no world state that is constituted politically, there are international and transnational institutions which have the authority to undermine sovereignty when the need arises regarding an issue of ‘global concern’.

This prescription of a new form of flexible law-making, no longer formally restricted by traditional domestic or international frameworks of accountability, reflects the evolving practice of leading Western states in international intervention. Over recent years the legitimization of intervention through claims of protecting the universal rights of citizens has clashed with traditional international law restrictions on interference in the internal affairs of sovereign nation-states. The report of the Independent International Commission on Kosovo acknowledged the gap between international law and the practice of leading Western states and suggested ‘the need to close the gap between legality and legitimacy’. However, rather than proposing to extend the formal reach of international law, the Commission sought to justify a new moral conception of ‘legitimacy’, one which differed from formal legality. They described their doctrinal proposal for humanitarian intervention as ‘situated in a gray zone of ambiguity between an extension of international law and a proposal for an international moral consensus’, concluding that ‘this gray zone goes beyond strict ideas of legality to incorporate more flexible views of legitimacy’.

This international commission was followed by the International Commission on Intervention and State Sovereignty, which held further discussions on the question throughout 2001. These discussions indicate that formal legal equality will be undermined by current ‘developments’ in international law. In a typical panel, leading policy advisor Adam Roberts noted that it would be a mistake to ‘focus mainly on general doctrinal matters’ regarding rights under formal international law:

The justification for a particular military action, if it is deemed to stand or fall by reference to the question of whether there is a general legal right of intervention, is likely to be in even more difficulty than it would be if legal considerations were balanced in a more ad hoc manner.

The attempt to resolve the clash between the partial demands of Western powers and the universal form of law means that the advocates of cosmopolitan forms of international law assert the need for new, more flexible, legal forms. Whether a military intervention is ‘legitimate’ is in the last analysis a question of ‘the perspectives and interests’ of those involved. This viewpoint, implicitly adopted by the Commission, is an open argument for law-making by an elite group of Western powers sitting in judgement over their own actions.

The cosmopolitans allege that this ‘ethical’ framework can lead to a more equal society, as any state can be intervened in if it breaches moral or ethical norms. However, larger and more powerful states will have the resources and opportunities to intervene whereas weaker states will be unable to take on the interventionist duties on behalf of the ‘global citizen’. This flexible and multilayered framework, where the strict hierarchies of international law are absent, and there are no established frameworks of accountability in decisionmaking, undermines the UN Charter protections for non-Western states. The realities of unequal power relations mean that the more flexible
decisionmaking is, and the less fixed international law, the easier it is for more powerful states to dictate the international agenda.20

The ethical or normative approach of cosmopolitanism legitimates the corrosion and undermining of the formal legal and political framework of international society, but does little to shape a new or more positive framework of rights in the international sphere. In fact, the focus on ethical and moral responsibility helps cohere a new hierarchy of power where major Western states claim an ethical mantle of ‘responsibility’ to act in the interests of the less fortunate around the world. Tony Blair’s Labour Party Conference speech following 9/11 demonstrated the ease with which the cosmopolitan rights framework could legitimize an otherwise questionable claim to act on the behalf of others. Blair declared that he was not just concerned with British interests but that: ‘The starving, the wretched, the dispossessed, the ignorant, those living in want and squalor from the deserts of northern Africa to the slums of Gaza, to the mountains of Afghanistan: they too are our cause.’21 Without any relationship of formal accountability, this ethical reformulation of Great Power interference as the ‘basic element in the code of global citizenship’ attempts to legitimize a post-UN order based on a new hierarchy of political inequality.22

Today the governments of the United States and Britain declare they have a ‘duty’ to develop democracy and protect the cosmopolitan rights of people the world over, if necessary through intervening by military, diplomatic or economic means as, for example, in the case of Zimbabwe, East Timor, Sierra Leone, Somalia, Bosnia, Kosovo, Belarus, Afghanistan or Iraq. Tomorrow they will doubtless claim the duty to protect the rights of the citizens of other states declared to be ‘failing’ or facing condemnation for putting their citizens at risk. While, to many people, the cosmopolitan cause is a laudable one, and a far cry from a previous ‘imperial’ era of Great Power regulation, there are political parallels in the fact that the actions of the world’s most powerful states are accountable neither to the broader world community of states as embodied in the United Nations nor to the citizens of the states they choose to intervene in.

