From cosmopolitan nationalism to cosmopolitan democracy

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Abstract. This article offers both a critique and reconstruction of cosmopolitan democracy. It argues that cosmopolitan democracy promotes an excessively individualist account of political life and a functionalist approach to political community that are likely to undermine the kinds of national communities and citizens that are most likely to mobilise against global injustices. It argues that the alleviation of global injustices depends on the rescuing and reframing, rather than weakening, of national identities so that they take on a more cosmopolitan character. Cosmopolitan democracy is dependent upon cosmopolitan nationalism, based on a commitment to common liberty and justice at home and abroad.

Introduction

The justification for a new global order based on cosmopolitan moral principles is arguably much stronger now than it was in Immanuel Kant's time. Whereas Kant's cosmopolitan theory was prompted by a deep aversion to the ravages of war, contemporary cosmopolitan theory is a response to a much wider range of global problems: economic injustice, poverty, malnutrition, human rights abuses and ecological degradation. Cosmopolitans argue that most of these problems arise from, or are intensified by, the processes of globalisation. They argue that the growing range and intensity of cross-border flows of money, people, goods, services, pollution, disease, weapons and communication have undermined the distinctions between 'internal/external' and 'inside/outside' that have been central to the formation and practice of modern states.[1] Not surprisingly, many cosmopolitans have directed their critical effort towards exposing the limitations of the system of sovereign states, and of nationalism. For cosmopolitan democrats, a rapidly globalising world requires new forms of political accountability according to the cosmopolitan democratic principle that those who make decisions should be accountable to those affected, irrespective of nationality. Indeed, the most heroic of these liberal cosmopolitans take seriously their allegiance to the entire community of human beings by seeking global institutional reforms that dilute state sovereignty, weaken national identifications and globalise citizenship. Whereas Kant rejected the idea of a cosmopolitan world government and settled for a permanent peace treaty among cosmopolitan republics, many contemporary liberal cosmopolitans look

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[1] See, for example, David Held, *Democracy and the Global Order* (Cambridge: Polity Press, 1995) and Daniel Archibugi and David Held (eds.), *Cosmopolitan Democracy: An Agenda for a New World Order* (Cambridge: Polity Press, 1995).

forward to the creation of a new, quasi-federal structure of global governance that enable all individuals to become world citizens with enforceable rights under a global democratic law.

This article offers both a critique and reconstruction of cosmopolitan democracy. It highlights both the practical and ethical limitations of cosmopolitan democracy as a global project and suggests, in response to these limitations, a more secure stepping-stone towards the cosmopolitan goal of alleviating global injustices. The core of the argument is that cosmopolitan democracy needs to be reframed and practiced, in the first instance, as a national rather than international or global project. This means that, instead of welcoming the weakening of nationalism as a force that constrains cosmopolitan goals, cosmopolitans should be searching for ways to rescue, reframe and harness nationalism so that it takes on a more cosmopolitan character. It is no small irony that the liberal cosmopolitan project of turning the international law of states into a cosmopolitan law of individuals or world citizens is one that, given the present international order, requires the agreement of states. The first task for cosmopolitan democrats, then, is to explore what kind of nation-states would serve as the architects of a new cosmopolitan global order.

To avoid any misunderstanding, I should declare at the outset that I am persuaded by moral cosmopolitanism and welcome the development of democracy beyond state borders. However, my approach is to explore the possibilities of institutional reconstruction from the inside-out, rather than from the outside-in. In this respect, it is in sympathy with the recent quasi-communitarian turn in cosmopolitan political thought, which has spawned a range of more qualified, hybrid positions such as 'thin cosmopolitanism', 'rooted cosmopolitanism', 'actually existing cosmopolitanism', 'embedded cosmopolitanism', 'cosmopolitan nationalism' and nationalist interpretations of 'constitutional patriotism'.[2] That is, instead of starting with a declared allegiance to the community of humankind, or with global injustices, and then suggesting global institutional renovations that might admit all individuals into Kant's kingdom of ends, this approach begins with situated selves in particular national communities. It then asks: how might the political culture of democratic national communities be transformed to generate wider loyalties that serve wider communities in space and time?

In the discussion that follows, I employ the terms 'nation' and 'national community' interchangeably to refer simply to the political community made up of citizens of a country.[3] Nations are understood as cultural artefacts that are, in

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[2] Andrew Linklater, 'Dialogic Politics and the Civilising Process', *Review of International Studies*, 31 (2005), pp. 141–54; Mitchell Cohen, 'Rooted Cosmopolitanism', in Michael Walzer (ed.), *Toward a Global Civil Society* (Providence, RI: Berghahn Books, 1995), pp. 223–33, at 233; Bruce Robbins, 'Introduction Part I: Actually Existing Cosmopolitanism', in Pheng Cheah and Bruce Robbins (eds.), *Cosmopolitics: Thinking and Feeling beyond the Nation*, (Minneapolis, MN: University of Minnesota Press), pp. 1–19; Toni Erskine, 'Embedded Cosmopolitanism and the Case of War: Restraint, Discrimination and Overlapping Communities', *Global Society*, 14:4 (2000), pp. 569–90; Kai Nielson, 'Cosmopolitan Nationalism', *The Monist*, 82:3 (1999), pp. 446–68; and Ciaran Cronin, 'Democracy and Collective Identity: In Defence of Constitutional Patriotism', *European Journal of Philosophy*, 11:1 (2003), pp. 1–28.

[3] Whereas Anthony Smith reserves the term nation-state for ethnically homogenous national communities, and uses the term 'national state' to refer to national communities built around a dominant ethnic group, I use the term nation-state simply to refer to the composite entity made up of the national community (of whatever character) and the state. See Anthony Smith, *Nations and Nationalism in a Global Era* (Cambridge: Polity, 1995), pp. 56–7.

