



Toward a Converging Cosmopolitan Project?

By Kim Andersen

Created 01/28/2010 - 14:56

Author: Mariano Croce

Daniele Archibugi

Seyla Benhabib

Summary: Cosmopolitanism from both ends: a conversation about theory and practice

Seyla Benhabib and Daniele Archibugi have contributed to the renaissance of the cosmopolitan spirit in recent years. Seyla Benhabib's books [The Rights of Others. Aliens, Residents and Citizens](#) [1] (Cambridge University Press, 2004) and [Another Cosmopolitanism](#) [2] (Oxford University Press, 2006) provide intellectual arguments for the protection of weak social groups, such as aliens, immigrants and refugees. Developing Hannah Arendt's notion about the right to have rights, she has forcefully argued that [no human is illegal](#) [3]. Under the banner of cosmopolitan democracy, Daniele Archibugi advocates a major reform of the international system, a project now restated in his book [The Global Commonwealth of Citizens. Toward Cosmopolitan Democracy](#) [4] (Princeton University Press, 2008). Benhabib has used mostly the tools of political philosophy, Archibugi those of international relations. In this dialogue, we try to explore to what extent there is a convergence for a common cosmopolitan framework.

1) Political philosophers are again stressing the need to provide rights to aliens, refugees, immigrants, and others. At the same time, in many European countries conservative forces are winning the elections, often because migration generates insecurity. Is it possible to fulfil the requirements of a decent political community while maintaining popular (and electoral) consent?

BENHABIB – One thing I have struggled with in my recent works is whether there is a defensible position between open borders, on the one hand, and notion of a [Westphalian state](#) [5] sovereignty on the other. The open borders position – no restrictions on the movements of human beings – is the morally acceptable pure position since it is very difficult to deny to human beings the fundamental right of movement: the right to movement is one of the [fundamental freedoms](#) [6]. Some argue: if there are no intrinsic defensible claims to hold a place and if you cannot deny the right of movement, then why should you not defend an open borders position? I do not, and the reason is because I am also concerned with the rights of democratic communities to self-determination.

I believe that democracies require boundaries, not borders. There is a difference. Boundaries are limitations, boundaries can be porous, boundaries can be flexible: they can let people in and they have to let people out. And the reason why you need boundaries in democracy is because you need to have boundaries of representation. You need to know which democratic entity is responsible to whom. Now, these boundaries can be adjusted. There is no reason to identify boundaries with state borders. Communities can conglomerate, come together in different forms. But to fulfil the requirement of a decent political community while maintaining electoral consent is, I think, a process of what I call “learning to mediate” between universalist moral commitments and human rights commitments on the one hand and self-determination claims on the other hand. It is a process in which the democratic will is both expressing itself and at the same time also self-reflexively imposing constraints on itself.

ARCHIBUGI – Your question, Mariano, signals an important problem. Sometimes I have the impression that all intellectuals have become cosmopolitans. But there is an increasing gap between what intellectuals think and preach and what the ordinary people feel. There is a growing divergence between the demos and the elites, especially concerning the perception and the treatment that should be reserved to the “diverse”: immigrants, minorities, gays and so on are more and more perceived as a threat. When [xenophobia is rising](#) [7], the intellectuals have a responsibility to help to distinguish between the real and apparent reasons, even at the price to become isolated from great parts of the population. Intellectuals have often singled out the reasons why in certain periods authoritarian regimes managed to get popular support advocating xenophobic policies. In the inter-war periods, in Europe, the intellectuals had to [show](#) [8] that anti-Jewish or anti-Gipsy



sentiments in large groups of the population were related to structural factors such as higher unemployment and increasing poverty. Today they have to show that the feeling of insecurity is not necessarily due to immigration but to the nature of the current global transformations. Individuals perceive that their jobs and their life projects have to deal with remote factors, but since these are either invisible or not controllable, they are likely to react against the closer aspect, and this is often the immigrant. If this message will be assimilated, it will be possible to shift the policy agenda from “barriers against immigrants” to “policies for democratic global governance”.