Notes
2. Ibid., pp. 34–5.
14. Kaldor, New and Old Wars, p. 120.
17. Ibid., p. 164.
Reply to Chandler

Bruce Robbins

David Chandler ends his response by insisting on the need for ‘a globally institutionalized framework of political and legal equality.’ I don’t know what this means. But it seems to be the key to Chandler’s argument, so let me speculate. Does it mean a world state? If so, then Chandler is being more utopian than the ‘cosmopolitan theorists’ he’s discussing. Does it mean some set of more or less ad hoc (and therefore more feasible) institutions that would protect the world’s weakest populations and push toward a more equitable distribution of its resources; institutions such as, say, a tax on international financial transactions? If so, then Chandler is merely restating my argument. But in that case it makes no sense for him to tell us would-be cosmopolitans to wait until we have such a thing, to delay all cosmopolitan aspirations ‘in the absence of such a framework’. For what we aspire to is to bring this framework of equality into existence.

Or perhaps the word ‘framework’ refers (but in that case why not say so?) to a reformed United Nations, one for example without the veto power of the Security Council’s permanent members? Devoutly to be wished, I agree. But where is the contradiction between this eminently cosmopolitan goal and the theorists of whom Chandler is so suspicious? Chandler seems to harbour an answer. For him, cosmopolitans are secretly invested in the Western privilege of exercising global leadership; this leadership is currently exercised through the United Nations by means of the championing of ‘rights’ discourse and ‘humanitarian intervention’; the result is the undermining of national sovereignty. A democratized UN could not possibly permit this undermining of national sovereignty, and thus (if I may put words in Chandler’s mouth) cosmopolitans cannot possibly want a democratized UN. This does not happen to be the case, but it does point toward the real issue here: national sovereignty.

The only ‘framework’ Chandler appears to want is a non-framework, in other words one that will leave nation-states alone. Which raises the question of whether such a framework would not have the same effect on the social status quo. From this angle, Chandler’s desire for a UN that would be less compliant to the most developed nations looks a lot like a nostalgia for the UN of the Cold War, when the existence of another superpower helped enforce greater respect for national sovereignty, regardless of how any given regime treated its citizens. Yes, the Soviet Union was a genuine counterweight to US expansionism, and, yes again, that expansionism is currently forcing us all into defensive desperation. But did the principle of national sovereignty the Soviet Union once helped to defend really function as a force for change in the world’s social arrangements? Or did it simply petrify existing social hierarchies within the nation?

Chandler and I both want a big change in the structure of global power: more justice, more equality, and so on. The question is how to move in this direction. Like Perry Anderson, Chandler seems to assume that we would have a better chance if we were to reinforce national sovereignty. I would like to see that case made rather than assumed. But my own argument does not simply contradict this assumption. My position, in brief, is that under the present conditions of restricted political possibility, the sort of national solidarity required in order to sustain domestic welfare-state institutions becomes a precious resource to be carefully nurtured, and a resource that will also prove necessary and invaluable if we try (as we must) to extend the protection of such institutions to the countries of the global South, which can perhaps be defined by not having them. Respect for the national sovereignty of these countries does not even make a start on this project.

Which is not to say that a start has been made. Chandler’s worries about the inadequacy of what I would call ‘actually existing cosmopolitanism’ to accomplish so formidable a task are of course well founded. Indeed, these worries would probably be shared by most of the cosmopolitan thinkers with whom he announces his disagreement – as would his equal and opposite worry that cosmopolitanism may be more effectual than it appears. The danger that normative concepts like human rights can help legitimize present inequalities of power – specifically, the hegemony of the United States and its allies – is clear.
to any sentient being who has followed the discourse of humanitarian intervention. But it surprises me that Chandler does not admit, in return, what powerful weapons these concepts can make in the hands of critics of US hegemony. Any force that is capable of changing the world is capable of changing it for the worse as well as for the better. At this moment it is arguable that human rights discourse is a force that has largely escaped from those who once thought they owned it. Why didn’t the US even bother to attend the Durban conference on racism? Why the silence from our leaders when Israel does what they accuse Iraq of doing? What about the prisoners in Guantánamo? According to Chandler, cosmopolitanism demands a subject that has been ‘freed from any political framework which institutionalizes liberal democratic norms of formal accountability’. I have trouble understanding how the effort to hold my elected officials accountable by asking questions like these could come to stand as a proud refusal of accountability.