Benedict Anderson's influential formulation, 'imagined' as limited, as sovereign and as a community and, in modern times, shaped by modern communications technologies.[4] I use 'national identity' to refer to the character and self-identity of a particular nation or national community (which may be racist, chauvinistic, pacifist, parochial or 'worldly'). I am thus less interested in whether the nation is 'ethnic' or 'civic' and more interested in the character of its posture towards outsiders, and insiders who may be different. Nation-building is understood here as an ongoing discursive practice that is often banal[5] and which can vary widely in the degree to which all members of the resident population are included or excluded. By nationalism I mean an ideology of attachment to the nation (which may be politically benign or aggressive, depending on national identity), which is typically associated with a claim or belief in the right to self-determination, usually in the form of sovereign statehood. With these distinctions in mind, a cosmopolitan nation may be understood (or 'imagined') as a national community that is multicultural in character, determined by residence within the territory of a sovereign state, and united by a political commitment to common liberty and justice at home and abroad. Cosmopolitan nationalism may be understood as a nonexclusive attachment to such a nation (which leaves room for attachments to other communities, local and transnational).

Doubtless cosmopolitan democrats would consider the case for cosmopolitan nationalism and cosmopolitan nation-states to be no less heroic than the case for global cosmopolitan democracy and justice. While the political prospects for the emergence and spread of cosmopolitan nationalism and cosmopolitan nation-states are certainly not encouraging, the point of this article is simply to argue that my 'in-side out' and 'bottom-up' approach is (1) less vulnerable to the usual criticisms that have been levelled against (liberal) cosmopolitan democracy, and (2) in any event, a necessary pre-requisite to the flourishing of global cosmopolitan democracy. The implications of this article are therefore even more sobering for global cosmopolitan democrats than for national cosmopolitan democrats.

My argument unfolds in two broad sections. In the first section, I set out the critique of cosmopolitan democracy in order to draw out the consequences for human motivation, political community and democracy. I show that cosmopolitans have waged a moral case for global citizenship without exploring how the prerequisites for such citizenship might materialise. In the second section, I direct attention to the democratic achievements of the nation-state that resulted from the fusion of the modern nation and modern state, which are worth rescuing but are often ignored or downplayed by liberal cosmopolitans. I then provide a sympathetic critique of Habermas's notion of 'constitutional patriotism' and suggest it is too thin to provide the 'we-feeling' that is vital to a cohesive nation and a well-functioning cosmopolitan democracy. Given the heterogenous character of the populations of nation-states, I suggest that foreign policy debates provide one significant opportunity to forge a more substantive cosmopolitan national identity. I conclude by arguing that an inclusive approach to nation-building – one that respects cultural difference and provides social justice *within* the nation – provides the most promising basis for the

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[4] Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London and New York: Verso, 1991).
[5] Michael Billig, *Banal Nationalism* (London: Sage, 1997).

development of a cosmopolitan national identity that is respectful of cultural difference and concerned to pursue international justice *beyond* the nation.

The critique of liberal cosmopolitanism

Globalisation and social solidarity within and beyond the nation-state

The core problem with the liberal cosmopolitan project of fashioning a cosmopolitan democratic law at the global level is that it wages a moral argument for world citizenship without exploring how the conditions for such citizenship, or the citizens themselves, might materialise. Indeed, liberal cosmopolitans welcome the weakening of national allegiances at precisely the point in history where the nation-state has become thoroughly globalised, institutionally entrenched and a key source of individual identity. At the same time, the processes of globalisation (particularly increasing voluntary and involuntary migration) have also made it harder to maintain a cohesive national identity and a trust-based civic culture.[6] Yet it does not necessarily follow from these contradictory developments that national identity has, or ought to become, less important.

For many national minorities and subaltern groups around the world, the weakening of nationalist ties as a result of globalisation is not something to celebrate. For example, Meyda Yeĝenoĝlu points out that many popular nationalist movements in the South have emerged as a reaction against the tide of globalisation in order to reclaim the state so that it can serve the needs of subaltern groups rather than the dictates of the North.[7] In the North, anti-globalisation movements have likewise sought to reclaim more national democratic control of economic policy from international neoliberal elites while many national minorities have mobilised to defend their language and culture from the processes of cultural homogenisation facilitated by new communications technologies.

While globalisation may have weakened the political autonomy, steering capacity and legitimacy of the nation-state, postnational political institutions appear to be even weaker still on these three counts. If it is accepted (for argument's sake) that the sources of social solidarity are drying up within nation-states as a result of globalisation, then it is difficult to see how cosmopolitans will be able to fashion postnational political communities with sufficient social solidarity to approve an international redistribution of social support of the kind provided by the European welfare state in its heyday.[8] The 'no' vote by the Dutch and the French in their 2005 referenda to ratify the European constitution highlights the fact that the world's most developed experiment in building postnational political institutions still tends to have more elite appeal than mass acceptance.[9] These arguments apply *a fortiori* to the

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[6] Jürgen Habermas, *The Postnational Constellation: Political Essays*, trans. Max Pensky (Cambridge: Polity, 2001).

[7] Meyda Yeĝenoĝlu, 'Cosmopolitanism and Nationalism in a Globalising World', *Ethnic and Racial Studies*, 28:1 (2005), pp. 103–32.

[8] Jürgen Habermas, 'The European Nation-State: On the Past and Future of Sovereignty and Citizenship', in Ciaran Cronin, and Pablo De Greiff (eds.), *The Inclusion of the Other: Studies in Political Theory* (Cambridge, MA: MIT Press, 1998), pp. 105–27.

[9] Habermas, 'The European Nation-State', p. 127.

project of building a community of world citizens. In the neoliberal dystopia of hyper-globalisation – where systems have all but swallowed life-worlds – cosmopolitanism democracy would become urgent and necessary but it would also be impossible. This is because states would have become 'hollowed-out' and individuals would no longer belong to any meaningful political community, possess any effective rights of democratic participation, or possess any citizenly allegiances that provide a source of political motivation to work democratically for the alleviation of local, national *or* global injustces. In this dystopia, citizen's autonomy would have been 'unceremoniously stripped of its moral components of democratic self-determination and pared back to private autonomy'.[10] One way of preventing this dystopia is to rescue and reframe, rather than abandon, citizen's attachment to the nation as their primary political community.