I agree with Seyla that “open borders” is a good ideal position, but unpractical. I wish to add another reason why it is unpractical, namely it addresses the problem of immigration from a particular viewpoint: generally, it is an individual from the South willing to enter into a state of the West. But are we sure that it is good and fair for the South to [loose some of the most talented members](#) [9]? My cosmopolitanism advocates regulated, rather than open, borders. We need a world authority which tries to regulate migrations in the interest of both the South and the North. A reformed International Organization for Migration, with more resources and powers, might help to regulate people flows.

Western countries often assume that accepting immigrants is a way they contribute to the development of poor countries. In an ideal world, individuals should have the opportunity to decide if they wish to stay at home or to go abroad, but this may happen when states will have comparable standard of living only. In fact, migration flows from United States and Europe are a minor concern.

BENHABIB – Let me add something. I think that the whole migration debate is a normative debate and a socio-economic debate. At the socio-economic level, migration is dependent upon what people call “[pull and push factors](#) [10]”. The push factors are the conditions of the indigenous populations and the pull factors are opportunities in the world market. There are structures of economic interdependency, let say, between Mexico and United States, or between, let say, Italy and certain North-African countries, France and certain African countries and Spain and Latin America. Something like the International Organization of Migration, which is currently quite useless, can also contribute in some way to our understanding of this interdependency. Very often migration is thought as a game in which people lose. But migration is actually a game in which usually people gain. That is what economists have taught us.

2) States are the components of the international system, even when they are populated by a myriad of different ethnicities. Often this is at the basis of civil wars and of inter-state wars. Could an alternative way to organize political communities contribute to the reduction of violence? Which institutional forms can be envisaged?

BENHABIB – Maybe your question can also be tackled by invoking the distinction in political philosophy between ethnos and demos. We know that the process of European state-formation has been one in which the demos and the ethnos have been coupled in different ways. There are different models: on the one hand, the [civic nation](#) [11] examples of the United States and France, where a demos not very closely identified with the given national community is produced, and on the other hand the example of Germany, Japan, and to a lesser extent Italy, which are ethnic nations, where the process of nation-state building has gone along with a strong emphasis on the concept of the ethnos. The latter model has always been a [conflictual one](#) [12]. There have always been tensions between the democratic or the civic republican model of the demos and the nationalist model of the ethnos. And this has never been a smooth history, but rather a history of contention in terms of how to form collective identities. The difficulties have come already at the end of the First World War, with the decline of the Austro-Hungarian, the Ottoman and the Russian empires; all made of territories with many multiple communities living in close proximity. The emergent model of the European nation-state never really took hold in many of these communities.

Iraq is an ironic example of this process. It was drawn on a map of some British cartographers and generals and it is often pointed out that contemporary Iraq is really constituted of the three provinces that Ottomans ruled, that is Bassra, Baghdad and Mossul. During the time of Ottoman empire these were simply the provinces of the empire. And then a nation was put together according to the conception of the nation-state. This project of nation-state building sometime succeeds, but very often it has not been that successful and it has created a lot of instability, particularly in the



Middle East and in Central Asia. So, is there an alternative way to organize political communities, to contribute to the reduction of violence?

I think that models of cultural self-determination that we see in countries like Canada (with Quebec) and Spain (with Catalonia and other regions) might be rather successful. Their success depends very much on two things. First, the high level of economic welfare, which seems to be more or less shared between these provinces and the rest of the country. I bring this up because very often cultural separatist movements are also movements for socio-economic justice demanded by ignored minorities. Even Quebec at the beginning had a lower standard of living than the rest of Canada. And today Catalonia is among the wealthier provinces of Spain. So there is an interrelationship between looking at cultural self-determination as a way to resolve long-lasting deep cleavages and socio-economic equality.

The second question is this: I believe that unless you have an environment of other institutions in which you embed projects of cultural self-determination, they will not succeed. What I mean by "environment of other institutions" is that you need institutions of a higher level that guarantee human rights, transparency, and accountability. I think Quebec is successful precisely because of the kind of democracy that Canada is; Catalonia has not seceded from Spain also because the [European unification](#) [13] project has provided a constitutional umbrella. This is not what we see in the current situation of Iraq, it is not exactly what we see in the current situation of the [Kurds in Turkey](#) [14]. When a solution comes, we have to operate on two levels: both at the level of cultural community claims and higher up at the level of transnational guarantees and structures. If you just juxtapose the nation-state to cultural community claims, you create unstable situations such as Lebanon. But allowing cultural self-determination – including language autonomy, a certain amount of fiscal responsibility, maybe even local parliaments –, and embedding them in transnational structures, makes these states more likely to be successful in the long term.

ARCHIBUGI – A liberal state has good chances to accommodate successfully ethnic minorities through the internal and international policies mentioned by Seyla. Indeed Canada and Spain have successfully managed to maintain their cohesion because of their democratic values and the granting of [cultural self-determination](#) [15]. The lack of democracy in Soviet Union and the Yugoslav Federation has on the contrary led to vicious civil wars, to the collapse of the state and to redrawing borders. The outcome has been very unsatisfactory, also because the Russians and the Serbs, which used to be the oppressive majorities, have now become the oppressed minorities in several of the new states.

We cannot any longer think about minorities as if they are living in geographical proximity. It is more and more difficult to single out a geographical space where an ethnic group agglomerates. Global migration and demographic trends will generate more and more ethnically heterogeneous political communities. The [Turkish community in Germany](#) [16] [full version can be bought] and the [Romanian community in Italy](#) [17] are scattered in a much wider territory and their cultural rights cannot be addressed through regional or local autonomies. And I do not think, as some multicultural thinkers do, that we can establish any theoretical difference between communities which have always been there from recent communities which are the outcome of migration. I think that each human community, very old or very young, deserves the same rights.

One of the major challenges of our century will be to envisage political communities which are not any longer territorially bounded. How to do it in practice is certainly not easy. I definitely agree about an international protection of these minorities, although it is useful to remind that in the past this protection has not been effective. At the end of World War One, when the League of Nations planned to defend the national minorities in several of the newborn states, in fact it codified the state of political minority of the minorities. If a minority needs to be protected from above, it is precisely because its rights are under threat within the given community.

We see today that the institutions of the European Union are often very effective in protecting the rights of endangered minorities (for example of the Roma people) and this proves the importance of international checks and balances. But a radical change in the nature of the state is also needed. States should accept overlapping jurisdictions to accommodate the needs of minorities. More than thirty years ago, Hedley Bull spoke about the [risks of a new medievalism](#) [18], but I think that there



are also several advantages in diffusing the sovereign powers concentrated in the hands of the Weberian state across a larger number of players.

3) States are still associated with the notion of sovereignty, within a scenario that recalls the so-called Westphalian political arrangement. But what really is sovereignty today? Which its development trajectories? And how these developments may alter the function of states?

BENHABIB – It seems to me that much has been fundamentally transformed in the last sixty years since the establishment of the United Nations. We are in the midst of enormously contradictory principles and contradictory directions within the international community. On the one hand we have this commitment to human rights and on the other hand we still think in Westphalian terms of sovereignty as legitimate exercise over the means of violence. There is today practically no state that is not embedded in international alliances concerning the use of force and weapons. It is basically a process of self-denial on the part of states rather than of self-obligation. They cannot survive outside of this kind of military alliance and weapons agreement.

I am trying to make a distinction between states' military capabilities and police power. In term of military capability no state, not even Iran, Israel, and North Korea, are islands. There is a great degree of negotiation and interdependence on military alliances. When we talk about states having the monopoly over the use of coercive power we are talking about police power, power within internal boundaries. But when addressing drug traffic and international criminality, even police power itself has become a kind of international and transnational phenomenon. Clearly, there is a great deal of hypocrisy between existing forms of institutional interdependence, even at the military and police levels, and concepts of sovereignty. In [Stephen Krasner terms: sovereignty as hypocrisy](#) [19], it is never quite what it says it is. What we need to do is to understand the contradictions that are emerging by states embedding themselves more and more in these international structures of dependence and at the same time wanting to exercise autonomy within them. One of the interesting things is to understand why states accept military alliances and economic partnerships; of course, this is partially for self-interest: state behaviour is not governed by cosmopolitan norms. But then states set off a dynamic which goes beyond them. I am for increasing the power of transnational structures of governance. It seems to me that at the moment there are multi-national structures of governance at the military level, informational level, economic level, but there are no transnational, cosmopolitan structures of governance – this maybe is a point on which we agree. We have to move towards resolving these contradictions and establishing more structures, rules and norms of interdependence.