Cosmopolitanism and human motivation

What is noteworthy about those liberal cosmopolitans who welcome the weakening of sovereignty and regard national boundaries as morally irrelevant is that they offer two quite distinct justifications for the cosmopolitan obligations and conditions that they impose on states and/or citizens. On the one hand, there are those cosmopolitans who seek to defend basic rights or alleviate human suffering simply because the violation of human rights is wrong – it is an affront to human dignity[11] – or because suffering is bad and should be avoided.[12] In these cases, moral obligations to assist others arise on the part of all those able to help (pre-eminently, the rich) irrespective of whether they are in any way responsible for the human misery in question. I shall call this sub-school of liberal cosmopolitanism 'humanitarian cosmopolitanism' because moral obligations arise from the mere fact of our common humanity and our capacity to render assistance. As Martha Nussbaum explains, 'the very old ideal of the cosmopolitan . . . [is] the person whose allegiance is to the worldwide community of human beings'.[13] This 'old ideal' reached its apotheosis in the twentieth century, in the aftermath of the Second World War and the Nazi legacy. As Mary Midgley put it, the Holocaust 'altered the colour of the sky for everyone'.[14]

On the other hand, there are those liberal cosmopolitans who argue that people who interact with each other should live by shared rules, and that within these spheres of interaction those who cause harm to others must be made accountable. I shall call this school 'culpability cosmopolitanism' because moral obligations arise from some kind of *culpable causal link* between perpetrator and victims. This includes causing direct harm as well as participating in, and benefiting from, unjust social

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[10] Habermas, 'The European Nation-State', p. 125.
[11] Henry Shue, *Basic Rights: Subsistence, Affluence and US Foreign Policy* (Princeton, NJ: Princeton University Press, 1997).
[12] Peter Singer, *Practical Ethics* (Cambridge: Cambridge University Press, 1979).
[13] Martha Nussbau, 'Patriotism and Cosmopolitanism', in *For Love of Country: Debating the Limits of Patriotism* (Boston, MA: Beacon, 1996), p. 4.
[14] Mary Midgley, 'Towards an Ethic of Global Responsibility', in Tim Dunne and Nicholas J. Wheeler (eds.), *Human Rights in Global Politics* (Cambridge: Cambridge University Press, 1999), p. 173.

structures that cause harm.[15] David Held's case for cosmopolitan democracy belongs to this second group. For Held, the core question in any democracy should revolve around *who is affected by decisions*, irrespective of nationality, cultural or social background or geographic location. Globalisation has broken down the assumption of a necessary congruence between peoples, territory and states. Cosmopolitan global institutions are therefore defended as necessary to confer on individuals multiple forms of citizenship at the local, national, regional and global levels to enable them to confront power with its consequences and to obtain appropriate political and legal redress. All nation-states must be subordinate to this overarching global cosmopolitan law.[16]

While some liberal cosmopolitans run these two arguments together, in this discussion I want to separate them analytically in order to explore the implications for human motivation, and the dilemmas they raise for cosmopolitans generally. The key dilemma is that humanitarian cosmopolitanism recognises the importance of the human sentiments of empathy and compassion, and therefore grasps the necessary affective component of cosmopolitan motivation, but it is too weak and unsystematic to deliver international justice. In contrast, culpability cosmopolitanism provides a moral argument for the institutionalisation of cosmopolitan justice but does not explore what might motivate citizens or states to work towards institutional change. Indeed, I have already suggested that culpability cosmopolitanism risks undermining the very thing that is most likely to ensure the maintenance of a robust democracy and the provision of basic social welfare: a cohesive political community, which, under conditions of modernity, includes a secure national identity. David Held's citizens of the world are primarily individual rights bearers rather than members of a common or cohesive community, and his liberal democracy is a democracy first and foremost of individuals, not communities, who interact with multiple institutional layers, from the local to the global.[17] There is no longer any primary national community from which other loyalties may develop.

Humanitarian cosmopolitanism, in contrast, does not threaten members' shared sense of belonging to particularistic communities. Indeed, it may even help to build wider communities, albeit with weaker social bonds that may not be able to sustain the systematic extension of basic assistance or welfare. The 2004 Boxing Day tsunami was an 'accident of nature' that had nothing to do with globalisation. The outpouring of support for the victims of the tsunami had nothing to do with any culpability on the part of the donors to their victims. Rather, the response provides evidence of a universal human compassion, which Martha Nussbaum has described as reflecting 'a psychological link between our own self interest and the reality of another person's good or ill'.[18] Moreover, the provision of relief was expressive of the compassionate character of not only individual donors but also their national communities, something that reflected an outward looking rather than parochial national disposition on the part of key donor nation-states. Here I concur with Kate

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[15] Examples include Charles Beitz, *Political Theory and International Relations*, 2nd edn. (Princeton, NJ: Princeton University Press, 1999); Thomas Pogge, *World Poverty and Human Rights* (Cambridge: Polity, 2002); and Held, *Democracy and the Global Order*.

[16] See also Thomas Pogge, 'Cosmopolitanism and Sovereignty', *Ethics*, 103 (1992), pp. 48–75.

[17] Alexander Wendt, 'A Comment on Held's Cosmopolitanism', in Ian Shapiro and Casiana Hacker-Cordon (eds.), *Democracy's Edges* (Cambridge: Cambridge University Press, 1999), pp. 127–33, at 131.

[18] Nussbaum, 'Patriotism and Cosmopolitanism', p. xi.

Nash, who has argued that 'popular cosmopolitanism' may be seen as 'an extension of the complexity of emotions that make up national feeling rather than in dichotomous opposition to it'.[19]

Of course, it is precisely the fickle character of popular cosmopolitanism (often fanned by a fickle popular press) that has goaded many cosmopolitan political theorists to search for more systematic ways of realising cosmopolitan justice. Instead of relying on the vagaries of humanitarian sentiment, proponents of culpability cosmopolitanism defend what they believe to be a more powerful moral argument: that we should support global cosmopolitan institutions because we are (directly or indirectly) implicated in causing harm to others beyond our borders, or because we enjoy benefits on the back of other people's suffering. This approach seeks to dispel the idea that peoples in developing countries somehow deserve their fate.[20]

However, in seeking to establish culpability via a direct or indirect causal connection between perpetrators and victims, this approach displaces the simple appeal to our common humanity as the motivator for institutional change. If no causal connection can be shown, or if the causal connection appears weak and tenuous, then there is no residual argument to suggest that those with the capacity to assist should still take responsibility anyway. Indeed, even when there *is* a causal connection, it cannot be assumed that individuals and communities will necessarily be motivated to take responsibility for the harm they may have caused in the absence of some kind of bond with the victims. We know that individuals, communities and, above all, military forces can directly and wilfully inflict harm on others without any sense of shame or identification with the other's plight in circumstances where the 'other' is conceived as a 'them' rather than an 'us'. Thus a preparedness to take responsibility for causing harm presupposes certain self-other relations, without which there is no motivation to change practices or institutions to alleviate such harm. Merely highlighting the structural causal mechanisms between, say, the affluent and the impoverished, fails to address the affective component of cosmopolitan morality based on pre-existing social relationships.