ARCHIBUGI – I entirely agree about sovereignty's being an organized hypocrisy, although such an organized hypocrisy has worked better for external sovereignty than for the internal sovereignty. In fact, states could use their coercive powers without constrains much more on the inside than on the outside. Today we have a single state only that can use its power without consulting with others and this is the United States. All other states cannot wage war without negotiations with allies and neighbourhoods.

With such an unbalanced international scenario, the category of sovereignty seems to be more and more an empty shell. I have suggested replacing it with the term "[global constitutionalism](#) [20]". I wonder if it will be possible to generate also at the international level a condition where there will be sufficient checks and balances to constrain all states to wage war unilaterally and without proper authorization. In order to be possible, this requires that states decide to be law-abiding subjects even when there is no coercive power to enforce international norms. We already experienced this in some important cases. One of them is the European Union: European countries have to use negotiations and procedures rather than violence to address and sort out their controversies. I hope that the same methods could be used also at the world level. The United Nations already provides several institutions which should serve this purpose. Take the case of the [International Court of Justice](#) [21]: in principle, it should be able to address controversies with judicial rather than military means, but it is strongly underused because states, including the democratic ones, are unwilling to submit their own cases.

It is certainly good if states will inform their behaviour according to some ethical standards, but it is equally important that they become law-abiding subjects. It will be difficult to justify why states



should respond to certain moral obligations if it is not clear which are the institutions that put these obligations and which are the Courts that interpret them. For this reason, I think that ethical cosmopolitanism should come to terms to institutional cosmopolitanism.

4) Both of you are cosmopolitan thinkers. But you put a rather different weight on the moral justification of your cosmopolitan projects. Is it a cultural enterprise, in which people bring themselves into question and re-imagine themselves, or may it be just a political enterprise which has to leave moral questions aside?

BENHABIB – I would introduce a third category between moral and cultural, namely the “legal”. I see cosmopolitanism making more progress at the level of legal institutions and at the level of the enormous development of international law, be it human rights law, be it *lex mercatoria*, which is not insignificant. And I would distinguish here the concept of legal from moral and cultural cosmopolitanism. Let me explain what I associate with this term. Moral cosmopolitanism is basically a form of universalism that considers every human being as the equal unit of respect and concern. I agree with that. There is another debate in contemporary thought about whether moral cosmopolitanism means that you must always privilege the rights of distant strangers over the rights of your own particular community, and this is the debate that Martha Nussbaum started about patriotism. I do not see it as being necessary to my understanding of cosmopolitanism to come with this evaluation scale that says that the needs of strangers must always have priority over the needs of my compatriots. I do not see the necessity to make this kind of categorical commitment. In that sense, I do not accept Martha Nussbaum’s understanding of cosmopolitanism, which she admits it is much more indebted to ancient stoicism than it is to the Kantian project. My own sources are within Kantian project of Perpetual Peace, which is basically a legal, institutional, and eventually political process.

[Cultural cosmopolitanism](#) [22], which is very much on vogue these days, is a theory about cultures’ being multiple differentiated from within, containing otherness from within and hybridity. I have no problems with this view of culture, but I do not think it is sufficient to understand the project of cosmopolitanism at the more institutional level. So I would say that for me cosmopolitanism really begins where Kant rightly put it: in terms of trans-borders right claims, which can be protected by a global civil community for all human beings. But this is obviously not enough: we have treaties and declarations. We do not have the political structures that are also sustaining this legal cosmopolitan project. All the questions that you have put to us above come back to the states as the units of action and we have to imagine political institutions corresponding to this tremendous development of international legal order both at the level of human rights and at the level of what is called the law of capital transactions *lex mercatoria*, which has its own ambivalence, but which is not insignificant in the context of cosmopolitan project. In my own current work I am focusing a lot on the relationship between human rights law and *lex mercatoria*, which sometimes contradicts human right law and sometimes enables it. I want to understand the sort of paradox of the new global capitalism as it opens up also possibilities for a kind of cosmopolitanism.

ARCHIBUGI – In the current historical conditions, cosmopolitanism is such a powerful project that we need also to be aware of its risks. The principal risk is that it is used to impose the vision of society of the elites of the West to other parts of the world. Since today the West is the most powerful not only economically, not only socially, not only culturally, but also militarily, I am worried that some misunderstood cosmopolitan principles might be used to impose the will of the West with force rather than with persuasion.