None of the foregoing arguments is meant to suggest that there is no merit in applying the harm principle globally. Rather, the point is simply to underscore the centrality of self-other relations in understanding moral behaviour. In this regard, communitarians tend to be better sociologists and psychologists than liberal cosmopolitans insofar as they are interested in how individuals and communities are situated in the world, and how this shapes and constrains the boundaries of the moral imagination.[21] Instead of juxtaposing justice with personal loyalties, or moral duties with sentiments, it would be more helpful to consider what kinds of political community, national and local, might nurture cosmopolitan selves, identities and loyalties. It would then be possible, as Richard Rorty has suggested, to frame moral dilemmas in terms of a 'conflict between alternative selves, alternative

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[19] Kate Nash, 'Cosmopolitan Political Community: Why Does it Feel So Right?' *Constellations*, 10:4 (2003), pp. 506–18, at 515.

[20] Pogge, *World Poverty and Human Rights*, p. 6.

[21] Charles Taylor, 'The Politics of Recognition', in *Multiculturalism and the Politics of Recognition*, ed. Amy Gutmann (Princeton, NJ: Princeton University Press, 1992), pp. 25–73.

self-descriptions, alternative ways of giving meaning to one's life'.[22] In the second section of this article, I turn to the debates about foreign policy and multicultural justice as a possible basis for the development of cosmopolitan national identities.

An individualistic account of political life

Culpability cosmopolitanism defends the principle of *affectedness* over the republican principle of *membership* as the primary basis for building global democratic institutions. For liberal cosmopolitans, the units of moral concern are individuals, not communities, and the point of global democratic institutions is to uphold the autonomy of each and every individual by insisting that persons should not be bound by norms that potentially affect them if they have not given them their free and informed consent. Such a principle is defended by cosmopolitan democrats as the most appropriate democratic ordering principle in a world of complex interdependence.[23]

In contrast, republicans understand democracy as a collective project that is concerned with the self-realisation of individuals *qua members of a particular community occupying a particular territory*, the laws of which constitute rather than merely protect or regulate individual freedom. Of course, conceiving of political communities as political enclosures is precisely what cosmopolitans are seeking to challenge in the present context of neoliberal economic globalisation where borders of all kinds appear to be fraying. Moreover, republicans have always failed to grapple with the boundary problem in democratic theory, according to which the question of where to draw the boundaries of the demos cannot be decided democratically, because it always begs the question as to which community in a nested layer of communities should decide.[24] Nonetheless, I shall maintain that some form of relative enclosure is necessary for the sort of democratic learning experience and cosmopolitan political identity that I wish to defend. Cosmopolitan selves must be nurtured in particularistic national communities.

While David Held emphasises the importance of deliberation in multiple public spheres in his cosmopolitan global polity, he argues that such deliberation should be guided by the principle of impartiality to prevent the sway of simple self-interest.[25] That is, Held's account of deliberation seeks to replace purposive rationality ('what is good for *me?*') with the Kantian rationality ('what should *one* do'). Yet this account of deliberation leaves no room for the ethical-existential question: 'what should *we* do?' The missing 'we' follows from the fact that the global identity associated with cosmopolitan global citizenship lacks two key elements that help to define a meaningful collective identity: collective continuity over time and collective

[22] Richard Rorty, 'Justice as a Larger Loyalty', in Pheng Cheah and Bruce Robbins (eds.), *Cosmopolitics: Thinking and Feeling Beyond the Nation* (Minneapolis, MN: University of Minnesota Press, 1998), p. 48.
[23] David Held, 'Cosmopolitanism: Globalisation Tamed?', *Review of International Studies*, 29 (2003), pp. 465–80, at 470–1.
[24] Frederick G. Whelan, 'Prologue: Democratic Theory and the Boundary Problem', in *Liberal Democracy*, eds. J. Roland Pennock and John W. Chapman (New York: New York University Press, 1983).
[25] Held, 'Cosmopolitanism', p. 476.

differentiation from others.[26] Without these two elements, there can be no 'we-feeling' that is necessary to furnish the source of political motivation to put aside selfish and sectional interests and work for the common good of the political community.

While the identity of a particularistic national community presupposes some kind of differentiation from others, it does not necessarily follow that the community's *relationship* to others beyond the nation must necessarily be one of antagonism, hostility, ignorance or neglect. For members of nations with a cosmopolitan identity, deliberation within the nation would be oriented towards the practical reconciliation of the questions: 'what should *I* do', 'what should *we* do?' and 'what should *one* do?'[27] The last two questions enable loyalty to the nation to be mediated with a broader loyalty to humankind.

The problem with the 'affectedness principle', then, is that it removes the 'we' element in democratic deliberation. However, it would also serve to exclude individuals as well if it were to become the sole basis for democratic participation within any given political community. That is, it would restrict participation only to those directly affected by proposed decisions or policies, or else confer on those who are most affected a privileged say in political deliberations.[28] In this extreme sense, the principle carries the potential to serve as a basis for exclusion rather than inclusion in political deliberations within existing political communities, thereby undermining the very concept of citizenship as an inclusive, enduring and collective achievement.[29] In contrast, the republican principle of membership accepts that democracy is a collective project and that particularistic social bonds, developed within particular national communities, are necessary to provide the mutual trust, context, understanding and reciprocal recognition that enables the pursuit of common goals.[30]

Now I must hasten to point out that David Held defends his multilevelled framework of cosmopolitan democratic governance as *combining* the virtues of local, participatory democracy with the necessity of abstract and highly meditated democracy to deal with transboundary and global problems.[31] Moreover, he applies his affectedness test to communities, not only individuals, in determining, *a priori*, what might be the appropriate level of governance in relation to particular issues. So although Held's cosmopolitan project is inspired and driven by the principle of affectedness, on the basis on a neo-Kantian defence of individual autonomy, he nonetheless falls back on the principle of membership in relation to the various levels of governance that go to make up his multilayered, overlapping framework of global governance. Held's pragmatic compromise (as distinct from philosophical arguments) thus implicitly recognises the undesirability of grounding a democratic order

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[26] Maria Montserrat Guibernau, *Nationalisms: The Nation-State and Nationalism in the Twentieth Century* (Cambridge: Polity Press, 1996), p. 131.