The intellectual origins of cosmopolitan democracy are also rooted in [Kant’s Perpetual Peace](#) [23], and more generally on the various peace projects that flourished during the Enlightenment. Within the peace projects tradition, Kant is very brave to imagine a system of law based on three different levels: the law within the state, inter-states law, and cosmopolitan law. By maintaining inter-states law, Kant makes it clear that he does not want a world state. States should continue to be different, with some constitutional laws inside (what he call republican state), but at the same time he also signalled the need to introduce a new branch of law – the cosmopolitan law – which implies that no state is entirely free to do whatever it wishes inside its own borders. So, Kant is also putting some constraints on internal sovereignty. I think we should follow this suggestion.



BENHABIB – We are in a way. Since 1948 we are.

ARCHIBUGI – Yes, since the [Universal Declaration of Human Rights](#) [24] this principle has been accepted. But it is still not enforced. Today we should do more to obtain some enforcement. The International Criminal Court is somehow a development of Kantian cosmopolitan law. Although it has been made possible thanks to a very traditional inter-state treaty, the functions and the competences of the ICC are very much what Kant would have called cosmopolitan law. We need to go ahead with this project.

The same tools can be used to go beyond the realm of cosmopolitan criminal jurisdiction. Let take the case of the obligations indicated by moral cosmopolitans. Who should decide if some people really need economic help? Who is going to decide which should bear the duties associated to some cosmopolitan rights? Within moral cosmopolitanism, it is often assumed that the agent in charge is the state, which should somehow satisfy also these new obligations. My own institutional cosmopolitanism tries to combine cosmopolitan obligation with the principles of democracy. In other words, I argue that it is important to get people involved on the nature of political rights and obligations. This can be done by reinforcing the existing international institutions, starting from the UN, and also by creating new ones. For example, the project of cosmopolitan democracy gives a central role to the idea of a world parliament. Even if with limited powers such a parliament could be the institution on which the peoples of the world deliberate and suggest some cosmopolitan norms.

5) You confer on states quite different roles in securing basic rights of human beings. Which should be the meta-institution that is called upon to provide human beings a political membership?

BENHABIB – I do not think we need an extra meta-institution, but we do have in the Universal Declaration of Human Rights, article 15, according to which all individuals are entitled to citizenship and that citizenship should not be arbitrarily revoked. We do not need extra guarantees. When we look closer at the structure of any liberal democracy we see that rights are exercised at many different levels and perhaps one of the fundamental levels of exercising rights is in the local communities. There is a kind of juxtaposition between states and the right to have rights which sometimes blinds us: the exercise of rights takes place within contexts of associations that are components of the state. This is a kind of paradox which is quite interesting for the question of membership. In the existing international statutes, citizenship law is not very regulated. It is only states that can confer ultimately national membership and the passport. Take the case of Amsterdam, where after five years you can become a citizen of the city. So, if you are a Moroccan or a Turk, you may become a city citizen after five years, you are entitled to run in municipal election, you can build parties. But national citizenship can only be guaranteed to you by the Dutch state. There are also some controversies, where someone with a city citizenship has been turned down at the national level.

As cosmopolitans and as democrats we should think about the possibility of having not only state's institutions but also self-organizing communities conferring strong membership rights, including the passport. The immigration debate should not just focus on the right to entry in a community, but also on the right to become a member of the community once you have entered. When people have entered the country, have lived in the community for a while, what is the right to have rights? There is ambivalence in the Arendt's concept of right to have rights: she identified it with national membership having protection, but then she had also an active notion of right to have rights in terms of full membership, and not just entry. But what we see today is increasingly that the right to have rights, particularly for immigrants, is exercised at the local level.

An interesting development is taking place in the USA, where there are almost ten million of not illegal immigrants but undocumented migrants (as to call them "illegal" is already to prejudge their case) and some cities, like my own city, [New Haven](#) [25], are beginning to give identity cards to migrants. Why? Because when migrants have an automobile accident and they go to the hospital, when they want to run a business, when their children enter school, when they open a bank account, they live in their specific municipality, in their specific community. So, the identity card gives them a civil status. They are part of civil society. They do not have political membership, but they are part of civil society and they even exercise political rights. I am very enthusiastic about this movement which falls under the notion of "disaggregation of rights". I think it is a way of civil society



communities to protect migrants, protect undocumented workers, because you stand up for them, you give them papers, you protect them. It is potentially a conflictual development, but it is an important one towards the right to have rights.

ARCHIBUGI – Under the heading of cosmopolitan law, Kant included the [right of hospitality](#) [26]. He had in mind the right of European people to visit other continents. Europeans were at the time exploring and often brutalizing non-European societies and Kant, as many other Enlightenment thinkers, was very much against the most violent forms of colonialism, but believed that some social and commercial relations among European and other communities could be advantageous for both. Today the situation is quite the opposite. Nobody objects any longer to Western people going and visiting developing countries because Western people bring with them capital and credit cards. Most developing countries try to attract Western tourists and multinational corporations. Still, the right of hospitality has validity in an opposite direction, namely the right of the peoples living in poor countries to visit, to work, and to stay in Western countries. And, as Kant indicated, we cannot leave to state institutions alone the authority to regulate inflows as it happens today.

Let me take the case of refugees. If a state has the misfortune to be next to an unstable state, such state has, under the [Geneva Convention for refugees](#) [27], an international obligation to provide shelter to all refugees. And there is no way in which such a state claims to share this burden with the other members of the international community. This can increase the instability also in the hosting states: in Africa and in the Middle East, refugees have often been an economic cost and a security threat for the states who have hosted them. I think that the international community should have the instruments to regulate the emergency of refugees in a more balanced way, above all by creating the conditions for the safe return to their homes.

I also think that under the banner of cosmopolitan law it should be possible for international organizations to grant some rights to these refugees. The UN High Commissioner for Refugees should be able to grant passports to the about 10 millions international refugees under its protection. If these innovations are introduced, one of the key characteristics of the Weberian state, namely the authority to decide which individual has the right to move in and out, is going to be eroded.

Of course, I am aware of the dangers to give additional responsibilities to institutions that do not have the powers to address them. Every state that has to host a substantial number of refugees will be more than happy to wash its hands and to transfer the responsibility to the UN. What makes the case of refugees particularly significant is that they are the typical group of people that nobody wants and that are considered “illegal” everywhere. But if we really want to implement the idea stated in the front page of Seyla’s book *The Rights of Others*, namely “no human is illegal”, we then have also to think about legal innovations to make it possible. And I think that cosmopolitan law helps to bridge the current gap.

6) Can human rights be suspended on the ground of a state of exception (such as risk of terrorism)?

ARCHIBUGI – The [dangers of terrorism](#) [28] are grossly exaggerated in the USA as well as in other countries of the world. Today terrorism has become the most important security problem, while I think that the incidence of terrorism compared the casualties associated to wars, curable diseases or even car accidents is very, very small. Simply I do not believe that terrorism justify any state of exception.

But I take the theoretical challenge implicit in your question. And for once I am proud of my compatriots Cesare Beccaria and Pietro Verri, who more than two centuries ago challenged the European customs. Can you justify [torture](#) [29] or other human rights violation in a state of exception? My answer is: you do not need to suspend the existing laws, but if there is a strong belief that breaking the laws is necessary to protect the vital interests of the community, you can do it provided this is publicly done and that the responsible is prepared to face the consequences in front to an international court. The state of exception does not require rewriting the rules of the game but just breaking them and facing the consequences. As a matter of fact, those who violate fundamental human rights do it secretly and do their best to avoid justifying the consequences.



BENHABIB – I agree that the language of the global war on terror and the transformation of a lot of states into security states because of supposed threat of terror are really basically political manoeuvres to augment the power of the state. This is not to say that something like an attack in the future may not be possible, but I agree that the “language” of the global war on terror is another version of Cold War.