[27] These three questions correspond to Habermas's distinction between the pragmatic, ethical-existential and moral-political modes of argumentation, which correspond with the purposive, the good and the just. Habermas, *Justification and Application: Remarks on Discourse Ethics*, trans. Ciaran Cronin (Cambridge: Polity, 1993), p. 10.

[28] Michael Saward, 'A Critique of Held', in Barry Holden (ed.), *Global Democracy: Key Debates* (London: Routledge, 2000), pp. 37–8.

[29] Ibid., pp. 37–8.

[30] See for example, David Miller, *On Nationality* (Oxford: Oxford University Press, 1995).

[31] Held, *Democracy and the Global Order*, pp. 231–8.

exclusively on the principle of affectedness. Nonetheless, it is reasonable to suppose that the more that 'affectedness' displaces 'membership' as the democratic ordering principle in a cosmopolitan global order, then the more we can expect to see the thinning of social bonds, mutual trust, and reciprocal recognition. This unwelcome trade-off provides a further reason to maintain robust national communities and explore how to cultivate non-exclusive national identities that recognise collective embeddedness in, and responsibilities towards, other layers of political community.

A functional defence of political community

Liberal cosmopolitans such as David Held and Thomas Pogge regard both the borders of nations and the borders of states as morally arbitrary and the core criterion in assessing where to allocate authority is functional efficacy in realising cosmopolitan norms.[32] This is also their solution to the 'boundary problem' in democratic theory. For example, Held tackles the problem of dividing sovereignty by suggesting that the vertical layers of political community (global, regional, state, local) would have limited jurisdiction according to a set of filter tests, based on the extensiveness and intensity of 'affectedness' and their comparative efficiency. In effect, these tests provide a means of implementing the principle of subsidiarity, which Held interprets primarily in accordance with his 'affectedness' principle.[33] In cases of dispute, issue-boundary forums or courts would be established to determine which level of decision making should have jurisdiction (again in terms of who is most affected).[34] He also outlines a programme of reform of the United Nations Assembly (including the creation of a Citizens' Chamber), the creation of a new global parliament, an interconnected global legal system, complete with a Court and international military, and a guaranteed basic income.[35] Thomas Pogge also suggests that a greater vertical dispersal of sovereignty would improve the prospects for peace and security, the minimisation of oppression, global economic justice and environmental protection.[36]

However, as Michael Saward points out, Held seems to have underestimated the difficulties in abandoning a single or base level of government and finding a relatively neutral and workable way of assigning jurisdiction on particular issues to different levels within his nested framework.[37] Moreover, jurisdictional disputes (whether in the form of competition for jurisdiction or buck-passing) would likely come to dominate relations between the layers of governance at the expense of debates about more substantive issues. Over time, however, and given the increasing number of transboundary problems, one can predict that Held's filter tests would produce a gradual centralisation of political authority and hence a further weakening of national identities.

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[32] See Held, *Democracy and the Global Order* and Thomas Pogge, 'Cosmopolitanism and Sovereignty', pp. 48–75.
[33] Held, *Democracy and the Global Order*, pp. 235–6.
[34] Ibid., p. 237, n. 6.
[35] Ibid., ch. 12, especially pp. 279–80.
[36] Pogge, 'Cosmopolitanism and Sovereignty'.
[37] Saward, 'A Critique of Held', p. 37.

Held's prescriptions go well beyond Kant's idea of cosmopolitan law, which presupposed the continuing existence of sovereign states, which he hoped would all become republics. For Kant, cosmopolitanism was a moral orientation that provided the rationale for states to enter into a permanent peace treaty and confer rights of universal hospitality. He assumed that all citizens would still belong to, and reside in, their own republics.[38] Taking the lead from Kant, in the following section I explore what it might take for republics to become cosmopolitan.

The democratic achievements of the nation-state

Culpability cosmopolitans have shown how globalisation has broken down the assumption of a necessary congruence between peoples, territory and states and they welcome the emergence of a global democratic public law. Their theory and practice of democracy does not depend on attachment to particularistic communities, least of all national communities. Here I want to remind cosmopolitans that it was the emergence of the modern nation that enabled democracy and citizenship to take hold, and that they may be throwing the democratic baby out with the national bathwater.

The emergence of nationalism and the modern idea of the nation emerged after the juridical understanding of the territorial sovereign state had emerged.[39] Whereas state sovereignty emphasises the territorial integrity of borders, national sovereignty emphasises the link between political authority and peoples. As Charles Taylor has shown, the new social imaginary of the modern nation turned former subjects of state rule into citizens, who stood alongside each other in a direct relationship to the state – the object of their common allegiance.[40] Local loyalties were weakened or dissolved and replaced with a wider, national sense of social solidarity. At the same time that the modern nation-state made citizens more uniform, it also made them more equal. Habermas has also tracked these developments and observed that:

Belonging to the nation made possible for the first time a relation of solidarity between persons who had previously been strangers to one another. Thus the achievement of the nation-state consisted in solving two problems at once: it made possible a *new mode of legitimation* based on a new, more abstract form of *social integration*.[41]

For Habermas, however, 'Nation-state and democracy are twins born of the French Revolution. From a cultural point of view, they both stand under the shadow of nationalism'.[42] For Habermas and liberal cosmopolitans, it is both possible and desirable to transcend nationalism because the connection between democracy and nationalism is regarded as merely historical and contingent rather than necessary.

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[38] See, for example, Thomas Mertens, 'Cosmopolitan Citizenship: Kant Against Habermas', *European Journal of Philosophy*, 4 (1996), pp. 328–47.

[39] J. Samuel Barkun and Bruce Cronin, 'The State and the Nation: Changing Norms and the Rules of Sovereignty in International Relations', *International Organization*, 48:1 (1994), pp. 107–30.

[40] Charles Taylor, 'Nationalism and Modernity', in Robert McKim and Jeff McMaham (eds.), *The Morality of Nationalism* (New York: Oxford, 1997), pp. 31–55, at 36.

[41] Habermas, 'The European Nation-State', p. 111.

[42] Habermas, 'Citizenship and National Identity', Appendix II, *Between Facts and Norms*, trans. William Rehg (Cambridge: Polity Press), pp. 491–515, at 493.

However, for republicans and liberal nationalists, national communities are necessary preconditions for popular sovereignty because they provide the social bonds that enable democracy to flourish. What gives nationalism its emotive power, according to Taylor, is that it provides a register of pride and humiliation. Nations have become the form in which collective dignity is posed.[43] They also provided a response to modernity insofar as nationalist movements seek to creatively adapt to, rather than simply be overpowered by, modernity. While some theorists of nationalism, such as Ernest Gellner, have argued that it was the modern state that fostered the modern nation, Taylor argues that this account tells only part of the story: 'It is not just that nations strive to become states; it is also that modern states, in order to survive, strive to create national allegiances to their own measure'.[44]

None of this is to deny the chequered history of nations and nationalism, the manipulative practices of national elites or the flattening of cultural differences brought about by many forms of modern nation-building. Rather the point is merely to acknowledge how the peculiar fusion of the modern nation with the state has played a central role in the development of modern democracy. The new, legally mediated form of political community enabled citizens to become not only the addressees of the law but also, through their representatives, its collective authors.[45] Crucially, as Habermas has noted, this legal-political transformation of the European nation-state would not have been possible without a *cultural* interpretation of membership. This enabled a 'double-coding of citizenship, with the result that the legal status defined in terms of civil rights also implied membership in a culturally defined community'.[46]

The key problem for liberal cosmopolitans is that world citizenship cannot be double-coded in this same way, at least in the absence of an encounter with extra-terrestrial communities which would provide an external point of differentiation for humanity writ large. Held's cosmopolitan citizens of the world are culturally undifferentiated; there is therefore no continuity, no external differentiation and no political community. While they are the addressees of a global democratic law it is difficult to see how they might ever regard themselves as its *collective* authors.

Of course, for Habermas, the very concept of the nation-state embodies a deep-seated tension between the universalism of an egalitarian legal community and the particularism of an existential cultural community united by a common history, language and/or ethnicity.[47] Liberal cosmopolitans (along with Habermas) have tried to abolish this tension by largely dispensing with a cultural interpretation of membership. In contrast, liberal nationalists and civic republicans hold on to the idea of membership of an existential national community because it is understood to provide the necessary social solidarity or 'we-feeling' that motivates citizens to pay taxes, work for the common good, and even risk their lives for their compatriots and their country in times of war.[48]

However, Margaret Moore is much closer to the mark in her more qualified defence of nationality, at least in its relationship to democracy and citizenship. She

[43] Taylor, 'Nationalism and Modernity', p. 55.
[44] Ibid., p. 41; Ernest Gellner, *Nations and Nationalism* (Ithaca, NY: Cornell University Press, 1983).
[45] Habermas, 'The European Nation-State', p. 112.
[46] Ibid., p. 113.
[47] Ibid., p. 115.
[48] Miller, *On Nationality*.

has argued that while a strong national identity does not necessarily produce a robust democracy, the *absence* of a cohesive national identity, such as in nationally divided societies (such as Cyprus, Lebanon and Sri Lanka), can make the practice of democracy within a nation-state extremely difficult.[49] In contrast, the Nordic states provide one empirical vindication of the claim that there is a virtuous relationship between a secure national identity, a strong social democracy, a strong welfare system and 'good' international citizenship.

So a reasonably cohesive national identity is a necessary rather than sufficient condition for an effective democracy at the level of the nation-state, which I have argued is a necessary precondition for the emergence of cosmopolitan democracy on a global scale. The important questions then become: how can a reasonably cohesive *cosmopolitan* national identity be fashioned? How might the processes of nation-building be made more inclusive domestically, and more outward looking inter-nationally? Given the accelerated movement of peoples around the world, and the simultaneous fragmentation and unification of many nation-states, this is an enormous challenge. It will require transcending the simplistic binary between ethnic and civic nationalism, since the former is not necessarily always illiberal and exclusive and the latter not necessarily always liberal and inclusive.[50] It will also require rejecting the distinction between patriotism and nationalism, as if love of country and attachment to the nation can be cleanly separated, and as if patriotism is necessarily good and nationalism necessarily bad.[51]

Now Habermas has responded to this challenge by searching for a functional equivalent of ethnic nationalism to provide the basis for social solidarity. His solution is 'constitutional patriotism', which is a collective commitment or loyalty to democratic procedural norms (including the upholding of civil and political rights) in making collective decisions. This is a rather weak equivalent, yet he seems to be at a loss as to how a liberal political culture, which he insists must not favour particularistic ethnic associations, might otherwise prevent itself from fragmenting.[52] The nation must not be defined by the cultural or ethnic majority, all faiths and forms of life should be upheld by the constitutional state except those that contradict the reigning constitutional principles. The neutrality of the law should therefore be upheld by a consensus not on substantive values but rather on the appropriateness of democratic procedures of law-making and the constitutional channelling of political power.[53] In short, the glue that binds the nation is simply a commitment to freedom of communication in the public sphere and democratic law-making, which for Habermas must necessarily be delimited in terms of a particularistic legal community with clear space-time coordinates if it is to be effective. This makes it easy to welcome new immigrants into the nation, so long as they also commit to the democratic

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[49] Margaret Moore, 'Normative Justifications for Liberal Nationalism: Justice, Democracy and National Identity', *Nations and Nationalism*, 7:1 (2001), pp. 1–20.

[50] David Brown, *Contemporary Nationalism: Civic, Ethnocultural and Multicultural Politics* (London: Routledge, 2000), and Will Kymlicka, *Politics in the Vernacular* (Oxford: Oxford University Press, 2001).

[51] Margaret Canovan, 'Patriotism is Not Enough', *British Journal of Political Science*, 30 (2000), pp. 321–413.