As far as the use of torture, there are a couple of arguments. The first is a very strong pragmatic argument. Torture, as a mechanism to combat terror [produces no relevant and significant information](#) [30]. Many jurists have shown again and again that in effect information obtained under condition of torture is grossly unreliable information. We know from Michael Foucault that torture was a way of pretending that truth was revealed, that it was more symbolic than epistemic. So, the kind of thought experiment that Alan Dershowitz and others in the USA have engaged: “What if there is a terrorist attack and the state has been gained it in torture?”, I see this as a moral mystification and moral justification for something that can never be justified. The function of torture is really symbolic, in the sense of Émile Durkheim: it is the community that reasserts its power as the body politic on the body of the criminal or those suspected of criminality by torturing them. There is an interrelationship between terror and torture: the state responds to terror by torture not because torture stops terror, in fact it increases it. [Guantanamo](#) [31] and [Abu Ghraib](#) [32] probably have destroyed the credibility of the USA. But the state responds to terror by torture because it reasserts itself as a kind of symbolic entity. I cannot see any moral or pragmatic justification.

What concerns me is why today the Carl Schmitt’s notions are so much invoked and why are so popular. To me the idea provided by concepts like the state of exception is ultimately the belief that the liberal democracy rests on violence. This is a fundamental debate that has been going on for a long time. I believe that at least Schmitt was more overt and more explicit about the fact that the power of the modern state is always “theological power”. But I think that in many sections of the left as well there is a deep-hatred of the institutions of liberal democracy and there is a deep belief in the illegality of the rule of law. And that is why this fascination, this flirtation with the state of exception is so problematic.

7) And finally, how has your personal history shaped your cosmopolitan values?

BENHABIB – Of course, there is a very long answer to this, but the very short answer goes to my family roots, which go back to the Inquisition in Spain. My family was granted entry into the Ottoman empire and so we settled in Selonica, Istanbul, Gallipoli. I have always been aware of the irony of European history. The kingdom of Spain becomes the discoverer of America; they had the first inquisition of the Jews, who in turn were protected by the Muslim countries. So, my family history really goes back to five hundred years in Turkey. It is a long history. But we have always been aware of who we were. I think that coming from this background, having grown up with about four languages, you are constantly aware of the sort of the relationship between culture and social reality as well as very attentive to the rights of people.

ARCHIBUGI – I am afraid I miss such a long genealogy: I am one of those several Italians who live within one mile from the place I was born. My roots are very much in Rome and one of my greatest hopes is that my children will live close enough to my home to be able to see them at least once a week. In the 1970s, as a Marxist internationalist teenager, I got involved with several human rights campaigns to free political prisoners from Latin America. In the 1980s I was involved in the East-West European peace movement. And in both occasions I wondered why the foreign policy of liberal countries was so different from their internal policy, and I think that the cosmopolitan democracy approach is an attempt to bridge such an unbearable gap.

Affiliations

Seyla Benhabib, Eugene Meyer Professor of Political Science and Philosophy at Yale University and Director of its Program in Ethics, Politics and Economics.

Daniele Archibugi, Professor of Governance, Innovation and Public Policy at the University of London, Birkbeck College, and a Research Director at the Italian National Research Council, Rome.



Mariano Croce, Adjunct Professor of Philosophy of Law, University of Rome "La Sapienza".

Sideboxes'**Read On' Sidebox:**

Seyla Benhabib, [The Rights of Others. Aliens, Residents and Citizens](#) [1], Cambridge University Press, 2004 and [Another Cosmopolitanism](#) [2], Oxford University Press, 2006.

Daniele Archibugi, [The Global Commonwealth of Citizens. Toward Cosmopolitan Democracy](#) [4], Princeton University Press, 2008.

Alan Dershowitz, [Why Terrorism Works: Understanding the Threat, Responding to the Challenge](#) [33], Yale University Press, 2002.

- [Daniele Archibugi](#)
- [Mariano Croce](#)
- [Seyla Benhabib](#)

- [Privacy](#)
- [Licensing & Syndication](#)
- [Advertise](#)
- [Media Inquiries](#)
- [Vacancies](#)
- [RSS Feed](#)

Source URL:

<http://www.opendemocracy.net/mariano-croce-daniele-archibugi-seyla-benhabib/toward-converging-cosmopolitan-project>

Links:

- [1] <http://www.amazon.co.uk/gp/product/0521538602?ie=UTF8&tag=opendemocra0e-21&linkCode=as2&camp=1634&creative=19450&creativeASIN=0521538602>
- [2] <http://www.amazon.co.uk/gp/product/0195369874?ie=UTF8&tag=opendemocra0e-21&linkCode=as2&camp=1634&creative=19450&creativeASIN=0195369874>
- [3] <http://plato.stanford.edu/entries/arendt/#ActFrePlu>
- [4] http://www.amazon.co.uk/gp/product/0691134901?ie=UTF8&tag=opendemocra0e-21&link_code=as3&camp=2506&creative=9298&creativeASIN=0691134901
- [5] http://avalon.law.yale.edu/17th_century/westphal.asp
- [6] http://www.hrcr.org/chart/civil_political/freedoms.html
- [7] http://online.wsj.com/article/SB10001424052748704362004575000770798227684.html?mod=google_news_wsj
- [8] <http://plato.stanford.edu/entries/critical-theory/>
- [9] <http://www.queensu.ca/samp/transform/Cohen1.htm>
- [10] <http://www.nidi.knaw.nl/en/projects/330106/>
- [11] <http://www.accommodements.qc.ca/documentation/glossaire-en.html>
- [12] http://aparc.stanford.edu/news/koreas_ethnic_nationalism_is_a_source_of_both_pride_and_prejudice_according_to_giwook_shin_20060802/
- [13] http://www.opendemocracy.net/democracy-europefuture/article_347.jsp
- [14] http://www.fas.org/asmp/profiles/turkey_background_kurds.htm
- [15] http://findarticles.com/p/articles/mi_gx5215/is_2002/ai_n19132482/
- [16] http://www.allacademic.com/meta/p_mla_apa_research_citation/1/7/9/7/6/p179766_index.html



- [17] <http://www.eumap.org/journal/features/2004/migration/pt1/commuting>
- [18] [http://books.google.com/books?id=ZpxQRKn0ARUC&pg=PA31&lpg=PA31&dq=hedley bull new medievalism&source=bl&ots=bDRUTUilg6&sig=Y37fVTGuBrXEOxScOAkypomfybE&hl=en&ei=pa1hS9vkGszr-Aal8sXEDA&sa=X&oi=book_result&ct=result&resnum=21&ved=0CF8Q6AEwFA#v=onepage&q=hedley bull new medievalism&f=false](http://books.google.com/books?id=ZpxQRKn0ARUC&pg=PA31&lpg=PA31&dq=hedley+bull+new+medievalism&source=bl&ots=bDRUTUilg6&sig=Y37fVTGuBrXEOxScOAkypomfybE&hl=en&ei=pa1hS9vkGszr-Aal8sXEDA&sa=X&oi=book_result&ct=result&resnum=21&ved=0CF8Q6AEwFA#v=onepage&q=hedley+bull+new+medievalism&f=false)
- [19] <http://globetrotter.berkeley.edu/people3/Krasner/krasner-con3.html>
- [20] <http://lawreview.stanford.edu/globalconstitutionalism/>
- [21] <http://www.icj-cij.org>
- [22] <http://plato.stanford.edu/entries/cosmopolitanism/>
- [23] <http://www.mtholyoke.edu/acad/intrel/kant/kant1.htm>
- [24] <http://www0.un.org/en/documents/udhr/>
- [25] <http://www.cityofnewhaven.com/Mayor/ReadMore.asp?ID={B0D55ABD-9CFB-40FE-8DEE-0F13E89042EA}>
- [26] <http://plato.stanford.edu/entries/kant-social-political/>
- [27] <http://www.icrc.org/Web/Eng/siteeng0.nsf/html/genevaconventions>
- [28] <http://www.opendemocracy.net/ourkingdom/thomas-ash/we-dont-live-in-police-state-but-we-are-going-to-be-watched-by-aerial-drones>
- [29] <http://plato.stanford.edu/entries/torture/>
- [30] <http://www.alandershowitz.com/publications/docs/mohammedtorture.html>
- [31] <http://news.bbc.co.uk/2/hi/7821569.stm>
- [32] <http://www.telegraph.co.uk/news/worldnews/northamerica/usa/5395830/Abu-Ghraib-abuse-photos-show-rape.html>
- [33] <http://www.amazon.co.uk/gp/product/0300101538?ie=UTF8&tag=opendemocra0e-21&linkCode=as2&camp=1634&creative=19450&creativeASIN=0300101538>