[52] Habermas, 'The European Nation-State', p. 118; Habermas, 'Struggles for Recognition in the Democratic Constitutional State', in Amy Gutmann (ed.), *Multiculturalism* (Princeton, NJ: Princeton University Press, 1994), pp. 107–48, at 134–5.

[53] Habermas, 'Struggles for Recognition', p. 135.

political culture of their new homeland (a requirement that would preclude funda-mentalist cultures).[54] Habermas adds that the allegiance to the political culture is most likely to occur when there are sufficient levels of social security to enable all citizens to enjoy the fair value of their rights and to realise their preferred ways of life.

Habermas's constititutional patriotism is clearly compatible with a cosmopolitan morality, yet it is also unlikely to motivate citizens in the way that Habermas would hope and republicans would expect. There are no songs and stories, no collective memories, no battles or sporting victories, no achievements to celebrate and unite the nation as a *cultural* community. Constitutional patriotism is just too thin, too emptied of any cultural content of the kind that would provide the 'we-feeling' that republicans have always seen as vital to a functioning democracy. As Craig Calhoun has pointed out, in defending constitutional patriotism against nationalism, and in equating nationalism with 'bad' or quasi-naturalistic ethnic nationalism, Habermas neglects the possibility of other nationalist imaginaries that might nurture a democratic politics.[55] Democratic politics, Calhoun reminds us, requires a sense of 'peoplehood', which should not be taken as pre-political (as republicans sometimes wrongly assume) but rather understood as something that is discursively produced on an ongoing basis. In short, national identities are not simply inherited but also actively produced and reproduced through social, political and cultural practices, from banal talk-back radio and Idol song quests to Olympic sporting achievements. Indeed, critics such as Margaret Canovan point out that Habermas's case for constitutional patriotism still takes for granted, and is parasitic on, the pre-existence of a people, based on pre-political ties of birth.[56] For example, the idea that constitutional patriotism can bind a postnational community such as the European Community presupposes the existence of national communities with a collective cultural inheritance. Thus the case for constitutional patriotism not only under-estimates but also depends on the 'historical, social-psychological interdependence' between nationalism and democracy.[57]

However, we can join Ciaran Cronin in rescuing from Habermas the idea of a progressive transformation of national loyalties into a more complex form, recog-nising that this process would have to start with pre-existing national loyalties.[58] The constitutional patriotic attachment to democratic procedures would also have to be a necessary part of this project because it provides the most legitimate means by which citizens can develop non-chauvinistic forms of mutual recognition and solidarity.[59] For example, critical dialogue is essential to any re-examination of historical narratives from the perspective of excluded groups, and to any critical monitoring of manipulation of national identities by political elites.

But what kinds of national imaginaries might provide the necessary sense of equal membership and solidarity to nurture a *cosmopolitan* democratic politics? The development and maintenance of an inclusive and flourishing national public sphere is essential to this process. But so too is some form of substantive national identity

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[54] Ibid., p. 139.
[55] Craig Calhoun, 'Constitutional Patriotism and the Public Sphere: Interests, Identity, and Solidarity in the Integration of Europe', in Pablo De Greiff and Ciaran Cronin (eds.), *Global Justice and Transnational Politics* (Cambridge, MA: The MIT Press 2002), pp. 275–312, at 280.
[56] Canovan, 'Patriotism is Not Enough'.
[57] Cronin, 'Democracy and Collective Identity', p. 19.
[58] Ibid., p. 14.
[59] Ibid., p. 2.

that transcends the multiplicity of different cultural, religious and social identities within the polity but which nonetheless distinguishes it from other polities. Given the dangers of privileging the identities of some groups over others within the nation, then it makes sense to look to beyond ethnic identities for points of differentiation. As Stein Tønnesson notes, 'The problem with a . . . dialogue-based identity is that it easily becomes a non-identity, or at least a non-*national* identity' (my emphasis).[60] He goes on to suggest that:

Nations need national global policies. Ultimately the most successful national states may be those whose populations engage themselves not just individually, but nationally, in global issues. Nations need broadly based foreign policy debates, with a basis in shared national ideals. Such ideals may help to create a national profile in the global 'market-place', and allow nations to become collective constituents of an emerging global society.[61]

Tønnesson's observations point to one significant means by which constitutional patriotism might become enriched with substantive political and cultural content. Foreign policymaking is expanding in scope and importance relative to other policy domains as globalisation intensifies. Moreover, citizens are increasingly subjected to, or engaging with, transnational influences with the expansion of tourism, satellite television, the Internet, migration and the internationalisation of higher education.[62] To the extent that citizens feel that they are able to shape their country's engagement with the rest of the world through its foreign policy (from trade, aid, and debt relief to engagement in multilateral treaties dealing with collective problems and human rights advocacy), then this process provides one crucial means by which they can also forge a collective identity *vis-à-vis* the rest of the world. And if the shape of this foreign policy includes a concern with responsibility to others and not just co-nationals, with alleviating injustices beyond the nation, then such a nation may be characterised as cosmopolitan.

But how might this happen? Not without a self-conscious and protracted nation-building effort to produce a national imaginary that is hospitable, tolerant, generous to others and compassionate towards less fortunate strangers, so that citizens see themselves as part of, and identify with, a collective 'we' that possesses these characteristics. First, this would require the opening up of debates about how the nation-state should conduct foreign policy to greater democratic deliberation within the nation (a policy field that is usually guarded and controlled by the political executive). Second, a cosmopolitan national culture would need to be actively produced by cosmopolitan social agents within the nation to the point where a commitment to cosmopolitan justice is embedded in national institutions. Such agents would most likely include non-government organisations working in the areas of environment, aid, development and health, student movements, internationalist trade unions, and the educational sector, from primary through to tertiary levels. It would also include political leaders and cosmopolitan political parties and an independent, diverse and critical media that engages in extensive international reporting to the nation, helping it to understand and fix its place in the world. Not only would citizens see themselves as belonging to a nation that extends help to

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[60] Stein Tønnesson, 'Globalising National States', *Nations and Nationalism*, 10:1/2 (2004), pp. 179–94, at 192.
[61] Ibid., p. 193.
[62] Ibid., pp. 181–2.

those in need (such as tsunami victims); they would also regard the international role of their state, represented by their political leaders, as one of working multilaterally to change international structures to alleviate global injustices on a systematic basis. A cosmopolitan nationalism, understood as an attachment to this cosmopolitan national identity, would provide the necessary political motivation that is missing in the arguments of global cosmopolitan democrats. This cosmopolitan national identity would also provide a common horizon of understanding within which domestic politics would be conducted, which includes but goes beyond the formalism of a commitment to 'constitutional patriotism'. A cosmopolitan international orientation would provide the external dimensions that would help to reinforce the particularistic profile of the cosmopolitan nation *vis-à-vis* other nations (which represent other kinds of nationalism, including other kinds of cosmopolitanism nationalism). As Bruce Robbins explains, 'Difficult as it may be to make a plural for ''cosmos'', it is now assumed more and more that worlds, like nations, come in different sizes and styles. Like nations, worlds too are imagined.'[63]

Cosmopolitan nationalism would have much in common with the kind of republican patriotism that Maurizio Viroli has sought to rescue and distinguish from an intolerant nationalism (although, contra Viroli, I have argued that it is possible to cultivate a tolerant nationalism).[64] For Viroli, republican patriotism may be understood as a non-exclusive love for a people's common liberty that is rooted in the particularistic culture and history of the people. Moreover, it is a non-exclusive love that grows among equal citizens and is pressed into the service of the common good of the republic, understood not simply as a set of political institutions but a political culture. As he explains, 'whereas the enemies of republican patriotism are tyranny, despotism, oppression, and corruption, the enemies of nationalism are cultural contamination'.[65] Like Habermas, Viroli is concerned to distance his patriotism from ethnic nationalism or any kind of claim to cultural homogeneity (indeed, both write under the shadow of fascism in their respective countries), but unlike Habermas, he understands the necessity for what might be called 'local content' to enable particular nations to distinguish *their* particular love of common liberty from others and thereby evoke a distinctive 'we-feeling' that is passionate and mobilising but not exclusive or xenophobic. This kind of republican patriotism or nationalism cannot be cultivated and expressed without a national public sphere (including a common language or languages, which need not exclude minority languages) and a set of national democratic institutions.

Internally, the cosmopolitan civic culture would be one that valued both individuals and their multiple social and cultural affiliations, including minority ethnic affiliations. That the population inside nation-states is now almost as diverse as the populations outside makes appeals to ethno-cultural homogeneity in national communities increasingly problematic.[66] Ideally, then (and this is a very ideal account) the internal face of cosmopolitan nationalism would thus reflect its external

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[63] Robbins, 'Introduction Part I', p. 2.
[64] Maurizo Viroli, *For Love of Country: An Essay on Patriotism and Nationalism* (Oxford: Oxford University Press, 2005).
[65] Viroli, *For Love of Country*, p. 1.
[66] Thomas McCarthy, 'On Reconciling Cosmopolitan Unity and National Diversity', in De Greiff and Cronin (eds.), *Global Justice and Transnational Politics*, pp. 235–74, at 240.

face, and accord minorities the opportunity and space to maintain their identities, but in ways that are democratically negotiated. This cosmopolitan politics of recognition must therefore have a double character: it demands recognition of the basic rights of all individuals, as human beings, and of the special needs of individuals as members of the discrete ethnic, religious and linguistic communities and cultures that happen to reside within the nation's borders.[67] The only constitutional restrictions limiting recognition would be that basic human rights cannot be overridden and the public choices that accord recognition must be democratically accountable.[68] This is similar to Will Kymlicka's defence of a dual system of individual rights and special differentiated group rights for national and ethnic minorities.[69] However, whereas Kymlicka's liberal defence of group rights is ultimately instrumental (they are valuable because they secure the cultural context that is essential for the realisation of individual autonomy by members of minority cultures), cosmopolitan nationalism would also value a dual system of rights because it provides the framework for the practice of democracy as a collective project. That is, group rights enable the reciprocal recognition of different social, ethnic, cultural and religious standpoints; diversity, not just autonomy, would be prized.[70]

Finally, Habermas is right to warn that citizens must actually enjoy the value of their rights or common liberty and be able to realise their preferred ways of life. The constitution of the republic must therefore provide basic rights and the domestic policies of the republic must ensure the social and economic conditions that enable all individuals to enjoy such rights. Social democracy or social liberalism, not an individualistic liberalism, meshes best with cosmopolitanism.[71]

To the extent that nations become cosmopolitan along the lines I have outlined, then we can expect their states to become 'local agents of the common good', to adopt Hedley Bull's phrase.[72] That is, cosmopolitan nationalism carries the best promise of tempering the strategic assertion of the state side of the nation-state equation. The point of cosmopolitanism, after all, is not necessarily to replace nation-states but rather to find more effective and legitimate ways of addressing the shortcomings of exclusive territorial governance by nation-states in promoting international justice.

Conclusion

All of the above is, of course, an extremely tall order. Indeed, its very idealism provides a good indication of just how far the small number of robust democratic nation-states must travel before we can expect to see the emergence of cosmopolitan

[67] Amy Gutmann, 'Introduction', in *Multiculturalism*, ed. Amy Gutmann (Princeton, NJ: Princeton University Press, 1993), p. 8.

[68] Gutmann, 'Introduction', pp. 10–11.

[69] Will Kymlicka, *Liberalism, Community and Culture* (Oxford: Oxford University Press, 1989) and *Multicultural Citizenship: A Liberal Theory of Minority Rights* (Oxford: Oxford University Press, 1995).

[70] Nielson, 'Cosmopolitan Nationalism', p. 447.

[71] Ibid., p. 448.

[72] Hedley Bull, *Justice in International Relations: The Hagey Lectures* (Waterloo, Ontario: University of Waterloo, 1984), p. 14.

nation-states. And I have said nothing of the likely forces of resistance from, say, right-wing nationalist movements or state elites who seek to defend parochial ideas of the 'national interest'. However, given that the move towards a cosmopolitan global order is crucially dependent on the agreement of at least a critical mass of like-minded cosmopolitan nation-states, then my thought experiment of exploring the sorts of shifts that need to take place *within* democratic states to produce a cosmopolitan orientation towards the rest of the world is illuminating, not to mention sobering.